



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

May 16, 2022

City of Richmond
50 N 5th St
Richmond, IN 47374

City of Richmond
Attn: Rodney Mayse, Airport Manager
Via email: rmayse@richmondindiana.gov

Re: Violation Letter
Richmond Municipal Airport
5169 SR 227 S
Richmond, Wayne County
UST Facility ID # **12663**

Dear Mr. Mayse:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on April 14, 2022.

The inspection was conducted pursuant to Indiana Code (IC) 13-14-2-2 to determine compliance with the provisions of IC 13-23 and 329 IAC 9. In accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection: Initial

Results of Inspection: Violations were discovered and require a submittal.

Within thirty (30) days of receipt of this letter, documentation demonstrating compliance with each of the requirements listed in the attached Inspection Report and Description of Violations (DOV) must be submitted to IDEM. Failure to submit this documentation may lead to this facility being referred for enforcement.

An enforcement action may include civil penalties of up to \$10,000 per UST. Enforcement actions may also affect the owner's and/or operator's eligibility for reimbursement from the Excess Liability Trust Fund (ELTF). Additionally, IDEM may deem the UST's at this facility ineligible for delivery, deposit or acceptance of regulated substances pursuant to IC 13-23-1-4. Finally, federal and criminal penalties may apply for failure to provide required notification; or submitting false information pursuant to IC 13-23-14-2 and liable under IC 13-30-10.

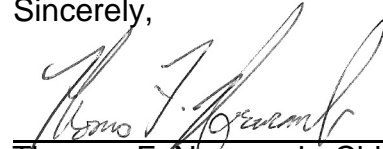
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **12663**.

Inspector: Matthew James
Phone: (317) 750-2491

Direct any questions regarding the inspection to:

Compliance Manager: Loic Maniet
Phone: (317) 232-3592

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas F. Newcomb", is written over a horizontal line.

Thomas F. Newcomb, Chief
UST Compliance Section
Office of Land Quality

cc: Loic Maniet
Matthew James
UST Facility ID File # 12663

DESCRIPTION OF VIOLATIONS

This inspection or records review revealed that the owner and/or operator of this facility is in violation of Indiana UST Rule 329 IAC 9. 329 Indiana Administrative Code ("IAC") 9 incorporates certain federal underground storage tank requirements found in 40 Code of Federal Regulations ("CFR") Part 280, including those identified below. The Description of Violations (DOV) and corrective measures are as follows:

FACILITY NAME: Richmond Airport	UST FACILITY ID: 12663
ADDRESS: 5169 SR 227 S Richmond, IN 47374	INSPECTION DATE: 4/14/2022

VIOLATIONS NOTED IN THIS INSPECTION

329 IAC 9-2-2(c) – Failure to register/notify with complete information

Citation:

Pursuant to 329 IAC 9-2-2(c), an owner required to submit a notification under this section shall provide:

- (1) a notification for each UST owned;
- (2) complete information required on the form for each UST owned; and
- (3) if applicable, a separate notification form for each separate place of operation at which the USTs are located.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because an updated notification form is needed. The form needs to include the correct delivery and release detection method for the piping.

Corrective Action:

The owner and/or operator of the UST systems at this site shall fill out and submit to IDEM a correct and complete copy of the appropriate state form with required attachments, within fifteen (15) days of receipt of this notice.

329 IAC 9-8-11(b) – Failure to demonstrate the ability to pay the deductible amount

Citation:

Pursuant to 329 IAC 9-8-11(b), an owner or operator of:

- (1) twelve (12) or fewer USTs shall demonstrate the ability to pay the applicable deductible amount under IC 13-23-9-1.3; or
- (2) more than twelve (12) USTs shall demonstrate the ability to pay two (2) times the applicable deductible amount under IC 13-23-9-1.3.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because a FR mechanism is needed.

Corrective Action:

The owner and/or operator of the UST systems at this site shall submit a copy of the instrument proving they have the coverage required by this rule within thirty (30) days of receipt of this notice.

§ 280.41(a)(1) – Failure to monitor tanks every 30 days if installed before 9/2/2009

Citation:

Pursuant to 40 CFR 280.41(a)(1), considering previous Indiana rule at 329 IAC 9-3-1.3 (repealed 2018), tanks installed on or before September 2, 2009 must be monitored for releases at least every 30 days using one of the methods listed in § 280.43(d) through (i).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because release detection records are incomplete for T1 Low Lead.

Corrective Action:

The owner and/or operator of the UST systems at this site shall have any UST or line that contains a regulated amount of product and found to not have been monitored every thirty (30) days tightness tested within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice. The owner and/or operator shall continue to perform proper monthly release detection.

§ 280.20(c)(1)(i) – Failure to have spill prevention equipment that will prevent release

Citation:

Pursuant to 40 CFR 280.20(c)(1)(i), to prevent spilling and overfilling associated with product transfer to the UST system, owners and operators must use the following spill and overfill prevention equipment:

(i) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because both spill buckets at the fill ports had gravel and inspector could not verify the condition of those spill buckets.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, contract with a certified contractor to install or replace absent or substandard spill prevention equipment that will prevent the release of product to the environment. The UST owner and/or operator must submit proof that the spill prevention equipment has been installed within forty five (45) days of receipt of this notice.

§ 280.21(d) – Failure to meet spill & overfill prevention equipment requirements on existing UST system

Citation:

Pursuant to 40 CFR 280.21(d), to prevent spilling and overfilling associated with product transfer to the UST system, all existing UST systems must comply with UST system spill and overfill prevention equipment requirements specified in § 280.20(c).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because the "sumps" located beneath the remote fill ports do not appear to meet the EPA spill prevention equipment.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, contract with a certified contractor to install or replace absent or substandard spill prevention equipment that will prevent the release of product to the environment. The UST owner and/or operator must submit proof that the spill prevention equipment has been installed within forty five (45) days of receipt of this notice.

§ 280.20(b) – Failure to install, design, construct or protect piping from corrosion

Citation:

Pursuant to 40 CFR 280.20(b), the piping that routinely contains regulated substances and is in contact with the ground must be properly designed, constructed, and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because there is steel piping that is in direct contact with ground for both tanks. This area is where the above ground piping goes below ground and connects to the tank.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within fifteen (15) days of receipt of this notice, contract with a certified contractor to determine if the piping or metal components in contact with the ground are substandard and what steps will be taken to provide corrosion protection. The UST owner and/or operator must inform IDEM of the proposed work within thirty (30) days of receipt of this notice and receive approval before completing the work. The work must be completed within forty five (45) days of receipt of this notice. If the piping or metal components are determined to be substandard, the UST owner and/or operator shall immediately notify IDEM of their intent to remove or replace the affected components.

§ 280.35(a)(1) – Failure to perform periodic testing of spill prevention equipment and containment sumps used for IM

Citation:

Pursuant to 40 CFR 280.35(a)(1), owners and operators of UST systems with spill and overfill prevention equipment and containment sumps used for interstitial monitoring of piping must meet these requirements to ensure the equipment is operating properly and will prevent releases to the environment:

(1) Spill prevention equipment (such as a catchment basin, spill bucket, or other spill containment device) and containment sumps used for interstitial monitoring of piping must prevent releases to the environment.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because spill bucket testing results are needed (main and remote)

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, contract with a certified contractor to inspect, repair and test all spill prevention equipment. Documentation, to include photographs, inspection, repair and testing results, showing the spill prevention equipment is liquid tight must be submitted within forty five (45) days of the receipt of this notice.

§ 280.35(a)(2) – Failure to perform periodic testing of overfill prevention equipment

Citation:

Pursuant to 40 CFR 280.35(a)(2), overfill prevention equipment must be inspected at least once every three years. At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level specified in § 280.20(c) and will activate when regulated substance reaches that level. Inspections must be conducted in accordance with one of the criteria in paragraph (a)(1)(ii)(A) through (C) of this section.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because overfill testing results are needed.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, contract with a certified contractor to inspect, repair and test all overfill prevention equipment. Documentation, to include photographs, inspection, repair, measurements and testing results, showing the overfill prevention equipment is fully functional and set at the correct level must be submitted within forty five (45) days of the receipt of this notice.

§ 280.40(a)(3)(i) – Failure to perform annual tests of ATG
Citation:
Pursuant to 40 CFR 280.40(a)(3)(i), owners and operators of UST systems must provide a method, or combination of methods, of release detection that beginning on October 13, 2018, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer's instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the implementing agency to be no less protective of human health and the environment than the two options listed in paragraphs (a)(1) and (2) of this section. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria: (i) Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because ATG testing results are needed.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall have all components of the automatic tank gauge or other controllers tested for proper operation within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.

§ 280.40(a)(3)(ii) – Failure to perform annual tests of probes & sensors
Citation:
Pursuant to 40 CFR 280.40(a)(3)(ii), owners and operators of UST systems must provide a method, or combination of methods, of release detection that beginning on October 13, 2018, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer's instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the implementing agency to be no less protective of human health and the environment than the two options listed in paragraphs (a)(1) and (2) of this section. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria: (ii) Probes and sensors: inspect for residual buildup; ensure floats move freely; ensure shaft is not damaged; ensure cables are free of kinks and breaks; test alarm operability and communication with controller.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because ATG probe testing results are needed.</i>

Corrective Action:

The owner and/or operator of the UST systems at this site shall have all components of the automatic tank gauging probes and sensors tested for proper operation within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.

§ 280.36(a)(1)(i) – Failure to perform 30 day walkthrough inspections

Citation:

Pursuant to 40 CFR 280.36(a)(1)(i), to properly operate and maintain UST systems, not later than June 28, 2021, owners and operators must conduct a walkthrough inspection every 30 days that, at a minimum, checks spill prevention equipment and release detection equipment (Exception: spill prevention equipment at UST systems receiving deliveries at intervals greater than every 30 days may be checked prior to each delivery).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because 30 day walk through documentation is needed.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within seven (7) days of receipt of this notice, perform the 30 day walkthrough inspection for all UST systems at the site in accordance with a standard of practice referenced in the rule.

Documentation, to include photographs, inspection forms, repair documents, and waste disposal records, showing the walkthrough inspection has been completed must be submitted within forty five (45) days of the receipt of this notice.

§ 280.240 – Failure to designate Class A, Class B or Class C operators that meet requirements

Citation:

Pursuant to 40 CFR 280.240, not later than October 13, 2018, all owners and operators of UST systems must ensure they have designated Class A, Class B, and Class C operators who meet the requirements of this subpart.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because operator A, B and C training certificates are needed.

Corrective Action:

The owner or operator of the UST systems at this site shall submit a list of those employees designated to be Class A, Class B and Class C operators. Those so designated must be trained and certification of that training submitted within thirty (30) days of receipt of this notice.



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **12663**

Inspector's Name:	Matt James
Date:	April 14, 2022
Time In:	10:00
Time Out:	11:00
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Richmond Municipal Airport			FACILITY ADDRESS (number and street) 5169 SR 227 S		
ADDRESS (line 2)		CITY Richmond	STATE IN	ZIP CODE 47374	COUNTY Wayne
UST OWNER					
UST Owner Name (If in Individual Capacity) City of Richmond				BUSINESS ID (From the Secretary of State)	
PREFIX Mr	FIRST NAME Rodney	MI	LAST NAME Mayse		SUFFIX
TELEPHONE NUMBER (765) 993-4139		EMAIL ADDRESS rmayse@richmondindiana.gov			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) Richmond Municipal Airport				BUSINESS ID (From the Secretary of State)	
PREFIX Mr	FIRST NAME Rodney	MI	LAST NAME Mayse		SUFFIX
TELEPHONE NUMBER (765) 993-4139		EMAIL ADDRESS rmayse@richmondindiana.gov			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) City of Richmond				BUSINESS ID (From the Secretary of State)	
PREFIX Mr	FIRST NAME Rodney	MI	LAST NAME Mayse		SUFFIX
TELEPHONE NUMBER (765) 993-4139		EMAIL ADDRESS rmayse@richmondindiana.gov			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
Updated notification form is needed.					
O/O is in compliance with reporting & record keeping requirements			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
O/O is in compliance with release reporting or investigation			<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
O/O is in compliance with all UST closure requirements			<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
O/O has met all financial responsibility requirements			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A
Need FR mechanism.					
40 CFR 280, Subpart A installation requirements (partially excluded) met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40 CFR 280, Subpart B installation and upgrade requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
metal components of piping in contact with soil					
40 CFR 280, Subpart C spill/overfill control requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A
Spill prevention equipment at remote fill ports					
40 CFR 280, Subpart C compatibility requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40 CFR 280, Subpart C O&M and testing requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
walkthrough inspection, spill bucket testing (remote and main), overfill test					
40 CFR 280, Subpart D release detection requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
T1 has incomplete records, ATG/Probes test					
40 CFR 280, Subpart J operator training requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
Operator training certificates are needed.					

The information contained on this page is based upon a review of files related to this site and/or observations from an underground storage tank inspector. This page may contain information not specifically related to possible violations found during the review or inspection and is meant to give the owners and/or operator specific information to assist them.

Site Maintains:

- Two (2) FG SW USTs installed in June 1993
- One (1) 10K 100LL (Blue)
- One (1) 10K Jet A (White)

Section Chief Note: The normal operational lifespan of a UST before failing is 25 to 30 years old. The USTs at this site are now 29 years old and the owner should start planning on removing or replacing them soon.

- Piping is Steel and above ground (EU Suction) (Blue is 100LL and White is JETA)

RD UST = ATG

RD Piping = N/A (if confirmed EU)

Overfill/Spill = Spill Buckets + Overfill Alarm (consistent) + Auto/Ball Float (from earlier NF)

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test (not required) = N

Site History:

Site is an airport facility with fueling capability. Two (2) USTs were removed in 1989 (Closure NF in VFC) and three (3) were removed in 1993 (Closure Report and NF in VFC).

Contact Information

Rodney Mayse rmayse@richmondindiana.gov

Documentation not provided at the time of the file review:

- (NF 9/14/2016, Approval 9/15/2016 - incorrect delivery method piping, RD method piping)
- Certificate of Financial Responsibility
- Operator Certificates
- Release Detection Records
- ATG/Probes testing
- Spill bucket testing
- Overfill test
- Monthly walkthrough

CM Note: Overfill alarm was present. No Auto Shutoff devices noted in the main fill ports.

The information contained on this page is based upon a review of files related to this site and/or observations from an underground storage tank inspector. This page may contain information not specifically related to possible violations found during the review or inspection and is meant to give the owners and/or operator specific information to assist them.

The following are VIOLATIONS discovered during the inspection that will need to be corrected within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

1. Jet A and 100LL spill buckets at the fill ports had gravel and inspector could not verify the integrity of the spill buckets.
2. The remote fill ports do not appear to have proper spill prevention equipment installed. in addition, the "sumps" located beneath those fill ports were full of liquid and inspector could not verify that they would qualify as an actual spill prevention mechanism.

The following are RECORDS to be submitted to the inspector within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

3. An updated notification form is needed. The form needs to include the correct delivery and release detection method for the piping.
4. Financial responsibility mechanism is needed.
5. Spill bucket testing results are needed.
6. Walk through documentation is needed.
7. Overfill protection testing results are needed.
8. ATG and ATG probe testing results are needed.
9. Release detection records are incomplete for T1 low lead. Tank tightness testing results are needed.
10. There is steel piping that is in direct contact with ground for both tanks. This area is where the above ground piping goes below ground and connects to the tank. CP testing is needed and corrosion protection equipment needs to be installed.
11. Documentation showing that the current system installed at the remote fill port would meet the requirement of EPA in regards to spill prevention equipment. If those do not meet the requirement, proper spill prevention equipment must be installed.
12. Operator A, B and C training certificates are needed.