



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

July 18, 2022

Ambish Three Inc
Attn: Gurpreet Singh, Registered Agent
1150 Fox Hollow Rd
New Castle, IN 47362

W & S Food Mart LLC
Attn: Suliman Aljahmi, Registered Agent
432 Independence Lane, B
Liberty, IN 47353

Re: Violation Letter
Country Mart
3676 Western Ave
Connersville, Fayette County
UST Facility ID # **233**

Dear Messrs. Singh and Aljahmi:

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

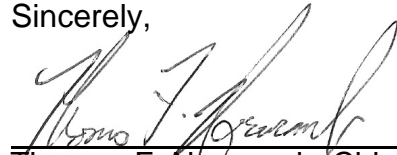
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # 233.

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 # 233

Attn: Gurpreet Singh, s.gurpreet44@yahoo.com
Attn: Suliman Aljahmi, saljahmi93@gmail.com

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: Country Mart	UST FACILITY ID: 233
ADDRESS: 3676 Western Ave Connersville, IN 47331	INSPECTION DATE: 6/14/2022

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 the last Notification Form had incorrect piping material. Based on inspection, the piping is a white Environ Flex piping and not fiberglass. An updated Notification Form with the correct piping information is needed.

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(b)(1)(i)(B) – Failure to perform annual piping LTT or monthly monitoring
Citation:
Pursuant to 40 CFR 280.41(b)(1)(i)(B), pressurized underground piping installed on or before April 11, 2016 (previously cited as September 2, 2009 under 329 IAC 9-2-1(2)(D)) that routinely contains regulated substances must have an annual line tightness test conducted in accordance with § 280.44(b) or have monthly monitoring conducted in accordance with § 280.44(c).
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because the monthly ELLD records for the KER, REG1 and REG 2 were incomplete. KER was missing the last three (3) months and REG1 / REG 2 were both missing the last months. This may also indicate an issue with the ELLD.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall have any piping that contains a regulated amount of product and found to not have had appropriate monthly monitoring or an annual line tightness test within the 12 months prior to inspection 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.

§ 280.40(a)(3)(iii) – Failure to perform annual tests of ALLD
Citation:
Pursuant to 40 CFR 280.40(a)(3)(iii), 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: (iii) Automatic line leak detector: test operation to meet criteria in § 280.44(a) by simulating a leak.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because line leak detector testing results are needed.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall have the automatic line leak detectors tested for proper operation by simulating a leak within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.
§ 280.31(b) – Failure to inspect CP system, frequency and criteria
Citation:
Pursuant to 40 CFR 280.31(b), all UST systems equipped with cathodic protection systems must be inspected for proper operation by a qualified cathodic protection tester in accordance with the following requirements: (1) Frequency. All cathodic protection systems must be tested within 6 months of installation and at least every 3 years thereafter or according to another reasonable time frame established by the implementing agency; and (2) Inspection criteria. The criteria that are used to determine that cathodic protection is adequate as required by this section must be in accordance with a code of practice developed by a nationally recognized association.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because corrosion protection testing results are needed for all UST systems.</i>

Corrective Action:

The owner and/or operator of the UST systems at this site shall submit to IDEM the required documents within fifteen (15) days of receipt of this notice or have their UST systems fully inspected by a qualified cathodic protection tester within fifteen (15) days and submit the results within thirty (30) days of receipt of this notice.

§ 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.

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:

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.

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 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:
<i>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.</i>
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:
<i>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. Need dates.</i>
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, B and 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: **233**

Inspector's Name:	Matthew James
Date:	June 14, 2022
Time In:	09:30
Time Out:	10:15
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Country Mart			FACILITY ADDRESS (number and street) 3676 Western Ave		
ADDRESS (line 2)	CITY Connersville	STATE IN	ZIP CODE 47331	COUNTY Fayette	
UST OWNER					
UST Owner Name (If in Individual Capacity) Ambish Three Inc				BUSINESS ID (From the Secretary of State) 201909111345246	
PREFIX Mr	FIRST NAME Gurpreet	MI	LAST NAME Singh		SUFFIX
TELEPHONE NUMBER (765) 354-8124		EMAIL ADDRESS s.gurpreet44@yahoo.com			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) W & S Food Mart LLC				BUSINESS ID (From the Secretary of State) 2014092900738	
PREFIX Mr	FIRST NAME Suliman	MI	LAST NAME Aljahmi		SUFFIX
TELEPHONE NUMBER (646) 744-4858		EMAIL ADDRESS saljahmi93@gmail.com			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) Ambish Three Inc				BUSINESS ID (From the Secretary of State) 201909111345246	
PREFIX Mr	FIRST NAME Gurpreet	MI	LAST NAME Singh		SUFFIX
TELEPHONE NUMBER (765) 354-8124		EMAIL ADDRESS s.gurpreet44@yahoo.com			
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 NF with correct piping information					
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					
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					
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					
40 CFR 280, Subpart B installation and upgrade requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNK
40 CFR 280, Subpart C spill/overfill control requirements met					
40 CFR 280, Subpart C spill/overfill control requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40 CFR 280, Subpart C compatibility requirements met					
40 CFR 280, Subpart C compatibility requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNK
40 CFR 280, Subpart C O&M and testing requirements met					
40 CFR 280, Subpart C O&M and testing requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
spill bucket test, overfill test, CP test USTs					
40 CFR 280, Subpart D release detection requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
LTT, LLD test, ATG/Probes					
40 CFR 280, Subpart J operator training requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
Need A, B and C certificates.					

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:

- Four (4) Steel STIP 3 USTs installed in June 1997
- One (1) 12K REG GSL
- One (1) 10K PREM GSL
- One (1) 10K DSL
- One (1) 6K KER

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 27 years old and the owner should start planning on removing or replacing them soon.

- Piping is Environ Flex (white) SW and pressurized

RD UST = ATG

RD Piping = LLD, LTT, ATG

Overfill/Spill = Spill Buckets + Ball Float (consistent)

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test (not required) = N

Last known CP (1/16/2020)

Site History:

Site is an active service station. Four (4) USTs were removed in 1997 (Closure Report and NF in VFC).

Contact Information

Gurpreet Singh s.gurpreet44@yahoo.com

Suliman Aljahmi saljahmi93@gmail.com

Documentation not provided at the time of the file review:

- (NF 11/20/2019, no formal approval - Tank data ok) - From inspection it is White Environ piping and not Fiberglass
- Certificate of Financial Responsibility
- Operator Certificates
- Release Detection Records CSLD (UST)
- Release Detection Records ELLD 0.2 (piping)
- Leak detector test (if ELLD records)
- Corrosion Protection test
- ATG/Probes certification
- Spill bucket test
- Overfill test
- Monthly walkthrough inspection

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CM Note: Records collected on site (RD USTs 12 months, completed)

ELLD Records 0.2 (REG 1 missing 6/2022, PREM ok, KER missing 4/2022 to 6/2022, REG 2 missing 6/2022)

The following are AREAS OF CONCERN found during the inspection that will need to be addressed by the owner and/or operator:

1. The spill buckets contained a small amount of fluids/debris and should be monitored and cleaned out when needed.
2. The diesel sump compartment contained a small amount of fuel and should be monitored and cleaned out when needed.
3. The UDC for dispenser #3/4 and the kerosene contained fluids and should be monitored and cleaned out when needed.
4. The kerosene STP has some backfill/gravel in contact with it. This needs to be cleaned off.

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:

5. Updated Notification with correct piping information (last NF on file showed FG SW but site has White Environ Flex piping)
6. Financial responsibility mechanism is needed.
7. Spill bucket testing results are needed.
8. Walk through documents are needed.
9. Overfill protection testing results are needed.
10. ATG and ATG probe testing results are needed.
11. Line leak detector testing results are needed.
12. ELLD records were incomplete for KER, REG 1, and REG 2) - KER ELLD may have an issue
13. Corrosion protection testing results are needed for all UST systems.
14. Operator A, B and C training certificates are needed.