



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

September 30, 2024

MKR2 Inc / Rajwant Kaur
Attn: Rajwant Mander, Registered Agent
5034 E Raymond Street
Indianapolis, IN 46203

MKR2 Inc / Rajwant Kaur
Attn: Rajwant Mander
Via email: mkr2inc@gmail.com

Re: Violation Letter
Phillips 66
5034 E Raymond Street
Indianapolis, Marion County
UST Facility ID # **25298**

Dear Ms. Mander:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on September 30, 2024.

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 USTs 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.

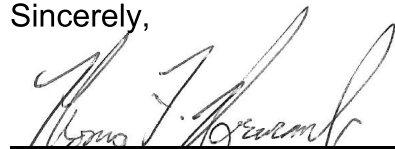
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **25298**.

Inspector: Danny Rice
Phone: (317) 646-5160

Direct any questions regarding the inspection to:

Compliance Manager: Jordan Ware
Phone: (317) 232-2045

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: Jordan Ware
Danny Rice
UST Facility ID File # 25298

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: **Phillips 66**

UST FACILITY ID: **25298**

ADDRESS: **5034 E Raymond Street
Indianapolis, IN 46203
Marion County**

INSPECTION DATE: **09/30/2024**

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 with interstitial monitoring selected as primary release detection for piping in section 'U' 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.

§ 280.40(a)(3)(iii) – Failure to perform annual tests of ALLD

Citation:

Pursuant to 40 CFR 280.40(a)(3)(iii), as incorporated, 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because passing PREM line leak detector testing was not provided.

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.

§ 280.35(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), as incorporated, 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 STP sump and UDC testing was not provided.

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 and containment sumps. Documentation, to include photographs, inspection, repair and testing results, showing the spill prevention equipment and containment sumps are liquid tight must be submitted within forty five (45) days of the receipt of this notice.

§ 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), as incorporated, 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 DSL spill bucket is full of liquid.

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.



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **25298**

Inspector's Name:	Danny Rice
Date:	September 30, 2024
Time In:	09:00
Time Out:	08:00
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Phillips 66			FACILITY ADDRESS (number and street) 5034 E Raymond Street		
ADDRESS (line 2)		CITY Indianapolis	STATE IN	ZIP CODE 46203	COUNTY Marion
UST OWNER					
UST Owner Name (If in Individual Capacity) MKR2 Inc / Rajwant Kaur				BUSINESS ID (From the Secretary of State) 2015121601049	
PREFIX Ms.	FIRST NAME Rajwant	MI K	LAST NAME Mander		SUFFIX
TELEPHONE NUMBER (317) 602-4545		EMAIL ADDRESS mkr2inc@gmail.com			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) MKR2 Inc / Rajwant Kaur				BUSINESS ID (From the Secretary of State) 2015121601049	
PREFIX Ms.	FIRST NAME Rajwant	MI K	LAST NAME Mander		SUFFIX
TELEPHONE NUMBER (317) 602-4545		EMAIL ADDRESS mkr2inc@gmail.com			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) MKR2 Inc / Rajwant Kaur				BUSINESS ID (From the Secretary of State) 2015121601049	
PREFIX Ms.	FIRST NAME Rajwant	MI K	LAST NAME Mander		SUFFIX
TELEPHONE NUMBER (317) 602-4545		EMAIL ADDRESS mkr2inc@gmail.com			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			☐ YES	☒ NO	☐ UNK
Updated notification form with interstitial monitoring selected as primary release detection for piping					
O/O is in compliance with reporting & record keeping requirements			☒ YES	☐ NO	☐ UNK
O/O is in compliance with release reporting or investigation			☐ YES	☐ NO	☒ N/A
O/O is in compliance with all UST closure requirements			☐ YES	☐ NO	☒ N/A
O/O has met all financial responsibility requirements			☒ YES	☐ NO	☐ N/A
40 CFR 280, Subpart A installation requirements (partially excluded) met			☒ YES	☐ NO	☐ N/A
40 CFR 280, Subpart B installation and upgrade requirements met			☒ YES	☐ NO	☐ UNK
40 CFR 280, Subpart C spill/overfill control requirements met			☐ YES	☒ NO	☐ N/A
DSL spill bucket full of liquid					
40 CFR 280, Subpart C compatibility requirements met			☒ YES	☐ NO	☐ N/A
40 CFR 280, Subpart C O&M and testing requirements met			☐ YES	☒ NO	☐ UNK
STP and UDC testing for interstitial monitoring					
40 CFR 280, Subpart D release detection requirements met			☐ YES	☒ NO	☐ UNK
Passing line leak detector testing					
40 CFR 280, Subpart J operator training requirements met			☒ YES	☐ NO	☐ UNK

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:

- Three (3) FG DW USTs installed in June 2012
- One (1) 12K REG
- One (1) 6K PREM
- One (1) 6K DSL
- Piping is FG DW and pressurized

RD UST = ATG, INT

RD Piping = LLD, ATG, INT

Overfill/Spill = Spill Buckets + Auto Shutoff

ATG Certification = Y (4/4/24, 9/10/24)

Overfill Protection Test = Y (4/4/24)

Spill bucket Test = Y (4/4/24)

Containment Sumps Test Required = N

Last known CP (Impressed/Galvanic) - N/A

Last known Liner inspection - N/A

Site History:

Site is an active service station. There is no prior UST history at this site. A notification form was submitted 8/29/17 with no initial approval.

Contact Information

Rajwant Kaur, mkr2inc@gmail.com

Documentation provided at the time of the file review:

- Operator Certificates A, B, C
- Certificate of Financial Responsibility
- UST RD (INT) 8/23, 9/23, 11/23, 1/24, 2/24, 4/24 - 8/24
- Piping RD (INT) 8/23, 9/23, 11/23, 1/24, 2/24, 4/24 - 8/24
- LLD 4/4/24 : PREM Failed
- LLD for Prem invoice for repairs 9/5/24
- ATG/Probe + Sensors 4/4/24 : Tank annular sensors 9/10/24
- Spill Bucket Test 4/4/24
- Overfill Test 4/4/24
- Monthly Walkthroughs 8/23, 9/23, 11/23, 1/24, 2/24, 4/24, 6/24, 7/24, 8/24
- Annual Walkthrough 4/4/24

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Inspector Notes:

- Interstitial monitoring appears to be to standard
- Alarm on ATG was for low product.

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

- REG and PREM spill buckets contain small amounts of liquid. Monitor and clean as needed.

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

- 1) Updated notification form with interstitial monitoring selected as primary release detection for piping is needed.
- 2) Passing line leak detector testing for PREM was not provided.
- 3) STP sump/UDC testing was not provided.
- 4) DSL spill bucket full of liquid and would not be able to perform as designed in the event of a spill or overflow.