



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun, Governor

January 17, 2025

LaPorte Expo Investments LLC
Attn: Mandeep Singh, Registered Agent
Via Email: luckyghotra95@gmail.com

Kokan Petroleum Inc
Attn: Gurmail Singh, Registered Agent
Via Email: gslubana@yahoo.com

Re: **Violation Letter**

Conoco
104 Lincolnway E
La Porte, La Porte
UST Facility ID # **2871**

Dear Messrs Singh:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on January 8, 2025.

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.

Visit on.IN.gov/survey or scan the QR code to provide feedback.

We appreciate your input!

Letterhead INDY R-01-2024



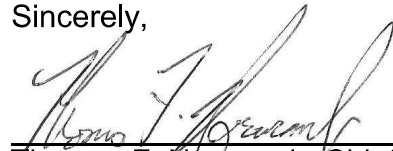
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **2871**.

Inspector: Todd Settles
Phone: (219) 314-1653

Direct any questions regarding the inspection to:

Compliance Manager: Carrie Maniet
Phone: (317) 253-3533

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: Carrie Maniet
Todd Settles
UST Facility ID File # 2871

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: **Conoco**

UST FACILITY ID: **2871**

ADDRESS: **104 Lincolnway E
LaPorte, IN 46350
LaPorte County**

INSPECTION DATE: **1/8/2025**

VIOLATIONS NOTED IN THIS INSPECTION

IC 13-23-12-1 Failure to Pay UST Fees

Citation:

Pursuant to IC 13-23-12-1, each year, if an underground storage tank has not been closed before January 1 of the year under rules adopted under IC 13-23-1-2; or a requirement imposed by the commissioner before the adoption of rules under IC 13-23-1-2; the owner of the underground storage tank shall pay to the department an annual registration fee.

The annual registration fee required by this section is ninety dollars (\$90) for each underground petroleum storage tank or two hundred forty-five dollars (\$245) for each underground storage tank containing regulated substances other than petroleum.

If an underground storage tank consists of a single tank in which there are separate compartments, a separate fee shall be paid under subsection (b) for each compartment within the single tank. If an underground storage tank consists of a combination of tanks, a separate fee shall be paid under subsection (b) for each compartment within each tank in the combination of tanks.

For tanks that contain separate compartments and that were in use before July 1, 2014, the payment of a single annual fee of ninety dollars (\$90) for a tank containing separate compartments shall be deemed to satisfy the requirements of subsection (b).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because tank fees are in arrears - the 2024 fees are past due. Total amount due \$180.00.

Corrective Action:

The owner and/or operator of the UST systems at this site shall pay the required fees to the Indiana Department of Environmental Management within fifteen (15) days of 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because PREM spill bucket contains fluid to the extent it would not function as intended in the event of a release.</i>
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.

§ 280.41(b)(1)(i)(B) – Failure to perform annual piping LTT or monthly monitoring
Citation:
Pursuant to 40 CFR 280.41(b)(1)(i)(B), as incorporated, 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 testing provided has incomplete testing details.</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), 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because leak detector testing provided has incomplete testing details.</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.

§ 280.40(a)(3)(i) – Failure to perform annual tests of ATG
Citation:
Pursuant to 40 CFR 280.40(a)(3)(i), 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: (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 functionality testing provided has incomplete testing details.</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), 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: (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 probe functionality testing provided has incomplete testing details.</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.

§ 280.35(a)(2) – Failure to perform periodic testing of overfill prevention equipment
Citation:
Pursuant to 40 CFR 280.35(a)(2), as incorporated, 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because overfill testing provided has incomplete testing details.</i>
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.

§ 280.36(a)(1)(ii) – Failure to perform annual walkthrough inspections
Citation:
Pursuant to 40 CFR 280.36(a)(1)(ii), as incorporated, to properly operate and maintain UST systems, not later than June 28, 2021 owners and operators must conduct a walkthrough inspection annually that, at a minimum, checks containment sumps and hand held release detection equipment.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because an annual walk through was not provided.</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 annual 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.

§ 280.20(c)(1)(ii) – Failure to have overfill prevention equipment installed or installed properly
Citation:
Pursuant to 40 CFR 280.20(c)(1)(ii), 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: (ii) Overfill prevention equipment that will: (A) Automatically shut off flow into the tank when the tank is no more than 95 percent full; or (B) Alert the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or triggering a high-level alarm; or (C) Restrict flow 30 minutes prior to overfilling, alert the transfer operator with a high level alarm one minute before overfilling, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to product due to overfilling.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation of approved coincident use of overfill has not been provided.</i>
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 overfill prevention equipment that will operate as required. The UST owner and/or operator must submit proof that the overfill prevention equipment has been installed properly to the 90% or 95% fill level as required by the type of equipment within forty five (45) days of receipt of this notice. In the case where an owner has changed the overfill prevention equipment from a flow restrictor (ball float) to an auto-shutoff device, the owner must document the entire flow restrictor has been removed or that the automatic shut off device is installed at 90% or lower.



**UNDERGROUND STORAGE
TANK INSPECTION REPORT**
INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **2871**

Inspector's Name:	Todd Settles
Date:	January 8, 2025
Time In:	10:00
Time Out:	10:45
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Conoco		FACILITY ADDRESS (number and street) 104 Lincolnway E			
ADDRESS (line 2)	CITY La Porte	STATE IN	ZIP CODE	COUNTY La Porte	
UST OWNER					
UST Owner Name (If in Individual Capacity) LaPorte Expo Investments LLC				BUSINESS ID (From the Secretary of State) 202210281635004	
PREFIX	FIRST NAME Mandeep	MI	LAST NAME Singh		SUFFIX
TELEPHONE NUMBER (574) 310-9068		EMAIL ADDRESS luckyghotra95@ymail.com			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) Kokan Petroleum Inc				BUSINESS ID (From the Secretary of State) 201804181253554	
PREFIX	FIRST NAME Gurmail	MI	LAST NAME Singh		SUFFIX
TELEPHONE NUMBER (574) 238-8938		EMAIL ADDRESS gslubana@yahoo.com			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) LaPorte Expo Investments LLC				BUSINESS ID (From the Secretary of State) 202210281635004	
PREFIX	FIRST NAME Mandeep	MI	LAST NAME Singh		SUFFIX
TELEPHONE NUMBER (574) 310-9068		EMAIL ADDRESS luckyghotra95@ymail.com			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			YES	☒ NO	UNK
In arrears – the 2024 fees are past due. Total amount due \$180.00					
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
Documentation showing BFs have been removed or ASDs are set to 90% was not provided					
40 CFR 280, Subpart C spill/overfill control requirements met			YES	☒ NO	N/A
Fluid in PREM spill bucket to the extent it would not function as intended					
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
Overfill testing provided isn't dated and missing data, annual walkthrough provided is incomplete					
40 CFR 280, Subpart D release detection requirements met			YES	☒ NO	UNK
ATG, probes, line tightness, leak detector testing provided is incomplete and cannot be validated					
40 CFR 280, Subpart J operator training requirements met			☒ YES	NO	UNK

COMPLIANCE REVIEW AND COMMENTSUST Facility ID **2871**

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) - STIP3 - USTs installed 11/12/1991

One (1) 10K Reg GSL

One (1) 10K Prem GSL

Piping is - FG - Pressurized

Last known CP test 8/15/2022

RD UST - ATG

CP UST - Galvanic

RD piping - LTT - LD

Spill protection/Overfill - Spill buckets & Flapper (History of ball floats)

ATG Certification - No

Overfill Protection Test - Yes (Incomplete)

Spill bucket Test - Yes 8/15/2022

Containment Sumps Test Required - No

Any Site history and concerns:

Documentation received:

Notification form - 1/17/2024

RD UST monthly results - 12/26/2023-11/13/2024 (10 months for Reg & 8 months for Prem)

CP Results - 8/15/2022 Pass

RD Piping LTT 11/27/2024 (No testing results)

LD (No testing results)

Annual ATG/probes test (No testing results)

Spill bucket test 8/15/2022 Pass

Overfill test 8/15/2022 (No percentage listed for shut off)

Monthly walk through - 12/26/2023-11/13/2024 (10 months submitted, missing Jan & Apr)

Annual walk through

Operator certificate - A-B-C

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

- Fluid in REG spill bucket. Drain fluid, 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) Tank fees are in arrears - the 2024 fees are past due. Total amount due \$180.00
- 2) PREM spill bucket contains fluid to the extent it would not function as intended in the event of a release.
- 3) Line tightness testing provided has incomplete testing details.
- 4) Leak detector testing provided has incomplete testing details.
- 5) Annual ATG Functionality testing provided has incomplete testing details.
- 6) Probe functionality testing provided has incomplete testing details.
- 7) Overfill testing provided has incomplete testing details.
- 8) Annual walk through was not provided.
- 9) Documentation of approved coincident use of overfill has not been provided.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

VIA ELECTRONIC MAIL

June 22, 2023

UST Owners,
Environmental Consultants, Contractors,
And Other Interested Parties

Re: ELTF Claim for 50% Cost Reimbursement for Decommissioning or Replacing
Qualified Underground Storage Tanks (UST)

To Whom It May Concern:

IDEM is excited to announce a new reimbursement opportunity available to Underground Storage Tank (UST) owners. On May 4, 2023, Governor Holcomb signed into law statutory revisions to Ind. Code 13-23 which authorize, among other things, reimbursement from the Excess Liability Trust Fund (ELTF) of 50% of eligible costs related to qualified UST decommissioning or replacement projects. Per new IC 13-23-9-1.7, IDEM must find that such decommissioning or replacement of an UST "is necessary ... to protect human health and the environment considering the age, obsolescence, and level of deterioration of the tank".

While each UST will be considered by IDEM on a case-by-case basis, certain characteristics may make a UST more likely to qualify for this program. Those characteristics include but are not limited to:

1. Lined Steel USTs.
2. First Generation Fiberglass Reinforced Plastic (FRP) USTs.
3. USTs over 30 Years Old.
4. USTs which have caused or are likely to cause catastrophic release and which cannot be repaired or maintained to avoid such release.

IDEM will accept ELTF eligibility applications, via a new form (attached), with backup documentation outlining the project for agency review beginning July 1, 2023. Such backup documentation must include evidence of age, obsolescence, and/or level of deterioration such that IDEM may determine whether the UST qualifies for the program. In order for costs to be eligible for reimbursement, IDEM must confirm project eligibility **prior to** the work being initiated at the site, and applicable portions of 328 IAC 1 (the ELTF rules) will apply to such work. Costs related to tank installations will not be reimbursed unless costs related to the required corresponding tank removal are submitted simultaneously therewith or have been previously submitted for reimbursement.

Examples of Allowable Costs include:

- Removal & Proper Disposal of USTs
- Proper Disposal of Contaminated Water/Sludge
- Closure Report Costs (Report must be approved)
- Installation of Replacement UST Systems to below the Shear Valve
- In-Place Closure Work Plans
- “Tank-in-a-Tank” related closures and installations
- Concrete/Asphalt Replacement

Examples of Ineligible Costs include (but are not limited to):

- Fuel Dispenser and Nozzle
- Island / Canopy
- Buildings
- Concrete/Asphalt to Expand Parking Area
- Relining Regulated Tanks
- Loan interest or late payment fees

To the extent possible and to facilitate more efficient claim review, Owners should request separate invoicing and refrain from submitting ineligible costs to the ELTF program.

Applicants to this program must be aware that this 50% reimbursement program does not allow IDEM to encumber funds for each approved project. This is not a “grant” program. The statute outlines maximum reimbursement from the Fund per fiscal year (July 1 to June 30) based on type of UST owner. Reimbursements are capped at:

- Ten million dollars for UST owners with 12 or less tanks.
- Seven million five hundred thousand dollars for UST owners with more than 12 but not more than 100 tanks.
- Two million five hundred thousand dollars for UST owners with more than 100 tanks.

Eligible projects will be reimbursed under a first in first out (FIFO) review process, up to the maximum in each of the three categories based on claims approved for payment. Once the maximum has been reimbursed for a given fiscal year, all subsequent claims submitted in that fiscal year will have to be denied. Applicants can resubmit such claims on or after July 1 of the next fiscal year. The applicant is required to be the UST owner.

New releases discovered during decommissioning or replacement projects must be reported to the Petroleum Remediation Section (PRS). Eligible costs for over-excavation and disposal of contaminated soil should be submitted for reimbursement under an ELTF Eligible Leaking UST (LUST) Incident Number and should not be submitted as part of this 50% reimbursement program.

As part of the review process for the ELTF claim, IDEM staff may contact vendors and contractors directly to discuss submitted invoices and the work completed. It will be preferable to have one ELTF claim application for costs related to the entire project. If necessary to comply with claim submission requirements under 328 IAC 1, removal/closure costs can be submitted in one ELTF claim once the closure report is approved, and replacement/installation costs can be submitted in a second ELTF claim once the tanks are properly registered with IDEM.

IDEM is looking forward to the impact this program will have on protecting human health and the environment. We are still ironing out additional details, but if you have any additional questions, feel free to contact Bobbi Steiff at 317.234.0935 or Rsteiff@idem.in.gov.

Sincerely,



Timothy E. Veatch
Branch Chief
Petroleum Branch
Office of Land Quality
(317) 234-0980
Tveatch@idem.in.gov