

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb

Governor

Brian C. Rockensuess

Commissioner

March 4, 2024

AA Khatra Petroleum Inc. Attn: Sarabjeet Khatra, Registered Agent 7035 Hendrickson Ln Indianapolis, IN 46237 Jay Ambe MA LLC Attn: Chintu Patel, Registered Agent 315 US Hwy 31 S Greenwood, IN 46142

Re: Violation Letter
Marathon Oil Bargersville
170 SR 135
Bargersville, Johnson County
UST Facility ID # **16274**

Dear Owner and Operator:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on February 14, 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 will be referred to Enforcement.

Details of the inspection may be found in the enclosed inspection report. An enforcement case manager will be assigned and IDEM will issue an appropriate enforcement response. Please direct any questions regarding the inspection to:

Compliance Manager: Loic Maniet

Phone: (317) 232-3592

Sincerely,

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





Marathon Oil Bargersville UST Facility ID # **16274** Page #2

cc: Loic Maniet

Danny Rice

UST Facility ID File # 16274

Jay Ambe MA LLC

Attn: Chintu Patel, Registered Agent Via email: loveninder@yahoo.com

AA Khatra Petroleum Inc.

Attn: Sarabjeet Khatra, Registered Agent

Via email: samkhatra@yahoo.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:

UST FACILITY ID: 16274
INSPECTION DATE: 02/14/2024

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.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because the 2023 fees have not been paid.

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 the correct ownership information is needed.

§ 280.34 – Reporting and recordkeeping (general provisions)

Citation:

Pursuant to 40 CFR 280.34, owners and operators of UST systems must cooperate fully with inspections, monitoring and testing conducted by the implementing agency, as well as requests for document submission, testing, and monitoring by the owner or operator pursuant to section 9005 of Subtitle I of the Solid Waste Disposal Act, as amended.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because record were not provided in response to the records request.

§ 280.21(b)(1)(ii) – Failure to inspect tank liner or close tank

Citation:

Pursuant to 40 CFR 280.21(b)(1)(ii), within 10 years after lining, and every 5 years thereafter, the lined tank is internally inspected and found to be structurally sound with the lining still performing in accordance with original design specifications. If the internal lining is no longer performing in accordance with original design specifications and cannot be repaired in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory, then the lined tank must be permanently closed in accordance with 329 IAC 9-6.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because a current liner inspection has not been provided. The last known liner inspection was completed in 2008.

§ 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 twelve (12) months of release detection records were not provided or available on site.

§ 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because a line tightness test was not provided.

§ 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:

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

§ 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 metal components of the piping were in direct contact with soil in the STPs and beneath the dispensers without any apparent form of corrosion protection.

§ 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 an ATG certification test was not provided.

§ 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because an ATG probe test was not provided.

§ 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 a spill bucket test was not provided.

§ 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 an overfill test was not provided.

§ 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 twelve (12) months of walkthrough were not provided.

§ 280.36(a)(1)(ii) – Failure to perform annual walkthrough inspections

Citation:

Pursuant to 40 CFR 280.36(a)(1)(ii), 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because an annual inspection was not provided.

§ 280.245 – Failure to maintain list of designated operators and/or training records

Citation:

Pursuant to 40 CFR 280.245, owners and operators of underground storage tank systems must maintain a list of designated Class A, Class B, and Class C operators and maintain records verifying that training and retraining, as applicable, have been completed, in accordance with § 280.34.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because operator certifications class A, class B and class C were not provided.



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

UST FAC ID: 16274

Danny Rice	Inspector's Name:
February 14, 2024	Date:
10:00	Time In:
:	Time Out:
: Initial	Inspection Type:

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COMPLIANCE REVIEW AND COMMENTS

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) Steel USTs installed in July 1983 (lined 6/8/1998)
- One (1) 8K REG GSL
- One (1) 8K MID GSL
- One (1) 6K DSL
- Piping is FG SW and pressurized (possibly upgraded in 1998)

RD UST = ATG
RD Piping = LLD, LT, ATG
Overfill/Spill = Spill Buckets + Auto Shutoff
ATG Certification = N
Overfill Protection Test = N
Spill bucket Test = N

Containment Sumps Test (not required) = N

Last known Liner inspection (11/1/2008)

Site History:

Site is an active service station. There is no prior UST history at the site. Original NF shows Steel USTs with no Cathodic or Corrosion Protection. The only indication of corrosion protection is in 1998 affidavit (fiberglass). Per a later NF, the liner would have been installed on 6/8/1998. The liner was then inspected by William Beck and Hess in 2008. Since no documentation of other corrosion protection was found, Liner would be considered the main form of corrosion protection. Per County Assessor's Office, property ownership changed on 2/18/2022 to AA Khatra Petroleum Inc. but not updated Notification Form has been received.

Contact Information

Chintu Patel loveninder@yahoo.com
Sarabjeet Khatra samkhatra@yahoo.com

Documentation not provided at the time of the file review:

- Updated NF (Need updated ownership/operator information, correct UST system information)
- Fees 2023
- Operator Certificates
- Release Detection Records
- Line and leak detector test
- Liner inspection
- ATG/Probes certification
- Spill bucket test
- Overfill test
- Monthly walkthrough
- Annual inspection

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:

- Liquid found in spill buckets. Monitor and clean as needed.

The following are VIOLATIONS discovered during the inspection:

- 1) Records were not provided in response to IDEM's records request.
- 2) Tank fees have not been paid for 2023
- 3) Updated notification form with correct ownership and operator information is needed.
- 4) Liner inspection was not provided.
- 5) Twelve (12) months of release detection records for the USTs were not provided.
- 6) Line tightness testing was not provided.
- 6) Line leak detector testing was not provided.
- 7) Metal components of the piping are in direct contact with soil in the STPs and beneath the dispensers without apparent form of corrosion protection.
- 9) ATG certification was not provided
- 10) ATG probe testing was not provided.
- 11) Spill bucket testing was not provided.
- 12) Overfill testing was not provided.
- 13) Monthly walkthrough was not provided
- 14) Annual inspection was not provided.
- 15.) Operator Certificates A, B, and C were not provided.