



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

September 1, 2022

LSAS LLC

Attn: Priya Lakshmi, Registered Agent
6520 Lake Crest Cir
South Bend, IN 46628

LSAS LLC

Attn: Priya Lakshmi, Registered Agent
Via email: priya9818@gmail.com

IDEM



Re: Violation Letter

North Central Cooperative
312 S Mayflower
South Bend, St. Joseph County
UST Facility ID # **19416**

Ms. Lakshmi:

August 12, 2022.

acted 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.

Dear
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.

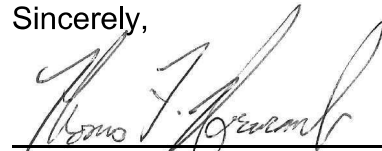
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **19416**.

Inspector: Adam James
Phone: (317) 408-7187

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
Adam James
UST Facility ID File # 19416

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: North Central Coop	UST FACILITY ID: 19416
ADDRESS: 312 S Mayflower Rd, South Bend, St Joseph County	INSPECTION DATE: 08/12/2022
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: <i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because tank fees for 2022 are owed.</i>
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.

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:
<i>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 current owner information and the primary release detection method for the USTs and piping is required.</i>
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.

§ 280.34 – 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because records were not submitted at initial request 06/20/2022 & required records were not provided during the inspection 08/12/2022.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall immediately perform the monitoring or testing required by the rules and/or submit the requested documentation within seven (7) 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation of financial responsibility was not provided.</i>

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:
<i>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. In addition, the REG UST had 8" of product. Release detection must be maintained for USTs with more than 1" of fuel.</i>
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 and submit the results monthly for a period of six (6) months after the 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 twelve (12) months of release detection records or annual line tightness test was not provided.</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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because an annual line leak detector test 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), 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 <u>prevent releases to the environment</u> .
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because periodic test results for the spill buckets was not provided. If Interstitial monitoring is utilized as primary form of release detection for the piping, UDC and STP testing would be required.</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 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.

§ 280.35(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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because a periodic test result for the overfill prevention device was not 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 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 an annual test result of the ATG unit was not provided.</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 an annual test result of the probes was not provided. If interstitial monitoring is utilized as primary release detection for USTs and/or piping, sensors would also require testing.</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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because monthly walkthroughs August 2021- August 2022 were 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 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.

§ 280.36(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 annual walkthrough inspection for 2022 was not provided.

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.

§ 280.245 – 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 Certificates A, B and C were not provided.

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: **19416**

Inspector's Name:	Adam James
Date:	August 12, 2022
Time In:	11:45
Time Out:	12:50
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME North Central Coop			FACILITY ADDRESS (number and street) 312 S Mayflower Rd		
ADDRESS (line 2)		CITY South Bend	STATE IN	ZIP CODE 46619	COUNTY St. Joseph
UST OWNER					
UST Owner Name (If in Individual Capacity) LSAS LLC				BUSINESS ID (From the Secretary of State)	
PREFIX Mr	FIRST NAME Priya	MI	LAST NAME Lakshmi		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS priya9818@gmail.com			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) LSAS LLC				BUSINESS ID (From the Secretary of State)	
PREFIX Mr	FIRST NAME Priya	MI	LAST NAME Lakshmi		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS priya9818@gmail.com			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) LSAS LLC				BUSINESS ID (From the Secretary of State)	
PREFIX Mr	FIRST NAME Priya	MI	LAST NAME Lakshmi		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS priya9818@gmail.com			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			YES	☒ NO	UNK
An updated notification (Ownership, Release Detection tanks and piping), tank fees					
O/O is in compliance with reporting & record keeping requirements			YES	☒ NO	UNK
No records submitted on initial request on 06/20/2022 and no records obtained on site.					
O/O is in compliance with release reporting or investigation			YES	NO	☒ N/A UNK
O/O is in compliance with all UST closure requirements			YES	NO	☒ N/A UNK
O/O has met all financial responsibility requirements			YES	☒ NO	N/A UNK
Financial responsibility documentation					
40 CFR 280, Subpart A installation requirements (partially excluded) met			YES	NO	N/A UNK
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 UNK
40 CFR 280, Subpart C compatibility requirements met			☒ YES	NO	N/A UNK
40 CFR 280, Subpart C O&M and testing requirements met			YES	☒ NO	UNK
Spill bucket, Overfill prevention test, Monthly & annual walkthrough inspections					
40 CFR 280, Subpart D release detection requirements met			YES	☒ NO	UNK
Monthly release detection records (USTs & piping), LTT/LLD test, ATG/probe test					
40 CFR 280, Subpart J operator training requirements met			YES	☒ NO	UNK
Operator Certificate A, B and C					

COMPLIANCE REVIEW AND COMMENTSUST Facility ID **19416**

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) Actual Plasteel CLAD USTs installed in November 1994 (one 12K split 7/5)
- One (1) 12K DSL GSL
- One (1) 7K REG GSL (T2 C1)
- One (1) 5K Off Rd DSL (T2 C2)

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

- Piping is APT Flex DW and pressurized

RD UST = ATG, INT

RD Piping = LLD, ATG, INT (not noted but performing it)

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

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test (required if INT primary for piping) = N

LSAS LLC purchased property 3/18/2021 - no updated NF with new ownership information

Ceres Solutions provided documentation showing they have sold the entire site to LSAS

Site History:

Site is an active service station. There is no prior UST history at this site.

Contact Information

Priya Lakshmi priya9818@gmail.com

Documentation not provided at the time of the file review:

- Updated NF (new ownership, no NF - need determination of primary release detection for piping and USTs)
- Certificate of Financial Responsibility
- Operator Certificates
- Release Detection Records CSLD (USTs)
- Release Detection Records INT (USTs)
- Release Detection Piping (INT or ELLD)
- Leak detector test (if ELLD or INT records)
- ATG/Probes certification + Sensors (if INT primary for tanks and piping)
- Spill bucket test
- UDC/STP testing (required if interstitial is primary for piping)
- Overfill test
- Monthly walkthrough inspections
- Annual Walkthrough

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.

Inspector Notes: Site appears to be unmanned and currently inactive. Inspector could not gain access to the ATG unit. The fuel ports are locked except for the REG UST. The presence of product was checked utilizing fuel paste. About 8 inches of product was measured in the REG UST.

- Sensors were confirmed to be present in the STP sumps.
- The presence of an overfill alarm was confirmed to be installed on the side of the facility building.

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

1. REG vapor recovery could not be inspected. Cap could not be removed even with force. Reg vapor recovery should be replaced.
2. Interstitial monitoring for piping is not performed to standard. The sensors were not located at the lowest point in the STPs and no sensors or jumpers were found in the UDCs. In addition, STPs had excessive amount of liquid which would interfere with proper interstitial monitoring. Shradder valves/caps were also noted on the testing boots within the STPs which would not allow liquid to drain into the STPs. If the owner wants to utilize interstitial monitoring as primary release detection for piping, this would need to be corrected. In addition, STP, UDC, and sensors testing would be required.

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:

3. An updated notification form with the current owner information and the primary release detection method for the USTs and piping is required.
4. Records were not submitted at initial request 06/20/2022 & required records were not provided during the inspection 08/12/2022.
5. Documentation of financial responsibility was not provided.
6. Twelve (12) months of Release Detection Records for the USTs were not provided prior to inspection and could not be obtained on site.
7. Twelve (12) months of Release Detection Records for the piping or an annual line tightness test was not provided prior to inspection and could not be obtained on site.
8. An annual line leak detector test was not provided.
9. A periodic test results for the spill buckets, was not provided.

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.

10. A periodic test results for the overfill prevention device were not provided.
11. An annual test result of the ATG unit and probes/sensors was not provided.
12. Monthly walkthroughs August 2021- August 2022 were not provided.
13. Annual walkthrough inspection for 2022 was not provided.
14. Operator Certificates A, B and C were not provided.

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 (update accordingly):

- Updated NF (new ownership, no NF - need determination of primary release detection for piping and USTs)
- Certificate of Financial Responsibility
- Fees owed for 2022
- Operator Certificates
- Release Detection Records USTs (INT or CSLD)
- Release Detection Piping (INT or ELLD), if not available, Line tightness test will be required annually.
- Leak detector test
- ATG/Probes certification + Sensors (if INT primary for tanks and piping)
- Spill bucket test
- UDC/STP testing (required if interstitial is primary for piping)
- Overfill test
- Monthly and annual walkthrough inspections
- Confirmation that sensors are located near the lowest point. Sumps have been emptied of fluids.