



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

June 21, 2024

New Venture LLC
Attn: Shashi Kumar, Registered Agent
933 W Tipton St
Seymour, IN 47274

Waheguru SACHE Patshah LLC
Attn: Shashi Kumar, Registered Agent
Via email: shahsikumar735@gmail.com
samkhatra@yahoo.com

Re: Violation Letter
Seymour Quickstop 1
933 W Tipton St
Seymour, Jackson
UST Facility ID # **11157**

Dear Mr. Kumar:

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 7, 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.

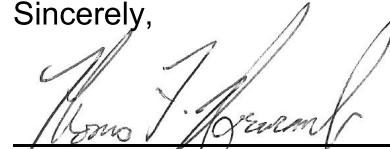
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # 11157.

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

Direct any questions regarding the inspection to:

Compliance Manager: Carrie Maniet
Phone: (317) 233-3533

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
Adam James
UST Facility ID File # 11157

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:				
<table border="0"><tr><td>FACILITY NAME: Seymour Quickstop 1</td><td>UST FACILITY ID: 11157</td></tr><tr><td>ADDRESS: 933 W Tipton St, Seymour Jackson County</td><td>INSPECTION DATE: 06/07/2024</td></tr></table>	FACILITY NAME: Seymour Quickstop 1	UST FACILITY ID: 11157	ADDRESS: 933 W Tipton St, Seymour Jackson County	INSPECTION DATE: 06/07/2024
FACILITY NAME: Seymour Quickstop 1	UST FACILITY ID: 11157			
ADDRESS: 933 W Tipton St, Seymour Jackson County	INSPECTION DATE: 06/07/2024			
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:
<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/operator information 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.

§ 280.41(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 monthly release detection records for the REG piping are incomplete with the last passing test in 08/03/2023.

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 documentation of line leak detector test expired on 04/19/2023.

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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation of corrosion protection test expired on 04/15/2023.

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 documentation of spill bucket test expired on 04/12/2024.

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 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because overfill prevention test 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 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 documentation of test results of the ATG unit was not provided.

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 documentation of test results of the probes 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 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because last monthly walkthrough inspection was completed in Aug of 2023.

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 expired on Feb of 2024.

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 certificate C expired on Feb of 2023.

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.

§ 280.20(d) – Failure to properly install UST system in accordance with a nationally recognized code of practice

Citation:

Pursuant to 40 CFR 280.20(d), the UST system must be properly installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because dispenser 5/6 has product actively leaking out of a flex connector.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, submit documentation proving the UST systems were installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions or notify IDEM of their intent to permanently close all affected UST systems.

§ 280.34(a)(3) – Failure to submit release report
Citation:
Pursuant to 40 CFR 280.34(a)(3), owners and operators must submit the following information to the implementing agency: reports of all releases including suspected releases (§ 280.50), spills and overfills (§ 280.53), and confirmed releases (§ 280.61).
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because active alarm for REG piping with last passing release detection in August 2023.</i>
Corrective Action:
The owner and operator of the UST systems at this site shall report a release within twenty four (24) hours of receipt of this notice by calling (317) 233-7745 or (888) 233-7745. The owner and operator shall submit documentation within fifteen (15) days detailing their investigation and clean up under 329 IAC 9-4-4.



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **11157**

Inspector's Name:	Adam James
Date:	June 7, 2024
Time In:	09:30
Time Out:	10:50
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Seymour Quickstop 1			FACILITY ADDRESS (number and street) 933 W Tipton St		
ADDRESS (line 2)		CITY Seymour	STATE IN	ZIP CODE 47274	COUNTY Jackson
UST OWNER					
UST Owner Name (If in Individual Capacity) New Venture LLC				BUSINESS ID (From the Secretary of State) 202301181655625	
PREFIX	FIRST NAME Shashi	MI	LAST NAME Kumar		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS shashikumar735@gmail.com			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) Waheguru Sache Patshah LLC				BUSINESS ID (From the Secretary of State) 201901221300372	
PREFIX	FIRST NAME Shashi	MI	LAST NAME Kumar		SUFFIX
TELEPHONE NUMBER (908) 636-5125		EMAIL ADDRESS shashikumar735@gmail.com			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) New Venture LLC				BUSINESS ID (From the Secretary of State) 202301181655625	
PREFIX	FIRST NAME Shashi	MI	LAST NAME Kumar		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS shashikumar735@gmail.com			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			☐ YES	☒ NO	☐ UNK
An updated notification form with the current owner/operator information is required.					
O/O is in compliance with reporting & record keeping requirements			☐ YES	☒ NO	☐ UNK
No records submitted on initial request 04/30/2024 and insufficient records collected on site.					
O/O is in compliance with release reporting or investigation			☐ YES	☐ NO	☒ N/A
Dispenser 5/6 flex piping is leaking into the UDC. Attendant was informed on site.					
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
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
Corrosion protection test (Expired), Spill bucket test, Overfill test, Monthly & Annual (Incomplete)					
40 CFR 280, Subpart D release detection requirements met			☐ YES	☒ NO	☐ UNK
Monthly RD records (REG piping - Incomplete), Line leak detector test, ATG/probe test					
40 CFR 280, Subpart J operator training requirements met			☐ YES	☒ NO	☐ UNK
Operator Certificates A, B and C (Documents on site are from the former owner/operator.)					

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) - STIP3 - USTs installed 1/1986

Three (3) 10K GSL

One (1) 6K REC

Piping is - FG - Pressurized

Last known CP test 4/15/2020

RD UST - ATG

CP UST Galvanic

RD piping - LTT - LD

Spill protection/Overfill - Spill bucket - Ball float

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test Required N

Site is an active gas station

Any Site history and concerns - File review found no discrepancies

Documentation received -

Notification form - 10/26/2023 (Approved)

No additional documents received at time of review

Inspector Notes: Active alarm for REG piping. Dispenser 5/6 has a pin hole leak on the flex connector (Photo page 60 & 61 of compliance packet) and is leaking fluids into the UDC. Approximately 1 inch of product is at the base of the UDC. Nearby monitoring well was checked utilizing fuel paste with no positive results. On site attendant was informed of the situation.

- A facility operator contacted inspector post inspection. Contact stated that they have only taken possession of the property recently and submitted updated contact information via text message. Email: shashikumar735@gmail.com and samkhatra@yahoo.com

- On site compliance documentation is expired and appears to be from the previous owner. Photo of merchant certificate was taken.

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:

1. PREM and DSL spill buckets are showing signs of corrosion and may no longer be able to function as design. Spill bucket testing is required and will help to determine if the equipment is still performing as intended.
2. REC gas and DSL vapor recovery spring seals will not close properly. This could allow fluids/debris to enter the UST. Spring seals should be repaired/replaced.
3. Fluids/debris was observed in the spill buckets, sumps and UDCs. Fluids/debris should be removed from spill buckets, sumps and UDCs along with being periodically monitored.
4. Used fuel filters were observed at the base of the UDCs. Fuel filters should be removed from the base of the UDCs.

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:

5. An updated notification form with the current owner/operator information is required.
6. Monthly release detection records for the REG piping are incomplete with the last passing test in 08/03/2023.
7. Documentation of line leak detector test expired on 04/19/2023.
8. Documentation of corrosion protection test expired on 04/15/2023.
9. Documentation of spill bucket test expired on 04/12/2024.
10. Overfill prevention test was not provided.
11. Documentation of test results of the ATG unit and probes was not provided.

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12. Last monthly walkthrough inspection was completed in Aug of 2023. .

13. Annual walkthrough inspection expired on Feb of 2024.

14. Operator certificates A and B appear to be from the previous ownership which make the documents invalid. In addition, certificate C expired on Feb of 2023.

15. Dispenser 5/6 has product actively leaking from the flex piping.

16. Active alarm for REG piping with last passing release detection in August 2023.

The following are RECORDS to be submitted to USTCompliance@idem.IN.gov with FID in subject line within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

- Updated NF (Complete owner/operator information)
- Line tightness test (Last passing test for REG piping was in 04/19/2023.)
- Corrosion protection test
- Spill bucket test
- Overfill prevention test
- ATG/probe test
- Updated Operator Certificates C
- Confirmation dispenser 5/6 REG flex piping has been repaired and is no longer actively leaking
- Documentation a potential release has not occurred or a suspected release has been reported