



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

Clint Woods
Commissioner

June 16, 2025

R & R Property LLC
Attn: Rajinder Singh, Registered Agent
4232 Ridgeway Dr
Laporte, IN 46350

GPM Empire LLC
c/o Corporation Service Company
135 N Pennsylvania St, Ste 1610
Indianapolis, IN 46204

Re: Violation Letter

GPM 25305
26395 SR 2 W
South Bend, St. Joseph County
UST Facility ID # **16127**

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 June 2, 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!



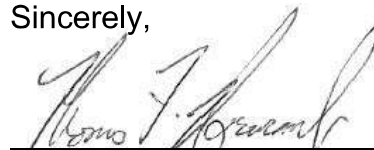
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # 16127.

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

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

cc: Loic Maniet
Adam James
UST Facility ID File # 16127
R & R Property LLC
Attn: Rajinder Singh, rajindersingh6@aol.com

GPM Empire LLC
Attn: Beth Poythress, BPoythress@gpminvestments.com
environmental@gpminvestments.com
Attn: Madison Jeffries, MJeffries@gpminvestments.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:

FACILITY NAME: **GPM 25305**

ADDRESS: **26395 SR 2 W**
South Bend, IN 46619
St Joseph County

UST FACILITY ID: **46619**

INSPECTION DATE: **06/02/2025**

VIOLATIONS NOTED IN THIS INSPECTION

329 IAC 9-2-2(b) – Failure to register/notify with complete information

Citation:

Pursuant to 329 IAC 9-2-2(b), an owner required to submit a form under this section shall provide all information required by this subsection, including but not limited to: facility name and location, UST owners and operators information, contractor information, and the physical attributes, contents, and status of the UST systems.

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 overfill prevention method, install date REG UST, primary release detection method piping, and piping type (APT Flex first generation).

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.

§ 280.20(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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because site has a history of ball floats and currently has auto shut off devices. Approved coincident use of overfill or documentation of ball float removal is needed.

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.

§ 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation of annual walkthrough inspection for 2024 - 2025 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, as incorporated, 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 was 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 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: 16127

Inspector's Name:	Adam James
Date:	June 2, 2025
Time In:	11:10
Time Out:	12:45
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME GPM 25305			FACILITY ADDRESS (number and street) 26395 SR 2 W		
ADDRESS (line 2)		CITY South Bend	STATE IN	ZIP CODE 46619	COUNTY St joseph
UST OWNER					
UST Owner Name (If in Individual Capacity) GPM Empire LLC				BUSINESS ID (From the Secretary of State) 202001231369684	
PREFIX	FIRST NAME Madison	MI	LAST NAME Jeffries		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS MJeffries@gpminvestments.com			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) GPM Empire LLC				BUSINESS ID (From the Secretary of State) 202001231369684	
PREFIX	FIRST NAME Madison	MI	LAST NAME Jeffries		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS MJeffries@gpminvestments.com			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) R&R Property LLC				BUSINESS ID (From the Secretary of State) 2006101600037	
PREFIX	FIRST NAME Rajinder	MI	LAST NAME Singh		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			YES	☒ NO	UNK
An updated notification form with the correct overfill prevention method, correct install date REG UST & primary release detection method piping					
O/O is in compliance with reporting & record keeping requirements			☒ YES	NO	UNK
O/O is in compliance with release reporting or investigation			YES	NO	☒ N/A 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
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
History of ball float and auto installed. These (2) method of overfill can interfere with each other					
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
Annual walkthrough inspection for 2024 - 2025					
40 CFR 280, Subpart D release detection requirements met			☒ YES	NO	UNK
40 CFR 280, Subpart J operator training requirements met			YES	☒ NO	UNK
Opeartor Certificate 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.

Site Maintains:

- Four (4) Steel USTs
- One (1) 12K REG GSL installed in 1981 (retrofitted in 1990)
- One (1) 8K DSL installed in April 1990
- One (1) 6K PREM GSL installed in April 1990
- One (1) 2K KER installed in April 1990
- Piping is FG SW and pressurized except KER (EU suction) - Based on inspection APT Flex DW (old generation with four bolts)

RD UST = ATG

RD Piping = LLD, LTT

Overfill/Spill = Spill Buckets + Auto Shutoff (REG, DSL, PREM) + Ball Float (historical)

ATG Certification = Y (2/28/2025)

Overfill Protection Test = Y (2/28/2025, 3/20/2025) - all Auto 95%

Spill bucket Test = Y (2/28/2025)

Containment Sumps Test (not required) = N

Last known CP (galvanic) 10/10/2017

Site History:

Site is an active fuel service station. Three (3) USTs were removed in 1990 (closure Report in VFC) and one existing UST (12K) was kept and retrofitted with Cathodic Protection. Three (3) USTs were subsequently installed in 1990 (8K, 6K, and 2K).

Contact Information

Madison Jeffries MJeffries@gpminvestments.com

Jessica Lannigan JLannigan@gpminvestments.com

Documentation provided at the time of the file review (list documents provided or if no document provided, note documentation not provided):

- (NF 11/5/2020, Approval 2/10/2023 - incorrect overfill, incorrect install date REG, missing primary RD method piping)
- Operator A, B
- RD UST CSLD (REG, PREM, DSL, KER) 5/2024 to 5/2025
- LLD/LTT (REG, PREM, DSL) 2/28/2025
- Corrosion protection test (REG, PREM, DSL, KER) 5/5/2025
- ATG/Probes test (REG, PREM, DSL, KER) 2/28/2025
- Spill bucket test (REG, PREM, DSL, KER) 2/28/2025
- Overfill test (REG, PREM, DSL, KER) 2/28/2025 - Fail REG, Fail KER (BF/alarm)
- Overfill test (REG, KER) 3/20/2025 - Auto 95% installed and tested
- Monthly walkthrough (4/2024 to 4/2025)

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: Updated RD records for the USTs were collected on site. No additional documentation collected on site or submitted post inspection.

- Piping appears to be blue APT Poly-Tech with the (4) bolt clamp fittings (pre 9/2/2009) which would likely mean it was upgraded from the original piping. KERO delivery method appears to be EU suction.

- Auto-shut off is confirmed to be installed in the drop tubes as an overfill prevention method.

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

1. Fluids observed in the REG STP sump and dispenser 7/8, 9/10, 11/12 and KERO UDCs were checked for the presence of product utilizing fuel paste. The presence of product was confirmed in all containment units. Measurements show about 13 inches of product within the REG STP sump. Dispenser 7/8 measures about 2.5 inches, 9/10 about 6 inches and KERO UDC measures about 12 inches. ATG print out shows about 12 gals of water present within the KERO UST. All monitoring wells were checked for the presence of product with no confirmed results. Owner came on site and was informed of the product within the REG STP sump. It is unknown if the piping chase is open. Owner/operator should have fluids removed from PREM STP sumps and associated dispenser UDCs along with being periodically monitored to ensure equipment is functioning as design and that a potential release does not occur.

2. Fluids were observed in the spill buckets and STP sumps. Fluids should be removed from spill buckets and STP sumps along with being periodically monitored.

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:

2. An updated notification form with the correct overfill prevention method, correct install date REG UST, primary release detection method piping, and correct type of piping.

3. Site has a history of ball floats and currently has auto shut off devices. Approved coincident use of overfill or documentation of ball float removal is needed.

4. Documentation of annual walkthrough inspection for 2024 - 2025 was not provided.

5. Operator Certificate C was not provided.



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We Protect Hoosiers and Our Environment.

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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