



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

Bruno L. Pigott
Commissioner

Re: Violation Letter

UST Facility ID #

Dear

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

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:

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 UST's 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 Compliance Manager listed below. Include in the subject line of the response the UST Facility ID #

Manager:
Phone:
Email:

Direct any questions regarding the inspection to:

Inspector:
Phone:
Email:

Direct any questions regarding UST registration or fees to:

Director:
Phone:
Email:

Sincerely,



cc:

UST Facility ID File #



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

Inspector's Name:	Ashley McElroy
Date:	7/18/2018
Time In:	11:00 PM
Time Out:	12:15 PM
Inspection Type:	Initial

General Information

Facility Information

Facility Name	Circle K 2293
Facility Location	4841 N Pennsylvania St Indianapolis, IN 46205, Marion County
Facility Mailing Information	Mac's Convenience Stores LLC PO Box 347 Columbus, IN 47202
Owner Information	
UST Operator Certificate [329 IAC 9-9]	

Operating Information

Facility Registration Number	202
GPS Location Collected	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Previously Collected
Financial Assurance Financial Responsibility [329 IAC 9-8]	Unknown
Number of Registered Tanks	3
Number of Compartmented USTs	0

General Comments

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Deficiency List of Compliance Failures

X329 IAC 9-7-2(2)(A) Failure to Conduct Annual Line Tightness Test

Inspection Results/Action

Inspection Results:	Violation
Facility Status:	Active
Documents and Photos Comments:	
Written Summary of Inspection:	

A compliance inspection of the Circle K 2293, Facility ID: 202, was completed by UST inspector Ashley McElroy on July 18, 2018.

Site maintains:

- Three (3) single-walled, fiberglass tanks, installed in 1975; (1) 10,000-gallon RUL; (1) 10,000-gallon Mid-Grade; (1) 10,000-gallon PUL;
- Pressurized, combination piping: steel, fiberglass, metal flex connectors
- 3 Dispenser Stations
- Stage I Dual-Point Vapor Recovery
- A Veeder-Root TLS-350 Automatic Tank Gauge

Prior to inspection, site submitted the following compliance records:

- Updated 2014 notification form
- Line tightness test passed 4/24/17
- Leak detector test passed 4/24/17
- 9 months of CSLD results (Prior issues with release detection that was repaired)
- A, B, and C Operator Certificates
- Financial Responsibility Mechanism

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

- Liquid in spill buckets and vapor recovery
- Secondary sump lids inside STP sumps taking up significant space in the event of a release
- Old vent pipe below building roof - status unknown

Recommended Actions:

- Have all sumps, spill buckets and vapor recovery ports drained regularly
- Remove secondary sump lids from within the STP sump area

The following are PHYSICAL 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:

- None

The following are RECORD VIOLATIONS requiring document submittal within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

- Current line and leak detector testing

Recommended Action:

Submit all missing records to the compliance manager via email- USTcompliance@idem.in.gov - and/or the inspector via email- amcelroy@idem.in.gov - within 30 days of receipt of this inspection report.

*Reminder: Updates to the rule defining underground storage tank regulations are here. Updates affect regulation regarding: sump and spill bucket testing, operator training, monthly walkthrough inspections and more. Be sure to check www.in.gov/idem/tanks for the latest information regarding compliance of your underground storage tank system.

This inspection revealed that this facility is in violation of Indiana UST Rule 329 IAC 9. The DOV and corrective measures are as follows:

DESCRIPTION OF VIOLATIONS

FACILITY NAME: Circle K 2293

UST FACILITY ID#: 202

ADDRESS: 4841 N Pennsylvania St

INSPECTION DATE: 7/18/2018

VIOLATIONS NOTED IN THE July 18, 2018 INSPECTION REPORT

Failure to Conduct Annual Line Tightness Test

Citation:

Pursuant to 329 IAC 9-7-2(2)(A), underground piping that conveys regulated substances under pressure must: (i) be equipped with an automatic line leak detector under section 5(1) of this rule; and (ii) have an annual line tightness test conducted under 5(2) of this rule or have monthly monitoring conducted under section 5(3) of this rule.

Violation Details:

The UST owner and/or operator of this site are in violation of this rule because they failed to submit documentation of a completed automatic leak detector test and a line tightness test performed by a tester certified by the state of Indiana that took place in the last year.

Corrective Action:

The owner and/or operator of the UST systems at this site shall have any line that contains a regulated amount of product tightness tested and all automatic line leak detectors tested within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.