



July 8, 2021

Certified Mail

BREW OIL LLC  
RUPINDER KAUR  
143 S COVE DR  
STORM LAKE, IA 50588

Subject: **Notice of Violation-** Failure to Address Compliance Inspection Deficiencies  
Multiple Brew Oil Stations

Dear Owner & Operator:

The department was made aware that the deficiencies found during compliance inspections earlier this year had not been fixed or corrected at multiple sites owned/operated by you. Upon learning of this, field office staff conducted site inspections at all of the sites in question and found that the three sites listed below had not had any deficiencies corrected and that the problems were still ongoing.

| Registration No. | Facility     | Address                      | City        | Inspection Date |
|------------------|--------------|------------------------------|-------------|-----------------|
| 198609965        | Brew Oil #31 | 4318 Hwy Blvd                | Spencer     | 3/4/2021        |
| 198609964        | Brew Oil #30 | 1201 18 <sup>th</sup> Street | Spirit Lake | 3/2/2021        |
| 198600128        | Brew Oil #51 | 101 W 7 <sup>th</sup> Street | Sanborn     | 3/8/2021        |

**As a reminder of the rules:** "135.20(3) The owner and operator shall do the following upon receipt of a compliance inspection report as provided in 567—subrule 134.14(1) which finds violations of the department's rules: a. Take all actions necessary to correct any compliance violations or deficiencies in accordance with this chapter. Corrective action must be taken within the time frame established by rule or, if no time frames are established by rule, within 60 days of receipt of the inspector's report or another reasonable time period approved by the department."

**Brew Oil #31 4318 Hwy Blvd, Spencer, IA 198609965**

All of the following deficiencies identified during the compliance inspection were to be corrected by 5/8/2021:

- \* Liquid Prohibiting Interstitial Monitoring at Dispenser Sump - Liquid in #10, #10 Satellite, #12, and #13 dispenser sumps.
- \* Liquid Prohibiting Interstitial Monitoring at Piping Sump - Liquid in both Diesel tank top piping sumps.
- \* Secondary Containment Monitoring, Inoperable Sensor (Piping Sump) - Liquid sensor not located at lowest point in East Diesel tank top piping sump.
- \* IDNR Permanent Tank Registration Tag(s) - Unable to locate IDNR permanent tank tags for Unleaded (#28542), East Diesel (#28541), and West Diesel (#28539) tanks.
- \* Insufficient Secondary Containment (Dispenser) - Liquid in #1/2 and #3/4 dispenser sumps.
- \* Insufficient Secondary Containment (Piping Sump) - Liquid in Unleaded and Super Unleaded tank top piping sumps.
- \* Impaired Secondary Containment (Dispenser) - Conduit entry boot clamp loose in #1/2 and #3/4 dispenser sumps.
- \* Impaired Secondary Containment (Dispenser) - Damaged product line entry boot in #3/4 dispenser sump.
- \* Impaired Secondary Containment (Piping Sump) - Open electrical junction box in Unleaded tank top piping sump.



**Required Action:** All of the liquid must be removed from all sumps. Additionally, permanent tank tags need to be replaced for the unleaded, east and west diesel tanks. Also, the conduit clamps in the dispensers need to be tightened or replaced. Finally the electrical junction box in the unleaded tank top must be fixed.

**Brew Oil #30 1201 18<sup>th</sup> Street, Spirit Lake, IA 198609964**

All of the following deficiencies identified during the compliance inspection were to be corrected by 5/7/2021:

- \* Inadequate Spill Containment- A patch repair (sealant) was attempted on the Premium Unleaded spill basin. Iowa DNR does not allow for patching of the spill basins. Please contact a licensed petroleum service company to discuss adequate corrective actions.
- \* Inadequate Spill Containment- Super Unleaded spill basin damaged (holes gouged in sidewall).
- \* IDNR Permanent Tank Registration Tag(s)- Unable to locate IDNR permanent tank tag (#25302) for Premium Unleaded tank.
- \* Insufficient Secondary Containment (Piping Sump)- Liquid/Ice in Super Unleaded tank top piping sump.
- \* Liquid/Debris in Spill Containment- Liquid/Ice in Premium Unleaded and Diesel spill basins.
- \* Automatic Tank Gauge (ATG) Operation- OPW monitor indicating high water alarm for Diesel tank (1.95").
- \* Impaired Secondary Containment (Dispenser)- Deteriorated product piping entry boot in #5/6 dispenser sump.

**Required Action:** All of the liquid must be removed from all sumps. Additionally, a permanent tank tag needs to be replaced for the premium unleaded tank. Both the Premium Unleaded and Super Unleaded spill buckets need replaced as one has an attempted sealant repair (which is not allowed) and the other has holes in the sidewall. Finally, the water issue in the diesel tank needs addressed as the manager said the water had been pumped out but the probe is still malfunctioning due to a sludge buildup.

**Brew Oil #51 101 W 7<sup>th</sup> Street, Sanborn, IA 198600128**

All of the following deficiencies identified during the compliance inspection were to be corrected by 5/18/2021:

- \* IDNR Permanent Tank Registration Tag(s)- Unable to locate IDNR permanent tag #23499 on Unleaded tank.
- \* Leak in Fuel System (with Secondary Containment)- Leak in dispenser #3/4 above shear valve at coupling.
- \* Automatic Tank Gauge (ATG) Operation- OPW 1500 monitor indicating 1.11" of water in Unleaded tank.
- \* Impressed Current System Operation- Amp meter does not appear operational on the rectifier, it is showing a reading of zero amps.

**Required Action:** A permanent tank tag needs to be replaced on the unleaded tank. While the field office staff was onsite, a leak at the #3/4 dispenser was still observed and needs to be fixed immediately. Also while on site the ATG was showing water in the unleaded and premium tanks, this needs to be addressed. Finally, while onsite it was noted that the amp meter on the rectifier for the impressed current system was not functional. You will need to hire a licensed cathodic protection tester to evaluate your system to see if it is properly working.

Please provide documentation to the department as well as PMMIC by 7/15/2021 showing that all of the deficiencies for all sites listed above have been corrected or that you are working towards them being corrected. If you are hiring a contractor to do the work we will need to see the signed contract as proof. Failure to provide this documentation by the referenced date will result in the three sites listed above being placed on delivery prohibition pursuant IAC 567 Chapter 135.3(8).

*"135.3(8) Delivery prohibition process.*

*a. Identifying sites subject to delivery response prohibition action.*

*3. Installation of an approved corrosion protection system as provided in paragraphs 135.3(1)"a" and "b."*

*(3) Compliance inspections. The department may initiate a delivery prohibition response action based on: (1) a finding resulting from a third-party compliance inspection conducted pursuant to rule 567—135.20(455B); (2) a department investigation and inspection conducted pursuant to Iowa Code section 455B.475; or (3) review of a UST system check or other documentation submitted in response to a suspected release under rule 567—135.6(455B) or in response to a confirmed release under rule 567—135.7(455B)."*



In this event, red-tags will be affixed to the USTs and fuel deliveries will be halted until the delivery prohibition is rescinded and red-tags are properly removed. Red-tags may take up to five business days to be removed. Additional notices will not be provided.

If you have any questions or wish to discuss this further please feel free to contact me.

Sincerely,

Cody McCoy  
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Underground Storage Tank Section  
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