



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 Renner Boulevard
Lenexa, Kansas 66219**

**DETERMINATION OF INELIGIBILITY TO RECEIVE PRODUCT DELIVERIES
UNDERGROUND STORAGE TANK (UST)
RCRA-07-2021-0035**

Determination of Ineligibility to Receive Product Deliveries

On March 8, 2021, EPA issued a Notice of Intent to Prohibit Deliveries (NIPD) to the Indian Country Mini Mart located at 20330 U.S. Highway 75 in Holton, Kansas. The owner/operator of this Underground Storage Tank is Ms. Carla Nissen. The NIPD identified unresolved violations and provided 30 calendar days to correct the violations and/or request a meeting with EPA to discuss the violations. The 30-day period to resolve the violations expired on April 7, 2021. EPA did not receive any information verifying a return to compliance or a request for a meeting. The case team spoke with Ms. Nissen on April 1, 2021, to further highlight the impending next steps.

In accordance with Section 9012 of the Solid Waste Disposal Act (42 U.S.C. § 6991k), the Director of the Enforcement and Compliance Assurance Division of EPA, Region 7, as duly delegated by the Administrator of EPA, has determined that the following tank located at the Indian Country Mini is no longer eligible to receive product deliveries. The EPA inspector is authorized to place a delivery prohibition tag on this tank.

Tank no.: 6 Capacity (gallons): 6,000 Gallons

Product Stored: Farm Diesel (dyed diesel)

DAVID COZAD Digitally signed by DAVID COZAD
Date: 2021.04.08 08:19:13 -05'00'

David Cozad
Director
Enforcement and Compliance Assurance Division

Red Tag Number: 0000008
Inspector Name: MICHAEL L. POMES
Date Red Tag Applied: 4/13/2021

Inspector Signature: Michael L. Pomes