

Fill in this information to identify the case:

Debtor 1 Gas-Mart USA, Inc.
Debtor 2 (Spouse, if filing)
United States Bankruptcy Court for the: Western District of Missouri
Case number 15-41915-ABF

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Official Form 410
Proof of Claim

12/15

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor? Indiana Dept. of Environmental Management
2. Has this claim been acquired from someone else? No
3. Where should notices and payments to the creditor be sent? IDEM, 100 N. Senate Ave, Room 1307, Indianapolis, IN 46112
4. Does this claim amend one already filed? No
5. Do you know if anyone else has filed a proof of claim for this claim? No



Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 3 5 5 9

7. How much is the claim? \$ 101,080.00. Does this amount include interest or other charges?
 No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.
Environmental fees and liability; see attached

9. Is all or part of the claim secured? No
 Yes. The claim is secured by a lien on property.
Nature of property:
 Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe: _____
Basis for perfection: _____
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)
Value of property: \$ _____
Amount of the claim that is secured: \$ _____
Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)
Amount necessary to cure any default as of the date of the petition: \$ _____
Annual Interest Rate (when case was filed) _____ %
 Fixed
 Variable

10. Is this claim based on a lease? No
 Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No
 Yes. Identify the property: _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check all that apply:

Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

* Amounts are subject to adjustment on 4/01/16 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 12/21/2015
MM / DD / YYYY



Signature

Print the name of the person who is completing and signing this claim:

Name April D. Lashbrook
First name Middle name Last name

Title Attorney

Company Indiana Dept. of Environmental Management
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 100 N. Senate Ave., Rm. 1307
Number Street
Indianapolis IN 46204
City State ZIP Code

Contact phone 3172331805 Email alashbro@idem.in.gov



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Governor

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Commissioner

Gas-Mart USA, Inc.
Chapter 11
Case No. 15-41915-ABF
United States Bankruptcy Court, Western District of Missouri

Indiana Department of Environmental Management Basis for Claim

Gas-Mart USA, Inc. is liable to the state of Indiana for underground storage tank fees and for the costs of corrective action for a release of petroleum at 323 Ridge Rd., Munster, Indiana, Lake County, Indiana (the "Site") under Indiana Code § 13-23-13-8 because it owned and operated underground storage tanks ("USTs") at the Site from October 2003 through the present.

The Site is identified in IDEM's files as Facility ID No. ("FID") 3559. UST fees are due for 4 years for 3 tanks at the Site. Per Indiana Code § 13-23-12-1 (b), UST fees are \$90 per tank. The total due is \$1080.

Release No. 200311508 occurred at the Site and corrective action is currently being performed at the direction of the former owner, ConocoPhillips. Should ConocoPhillips cease performing corrective action, Gas-Mart USA, Inc., will be responsible to perform corrective action.

The costs for corrective action at the Site, to bring the Site to a "No Further Action" status, are estimated at \$100,000.