



CITY OF SOUTH BEND JAMES MUELLER, MAYOR
DEPARTMENT OF PUBLIC WORKS
ERIC HORVATH, DIRECTOR

November 18, 2025

Gary Starks
Chief Compliance Data Section
c/o Mary Armacost
Pretreatment Coordinator
Office of Water Quality
Compliance and Enforcement Branch
IDEM

RE: Audit Minor Deficiencies Addressed

Dear Mr. Gary Starks,

This letter is in response to the May 6/7, 2025, onsite Pretreatment Program Audit of the City of South Bend's Pretreatment Program. Minor deficiencies were observed concerning the Control Mechanisms. Each deficiency has been addressed in Significant Industrial Users' Wastewater Discharge Permits. Presented below are the stated deficiencies and the corrective embedded narratives.

Finding:

In accordance with 40 CFR 403.8(f)(1)(iii)(B)(2) All permits need the requirement for transfer of ownership for either the old owner or the POTW to furnish the new owner with a copy of the permit.

Response:

The City of South Bend Pretreatment Group (City) has completed the following modification to Part IV (B)(11) in all Significant Industrial Users Wastewater Discharge Permits.

This wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 17-10 of the City of South Bend's municipal code. Additionally, the permittee shall provide the new owner or operator with a copy of the existing wastewater discharge permit.

Finding

In accordance with 40 CFR 403.12(o)(3) The POTW is required to have a provision in the permit to extend the required time frame for record retention. This period shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Industrial User or the operation of the POTW Pretreatment Program or when requested by the Director or the Regional Administrator.

Response:

The City has completed the following modification to Part IV (B)(13) in all Significant Industrial Users Wastewater Discharge Permits.

This period shall be automatically extended for the duration of any litigation concerning the permittee or the City, or where the permittee has been specifically notified of a longer retention period by the Director, IDEM, or the US EPA.

Finding:

In accordance with 403.8(f)(1)(iii)(b)(4) Permits that allow waivers must include the process for seeking a waiver.

Response:

The City has completed the following modification to Part IV(B)(16) in all Significant Industrial Users Wastewater Discharge Permits with an approved waiver.

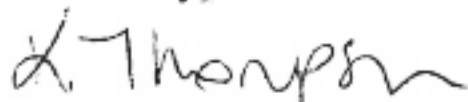
Waiver Request

- a. A permittee may request a sampling waiver for pollutants not present. Such requests shall be subject to the review and approval of the Director. At a minimum, such requests shall include:
 - i. Sampling data and other technical factors demonstrating that the pollutant is not present in the discharge;
 - ii. Data from greater than one (1) sampling of the facility's process wastewater prior to any treatment; and
 - iii. A certification statement in accordance with the requirements in Part III (A)(4) of this permit and signed by an Authorized Representative as defined by Part IV (B)(15) of this permit.
 - iv. The Director may also require additional information or data. Approved requests for a sampling waiver for pollutants not present shall result in a modification of the permittee's industrial wastewater discharge permit.

Please see the attached supporting documentation, Cleveland-Cliffs New Carlisle Wastewater Discharge Permit. This permit was requested by the IDEM auditor to be the supporting documentation; other modified permits are available for review upon request. The City of South Bend requests, after review of this response, closure of the South Bend WWTP Pretreatment Audit 2025.

If you should have any questions, please do not hesitate to contact me, or Serena Lozano-Shane at 574-235-5798.

Sincerely,



Kimberly Thompson
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