



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.in.gov

Mike Braun
Governor

Clint Woods
Commissioner

February 18, 2026

VIA ELECTRONIC MAIL:

Greg Northrup, President & CEO
Verbio North America LLC
9 West Broad Street
Suite 400
Stamford, CT 06902
Greg.Northrup@verbio.us

VIA ELECTRONIC MAIL:

Corporation Service Company,
Registered Agent
135 North Pennsylvania Ave
Suite 1610
Indianapolis, IN 46204
sop@cscglobal.com

Re: Notice of Violation and Proposed Agreed Order
Verbio North America LLC dba
South Bend Ethanol, LLC
Plant ID No. 141-00033
South Bend, St. Joseph County
Case No. 2024-29914-A

Qualified offer of settlement: inadmissible pursuant to Rule 408 of the Ind. Rules of Evidence. IDEM asserts that any offer to compromise a claim or any acceptance of such offer does not bind or obligate the parties of this enforcement action in the absence of a final order of the agency.

Dear Mr. Northrup:

This is to advise that the Indiana Department of Environmental Management ("IDEM") has conducted an investigation of Verbio North America LLC dba South Bend Ethanol, LLC located at 3201 West Calvert Street, South Bend, St Joseph County, Indiana. As a result of information obtained during that investigation, IDEM has made a preliminary determination that violations of environmental rules and permit conditions exist. Pursuant to IC 13-30-3-3, enclosed please find a Notice of Violation that sets forth the alleged violations, and a proposed Agreed Order which constitutes a qualified offer of settlement.

You may request a settlement conference to discuss the allegations and the actions necessary to correct and resolve the violations, which may include injunctive relief and the establishment of a compliance schedule. Payment of a civil penalty will also be discussed. The civil penalty amount noted in the proposed Agreed Order contains a preliminary penalty figure for settlement discussion purposes only and is based on penalty calculations associated with the alleged violations set forth in the Notice of Violation. A portion of the civil penalty may be offset by performing an approved Supplemental Environmental Project (SEP). Typical SEPs have included pollution prevention, pollution control, and environmental restoration projects. A copy of

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We appreciate your input!



IDEM's SEP policy may be obtained from this office or at IDEM's website at www.IN.gov/idem.

The individual signing the enclosed Agreed Order should be a designated manager or, in the absence of a manager, a member of the limited liability corporation. The timely entry into an Agreed Order, which saves you and IDEM time and resources, may lead to a reduction in the civil penalty.

IDEM is not required to extend the offer of entry into an Agreed Order for more than sixty days. You may enter into an Agreed Order without admitting that the violations occurred. If an Agreed Order is not entered into, IDEM may proceed to issue a unilateral notice and order requiring compliance with the environmental rules and permit conditions, including payment of a civil penalty. Please contact me at 317-232-8408 or mchaifet@idem.IN.gov if you have any questions or if you wish to request a settlement conference.

Sincerely,

A handwritten signature in blue ink that reads "Matthew Chaifetz". The signature is fluid and cursive, with the first name "Matthew" written in a slightly larger and more prominent script than the last name "Chaifetz".

Matthew Chaifetz
Senior Case Manager
Enforcement Section
Office of Air Quality

Enclosures:

cc: Robert Johnson, Plant Manager, robert.johnson@verbio.us
Steve Jacobson, EHS Manager, steve.jacobson@verbio.us
Cheryl Berry, Corporate Paralegal, cheryl.berry@verbio.us
Oliver Luedtke, Chief Technical Officer, oliver.luedtke@verbio.us
Nathan Frank, US EPA Region 5
Matthew Chaifetz, Compliance and Enforcement Branch, OAQ
Paul Karkiewicz, Compliance and Enforcement Branch, OAQ
Randy Hoffmann, Compliance and Enforcement Branch, OAQ
<http://www.IN.gov/idem>



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100 N. Senate Avenue • Indianapolis, IN 46204
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Mike Braun
Governor

Clint Woods
Commissioner

February 18, 2026

NOTICE OF VIOLATION

Via Electronic Mail:

To: Greg Northrup, President & CEO
Verbio North America LLC
9 West Broad Street
Suite 400
Stamford, CT 06902
Greg.Northrup@verbio.us

Via Electronic Mail:

To: Corporation Service Company,
Registered Agent
135 North Pennsylvania Ave
Suite 1610
Indianapolis, IN 46204
sop@cscglobal.com

Case No. 2024-29914-A

Pursuant to Indiana Code ("IC") 13-30-3-3, the Indiana Department of Environmental Management ("IDEM") issues this Notice of Violation. Based on an investigation conducted by an IDEM representative, IDEM has reason to believe Verbio North America LLC dba South Bend Ethanol, LLC ("Respondent") violated environmental rules and permit conditions. The violations are based on the following:

1. Respondent is Verbio North America LLC dba South Bend Ethanol, LLC, which owns and operates the stationary fuel-grade ethanol production plant with Plant ID No. 141-00033, located at 3201 West Calvert Street, in South Bend, St. Joseph County, Indiana ("Site").
2. Pursuant to Part 70 Permit 141-43546-00033 ("Permit 43546") condition D.4.10(c) and subsequent permits with the same condition, on and after the date the approved stack test results are available, the Permittee shall operate the thermal oxidizers at or above the 3-hour average temperature as observed during the most recent compliant stack test.

During 2023, Respondent failed to operate RTO A and RTO B at or above the 3-hour average temperature on 50 occurrences for RTO A and 91 occurrences for RTO B, in violation of Permit 43546 condition D.4.10(c) and subsequent permits with the same condition.

3. Pursuant to Permit 43546 condition D.4.12, the Permittee shall record the pressure drop across the baghouse (DC-503) used in conjunction with the distillers dried grains and solubles (DDGS) cooler system (EU-18), at least once per day when this process is in operation.

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We appreciate your input!



Respondent failed to record the pressure drop across the baghouse (DC-503) for 58 days in the 1st quarter of 2023, in violation of Permit 43546 condition D.4.12.

4. Pursuant to Permit 43546 condition D.3.9(b), on and after the date the stack test results are available, the Permittee shall maintain the bisulfate feed rate at or above the minimum rate as observed during the latest compliant stack test.

Respondent failed to maintain the bisulfate feed rate at or above the minimum rate between April 28, 2023 and May 4, 2023, in violation of Permit 43546 condition D.3.9(b).

5. Pursuant to Part 70 Permit 141-46384-00033 ("Permit 46384") condition D.4.11(b) and subsequent permit with the same condition, the duct pressure or fan amperage shall be observed at least once per day when the thermal oxidizers are in operation. On and after the date the approved stack test results are available, the duct pressure or fan amperage shall be maintained within the normal range as established in the most recent compliant stack test.

On 44 days during the fourth quarter 2023, Respondent failed to maintain the normal range of duct pressure as established in the most recent compliant stack test, in violation of Permit 46384 condition D.4.11(b) and subsequent permit with the same condition.

6. Pursuant to Permit 46384 condition D.3.8 and subsequent permit with the same condition, the Permittee shall monitor and record the pressure drop across the scrubber (V-230) used in conjunction with the yeast propagation operation (EU-04), the fermentation process (EU-05), and the beerwell (EU-07) at least once per day when these operations and processes are in operation. When for any one reading, the pressure drop across the scrubber is outside the normal range, the Permittee shall take a reasonable response.

On 5 days during the fourth quarter 2023, Respondent failed to maintain the normal pressure drop of the scrubber as established in the most recent compliant stack test, in violation of Permit 46384 condition D.3.8 and subsequent permit with the same condition.

7. Pursuant to Permit 46384 condition D.2.6(a), visible emission notations of the corn receiving, handling, and milling facilities (EU01, EU-02, and EU-03) Stack DC-001, DC-002, DC-0112 and BV-0112 exhausts shall be performed once per day during normal daylight operations.

On 5 days during the fourth quarter 2023, Respondent failed to perform visible emission notations, in violation of Permit 46384 condition D.2.6(a).

Pursuant to IC 13-30-3-3, the Commissioner herein provides notice that the violations may exist and offers an opportunity to enter into an Agreed Order providing for the actions required to correct the violations and, as necessary and appropriate, for the

payment of a civil penalty. The Commissioner is not required to extend this offer for more than sixty (60) days.

Pursuant to IC 13-30-3-3, an alleged violator may enter into an Agreed Order without admitting the violations occurred. IDEM encourages settlement by Agreed Order, thereby resulting in quicker correction of the environmental violations and avoidance of extensive litigation. Timely settlement by Agreed Order may result in a reduced civil penalty. Also, settlement discussions will allow Respondent the opportunity to present any mitigating factors that may be relevant to the violations.

If an Agreed Order is not entered into within sixty (60) days of receipt of this Notice of Violation, the Commissioner may issue a Notice and Order under IC 13-30-3-4 containing the actions that must be taken to correct the violations and requiring the payment of an appropriate civil penalty. Pursuant to IC 13-30-4-1, the Commissioner may assess penalties of up to \$25,000 per day for each violation.

Please contact Matthew Chaifetz at 317-232-8408 or mchaifet@idem.IN.gov within fifteen (15) days after receipt of this Notice to discuss resolution of this matter.

For the Commissioner:



Date: 2-18-26

Janusz Johnson, Chief
Compliance and Enforcement Branch
Office of Air Quality

cc: Robert Johnson, Plant Manager, robert.johnson@verbio.us
Steve Jacobson, EHS Manager, steve.jacobson@verbio.us
Cheryl Berry, Corporate Paralegal, cheryl.berry@verbio.us
Oliver Leudtke, Chief Technical Officer, oliver.luedtke@verbio.us
Nathan Frank, US EPA Region 5
St. Joseph County Health Department
Matthew Chaifetz, Compliance and Enforcement Branch, OAQ
Paul Karkiewicz, Compliance and Enforcement Branch, OAQ
Randy Hoffmann, Compliance and Enforcement Branch, OAQ
IDEM Public File

From: [Greg Northrup](#)
To: [ROBERTS, GOLDIE](#)
Subject: Read: Verbio North America LLC d/b/a South Bend Ethanol, LLC (#29914-A) Notice of Violation & Proposed Agreed Order
Date: Wednesday, February 18, 2026 11:37:31 AM

Your message

To: Greg Northrup

Subject: Verbio North America LLC d/b/a South Bend Ethanol, LLC (#29914-A) Notice of Violation & Proposed Agreed Order

Sent: Wednesday, February 18, 2026 11:18:42 AM (UTC-05:00) Eastern Time (US & Canada)

was read on Wednesday, February 18, 2026 11:37:10 AM (UTC-05:00) Eastern Time (US & Canada).

From: [Microsoft Outlook](#)
To: sop@cscglobal.com
Subject: Relayed: Verbio North America LLC d/b/a South Bend Ethanol, LLC (#29914-A) Notice of Violation & Proposed Agreed Order
Date: Wednesday, February 18, 2026 11:18:54 AM
Attachments: [Verbio North America LLC dba South Bend Ethanol LLC \(#29914-A\) Notice of Violation Proposed Agreed Order.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
sop@cscglobal.com (sop@cscglobal.com)
Subject: Verbio North America LLC d/b/a South Bend Ethanol, LLC (#29914-A) Notice of Violation & Proposed Agreed Order