

# La Crosse Sanitary Sewer Utility

## Industrial Pretreatment section

905 Houska Park Drive

La Crosse, WI 54601

Phone: (608) 789-7330

Utilities Manager: Bernard Lenz

General Superintendent: Jared Greeno

Special Projects Coordinator: Erik Schell

CC City of La Crosse Legal Department

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### Compliance Order (CO)

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| <b>1. Discharger's Name:</b><br>City Brewery Company, LLC<br>925 3 <sup>rd</sup> Street South<br>La Crosse, WI 54601 | <b>2. Discharge Location:</b><br>City Brewery's<br>wastewater<br>pretreatment facility. | <b>3. Date/Period of Violation:</b><br>Feb-2019<br><br><b>4. Permit No:</b><br>B-10-1285-4, p.15 |
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- 5. Description of Violation** – Discharge of high-strength waste from the City Brewery Company's wastewater pretreatment plant to the City of La Crosse Isle La Plume wastewater treatment facility in exceedance of concentrations allowed under current City Brewery Industrial Pretreatment Permit, Page 15, Section 2. The specific violation is monthly limit of COD (8,500 Pounds/Day).

This limit was also violated January 2019 as addressed in a previous NOV. The combined impact compromised the City of La Crosse Isle La Plume wastewater treatment facility's ability remove ammonia nitrogen.

- 6. La Crosse Municipal Code Violated:** – Sections of the Ordinance violated by discharge from the City Brewery Company, LLC pretreatment facility include the following

*Chapter 46, ARTICLE III, DIVISION 2 - WASTEWATER DISCHARGE.*

*Sec 46-109. - Standards*

*(1) General Prohibited Discharge Standards. Any wastewater or waste deemed by the Board to be unduly harmful to the wastewater treatment system, environment, or public health and welfare shall be deemed a prohibited discharge.*

*(l) "Wastewater discharges, except as authorized by the Board, in mass discharge quantities or concentrations exceeding".....local limits or variance criteria.*

*(r) "Wastewater containing mass discharge quantities of a contaminant in excess of a permit limit."*

**7. Previous Violations** – Discharge of high-strength waste from the City Brewery Company's wastewater pretreatment plant to the City of La Crosse Isle La Plume wastewater treatment facility in exceedance of concentrations allowed under current City Brewery Industrial Pretreatment Permit, Page 15, Section have become far too frequent.

This will be the 10th violation issued within the past 26 months. There were also 6 spills/bypasses in the past year. and both January and February 2019 have been in violation. Because of the number of violations, and the severity of the impact to the plant of the latest violation, the City of La Crosse is taking the next step following procedures outlined in current Municipal Code of Ordinances (Sec. 46-108) for a Compliance Order.

*Enforcement in past 2 years:*

- NOV 12/8/ 2017 for Jan-2017, Mar-2017, April-2017, May-2017, and June-2017
- NOV 1/4/2018 for December 13<sup>th</sup> 2017 failure to report spill.
- (Informal Notice) Summary of meeting held on January 31<sup>st</sup> 2018
- NOV 4/2/ 2018 for Febuary-2017 TSS violation.
- NOV 5/11/18 February & March 2018
- NOV 2/20/19 for January 2019
- Violation February 2019-COD limit exceeded requiring Compliance order.
- Bypass- 3/7/19 reported but not notified.

Please refer to the Compliance Order on Page 3. If you fail to comply with the order the next step of progressive enforcement is **Forfeiture** as outlined in Municipal Code of Ordinances Sec. 46-108(4).

*Sec 46-108 (4). - Forfeitures*

*The Board may levy an administrative forfeiture against any person in violation of this division or in violation of a discharge permit issued by the City. The forfeiture shall be not less than \$100.00 or more than \$2,000.00 per offense. Each day of violation will be considered a separate offense.*

**8. Forfeitures** – Failure to meet the Compliance Orders list on Page 3 of this document or any additional discharge of high-strength waste from the City Brewery Company's wastewater pretreatment plant to the City of La Crosse Isle La Plume wastewater treatment facility in exceedance of concentrations allowed under current City Brewery Industrial Pretreatment Permit, Page 15, Section 2 may result in the following forfeitures.

- Forfeitures will be \$2,000/day if projects listed in the 5/10/18 action plan provided by City Brewing are not completed by the permit expiration date 09/26/2019
- Forfeitures will be \$2,000/day if projects/items listed as other tasks on page 3 are not complete by the specified dates.
- Forfeiture of your monthly limit will occur if the current permitted limit for COD and TSS (8500 #/D monthly average) is exceed. If a violation occurs, the permit limit will immediately go from an 8500 #/D monthly average to an 8,500 #/D (no monthly average) and on that day and all days after an exceedance of this new permit required daily average limit will result in a \$2000/day forfeiture.

**Note: Past and future violations will be considered as part of the process to review, consider and establish discharge limits, and re-issue City Brewing Company LLC permit.**

# Compliance Order

## THE FOLLOWING INFORMATION TO BE COMPLETED BY PERMITTEE:

### (1) Acknowledgement of Receipt of Notice of Violation\*:

\_\_\_\_\_  
Authorized Representative-Permittee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

### (2) Required action from City Brewery Company, LLC, as described below.

#### Tasks Listed on 5/10/18 Action Plan (attached current copy)

- Clean EQ Tank.
- Install Second COD meter.
- Continue to ship all yeast off site.
- Update slug control plan to include changes to SOP's for accountability of lost product in production area.
- Adjusting EQ operations to reduce impacts of slug loads.
- East reactor repairs/inspection needs to be completed, it was scheduled for October 2018.
- Bypass alarming and La Crosse WWTF notification 789-7330 refer to call out list that have been provided. Notification should be immediate.
- COD and pH alarming and notification.
- Spill report and notification.
- Continue with Brewery Discharge Daily Data reports. (This is Helpful)
- Insure quality of Nutrients added to reactor.
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#### Other Tasks

- Maintain compliance for permit listed constituents.
- Installation of New Flares
- Installation of New Cover on reactor
- Implement Stover report recommendations or submit reasoning why recommended change would not help reactors health. Report Indicates reactor is maxed out.
- Note Permit Expires 09/26/2019 if above items aren't completed by permit expiration date offenses will occur.