

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

Compliance Order (CO)

1. Discharger's Name: City Brewery Company, LLC 925 3 rd Street South La Crosse, WI 54601	2. Discharge Location: City Brewery Company, LLC wastewater pretreatment facility.	3. Date/Period of Violation: Feb-2019 4. Permit No: 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 facility 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. 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, 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. 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 13th 2017 failure to report spill.
- (Informal Notice) Summary of meeting held on January 31st 2018
- NOV 4/2/ 2018 for February-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 Order 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, may result in the following forfeitures.

- Forfeitures will be \$500/day/violation if projects listed in the 4/19/19 action plan provided by City Brewing are not completed by the permit expiration date 09/26/2019
- Forfeitures will be \$500/day/violation if projects/items listed as other tasks on page 3 are not complete by the permit expiration date 09/26/2019
- Forfeitures will be \$500/monthly violation if the permitted limits are exceeded. An additional surcharge will also be applied at \$.0.224/# COD and 0.221/# TSS. This will be applied to any daily overage of the permitted 8500 pounds of COD or TSS. This provision becomes effective only in the event Permittee violates monthly average COD and TSS amounts as provided in the current permit.

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.


Jared Greeno Superintendent WWTP – La Crosse Utilities

04-30-2019
Date

Compliance Order

THE FOLLOWING INFORMATION TO BE COMPLETED BY PERMITTEE:

(1) Acknowledgement of Receipt of Compliance Order:

Gerald P. Clements

Authorized Representative-Permittee

4/30/19

Date

Engineering Director

Title

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

All items listed below shall be completed by 9/26/2019

Tasks Listed on 4/19/2019 Action Plan – (current copy attached)

Other Tasks:

- Maintain compliance for permit listed constituents. Note: Permit limit violations that occur as a result of the Equalization Tank cleaning process will be exempt.
- Submit revised slug control plan. This shall include items outlined in the attached Action Plan and NR211.235. This will be reviewed and implemented through current and future permits.

**ACTION PLAN
CITY BREWERY**

April 19, 2019

Group	Item	Task	Lead	Start	End	Goal/Results
Control at Source						
Identification	1	Chemical Toxicity <i>Shine, CL4815, BrewFM, Kleentrack, AcidBright</i>	Riverbend Lab	March 15, 2019	March 31, 2019	Only Kleentrack showed biomass toxicity. No further action
Identification	2	Product Toxicity <i>NMB, Dextrose, 14%, 12%, 9.9%, 5%</i>	Riverbend Lab	April 4, 2019	May 15, 2019	Results to be used to target source control activities . NMB suspected major cause
Investigation	3	Investigate valve alarms and tank level alarms	Randy Hughes	March 31, 2019	May 15, 2019	Early warning of overflow to reduce duration
Control	4	Develop Valve Checklist/SOP for Liquid Transfers	Randy Hughes	March 31, 2019	June 1, 2019	Reduce operator error
Investigation	5	Investigate spill capture closer to source	Gerald Clements	March 31, 2019	June 1, 2019	Reduce volume by collecting strong wastewaters before blended
Investigation	6	Investigate Monitoring Methods	Gerald Clements	March 31, 2019	June 15, 2019	Automatically monitor waste stream for slugs (i.e., NMB). Depends on #2
Control	7	Staff Education <i>Checklists and purposes, supervisor review. Walk line after transfers started.</i>	Randy Hughes	Ongoing		Reduce operator error
Equalization						
Investigation	1	DE Removal Investigation <i>Alternate non-DE filtration method. Collect at source Collect before EQ</i>	Gerald Clements	March 31, 2019	June 1, 2019	DE collects in reactors and reduces capacity. The unmixed EQ serves as DE collector
Control	2	Remove Solids from 600,000 gals. EQ Tank <i>Requires river stage <7.5 or dewatering to lower liquid level Alternate method hauling liquid</i>	Gerald Clements	June 1, 2018	August 15, 2019	Regain capacity
Investigation	3	Provide EQ Mixing to Blend Wastewater (COD, pH, toxicity) <i>Mix by air, static mixer, pump</i>	Gerald Clements	June 1, 2019	September 15, 2019	Cost effective, continuous mixing and blending
Identification	4	COD Meter and pH Meter Ahead of EQ <i>Use to control pump to store slugs</i>	Gerald Clements	March 31, 2019	September 15, 2019	Store slugs for equalization or hauling
Control	5	Modify EQ LS to Increase Operating Range	Gerald Clements	June 15, 2019	September 15, 2019	More effective equalization
Control	6	Operate with Slug Reserve <i>Reserve 200K gals. for slug storage</i>	Gerald Clements	September 15, 2019	Continuing	Storage
Control	7	Hauling Out Slugs <i>Removing stored slugs for offsite disposal or storage</i>	Gerald Clements	August 15, 2019	Continuing	Agreement with contract hauler

Enhance Reactor Recovery						
Investigation	1	Evaluate Using Meters at New Flares for Process Control	Gerald Clements	May 1, 2019	July 15, 2019	Determine if timely for slug control
Control	2	Daily Tests for VFA, Alkalinity, NH4-N and Total P <i>After slug hits reactor</i>	Kurt Wood	March 31, 2019	Continuing	
Control	3	Add Phosphoric Acid at 2-3 GPD for 2 days	Kurt Wood	March 31, 2019	Continuing	
Control	4	Add Urea at 2x rate for 2 days	Kurt Wood	March 31, 2019	Continuing	
Control	5	Add 50% Caustic Soda to both RMT and EQ tank <i>Monitor pH at least hourly.</i>	Kurt Wood	March 31, 2019	Continuing	
Control	6	<i>Maintain EQ 7.0-8.5. RMT 7.5-8.0. Reactor target 7.0-7.2</i> Continuously Monitor Reactor pH	Kurt Wood	March 31, 2019	Continuing	
Control	7	Halting Production Priority 1. Filtration 2. Tank cleaning 3. Black Box 4. Red Box 5. Yellow Box 6. Batching 7. Packaging	Gerald Clements	March 31, 2019	Continuing	
Update Action Plan						
Report	1	Update Action Plan	Gerald Clements		May 15, 2019	
Report	2	Update Action Plan	Gerald Clements		June 15, 2019	
Report	3	Update Action Plan	Gerald Clements		July 15, 2019	
Report	4	Update Action Plan	Gerald Clements		August 15, 2019	
Report	5	Update Action Plan	Gerald Clements		September 15, 2019	
Other Reports						
Report	1	Status Report on 2017 Stover Recommendations	Gerald Clements		June 15, 2019	Update and select items for action
Report	2	Schedule for East Reactor 2019 Inspection	Gerald Clements		September 30, 2019	