

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 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.

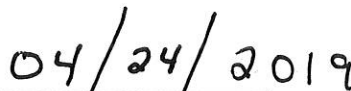
8. Forfeitures – Failure to meet the Compliance Order list on Page 3 of this document or any additional discharge of high-strength waste from the City Brewery Company's wastewater pretreatment plant to the City of La Crosse Isle La Plume wastewater treatment facility in exceedance of concentrations allowed 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.

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



Date

Compliance Order

THE FOLLOWING INFORMATION TO BE COMPLETED BY PERMITTEE:

(1) Acknowledgement of Receipt of Compliance Order:

Authorized Representative-Permittee

Date

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.