



CITY OF LA CROSSE

SANITARY SEWER UTILITY

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Subject: City Brewing Company, LLC. Notice of Violations

Date: 05/15/2018

To: City of La Crosse Board of Public Works

City Brewing Company, LLC is a large industry that accounts for approximately 17% of the loading to the La Crosse WWTF. They are regulated through our pretreatment program that follows DNR's guidance. The brewery has seen a large increase in production recently, something good for the brewery and good for La Crosse, but the result is also increased waste production and loading at their pretreatment plant. As a result, in 2017, City Brewing Company, LLC was in violation of their discharge permit 6 months out of the 12. Since the Brewery's treatment plant discharges to the City's Wastewater treatment plant, these violations had no impact on the environment. The result is increased demand and cost at the City wastewater treatment plant and increased impact fees to the brewery. Since facility capacity/function and permit limits are correlated, these repeated violations indicate an unsustainable situation that required attention.

In November of 2017 DNR officials had a conference call with Erik Schell, Mark Johnson and Jared Greeno where it was determined the *Informal Notice of Violation* process wasn't working so the City issued a formal *Notice of Violation* (NOV) in December of 2017 and began working closer with the Brewery on a solution.

In February 2018, City Brewing Company LLC was again in violation, exceeding *Total Suspended Solids* (TSS) limit of 5,500 pounds /day as a monthly average. The City issued a second NOV for that violation. The brewery hired Davy engineering to gather information to determine how to address the exceedances, meanwhile, City Brewing LLC had another violation the month of March.

On May 4th, 2018 the Utility met with City Brewing Company LLC and Davy Engineering to discuss the Engineering finding and developed a plan to take forward. The plan will allow the brewery to optimize their plant and looks at long term facility needs, allowing the brewery to ultimately make a determination as to if the waste from increased production can be handled by the current treatment facility or if there is need to develop a plan to treat this additional waste in the future; either at the brewery or at the City treatment plant. The brewery's effort corresponds well with the City's own effort to update our facility plan by the end of 2019.

Purpose to come before the board:

- Inform Board of City Brewing Company LLC exceedances and steps taken to address the issue.
- Request a temporary increase City Brewing Company, LLC permit limit for TSS from **5,500 lbs. /d monthly average** to **8,500 lbs. /d monthly average**, to accommodate for increased production and pollutant loading while additional study of a long-term fix is performed.
- Request a 12 month extension to City Brewing Company LLC permit (at the increased permit level) that expires in September 2018.

Extending and changing the permit limit will allow City Brewing Company, LLC time to determine loadings and implement projects and procedures that *may* reduce pollutant loading. It will also allow the Brewery (and the City) time to determine the impact of this loading on upcoming low level phosphorus limits, as facility planning and projects at WWTF are being evaluated, planned and implemented concurrently.

City Brewing Company, LLC will be issued new NOV's for March and April 2018 for exceeding TSS limit. The requested action of the Board will allow the brewery time to implement the action plan and find a long-term solution without continually incurring additional violations. There is not a need to go to the next step of enforcement within Municipal Code of Ordinances (Sec. 46-108) as the brewery is working on the problem and the La Crosse Wastewater Plant is maintaining high quality effluent even with extra loading from City Brewing Company, LLC.

The City did get a deduction of points on CMAR in 2017 because of that extra loading from City Brewing Company, LLC. Finding an ultimate solution to this problem of increased production by the brewery is important because the La Crosse WWTF loads are, at times, at or over 90% of the plant's design capacity for Biological Oxygen Demand (BOD). This increased loading to the WWTP is an issue with DNR as continued increases in loading would eventually impact the plant.

Sincerely,

Jared Greeno
Superintendent
City of La Crosse WWTF