

# PRETREATMENT ENFORCEMENT: INDUSTRIAL USERS

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YUENGLING BREWERY

POTTSVILLE, PENNSYLVANIA

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# INDUSTRIAL USER TARGETING



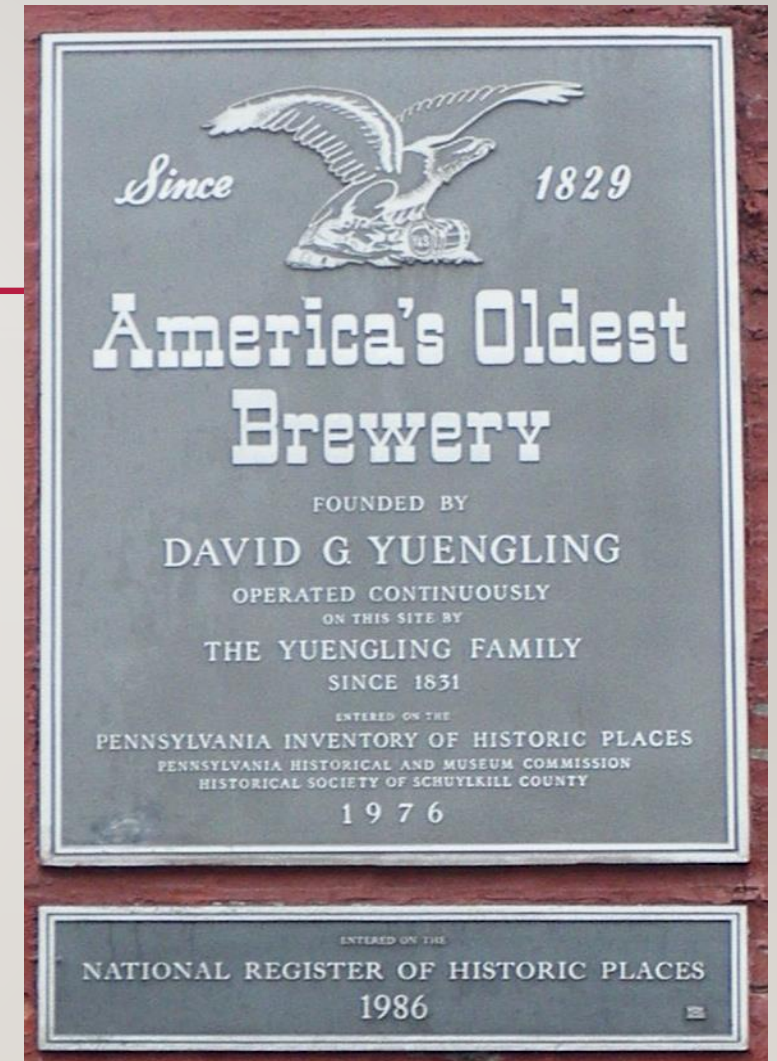
- Region 3's National Pollutant Discharge Elimination System (NPDES) Enforcement Branch reviewed Publicly Owned Treatment Works (POTWs)
  - Looked at Annual Reports
  - Looked at yearly rating scores
  - Looked at violations in terms of enforceability
    - NPDES Permit Violations
- Identified Industrial Users (IUs) that were chronic offenders
  - Were in Significant Noncompliance (SNC)
  - Caused issues at POTW
  - Brought POTW rating down
  - Had clear, enforceable violations



# REQUESTS FOR INFORMATION

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- Region 3 sent Clean Water Act Section 308 Requests for Information to IUs of interest
  - Yuengling was one such IU
  - Owned and operated two breweries in Pennsylvania
- Yuengling provided information for previous five years
  - Discharge Monitoring Reports (DMRs)
  - Brewery Schematics
  - Correspondence with POTW



# MAIN ISSUES WITH COMPLIANCE

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- The Greater Pottsville Area Sanitary Authority (GPASA) had issued multiple Notices of Violation (NOVs) and Administrative Consent Orders (ACOs) to Yuengling for noncompliance with its GPASA-issued pretreatment permit
  - Yuengling did not comply fully with 2000 ACO
- EPA took administrative civil enforcement action under the Clean Water Act in 2003/2004
  - Issued Consent Agreement and Final Order, Administrative Order, and Administrative Penalty Order
  - Required payment of a penalty
  - Ordered Yuengling to comply with terms of GPASA's 2000 ACO
- EPA took judicial enforcement action in 2016
  - Required payment of a penalty for noncompliance since previous enforcement action
  - Required pretreatment system to be built at older brewery
  - Required updates to existing pretreatment system at newer brewery



# BUILDING A CASE

- Document Review
  - Thousands of pages
    - DMRs
    - Brewer Schematics
    - Annual Reports
- Inspected Breweries
- Coordination
  - Internally
  - Department of Justice
  - State
  - GPASA
  - Yuengling





# ENVIRONMENTAL OUTCOMES

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- Yuengling had over 141 individual violations
  - Biochemical Oxygen Demand (BOD)
  - pH
  - Others
- GPASA had violations of its NPDES Permit
- Brand new pretreatment system at older brewery and upgrades to existing pretreatment plant at newer brewery
- Yuengling agreed to create and implement a compliance-based environmental management system





# OTHER OUTCOMES



- Yuengling paid \$2.8 million in civil penalties
- GPASA reviewed and changed their local limits
  - In turn, able to adjust Yuengling's permit limits for BOD
- Yuengling hired environmental compliance specialists to staff their PA breweries





# CONTACT INFORMATION

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