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# Microbrewery: David W. Houston (Pretreatment Compliance Program Manager/City of Austin) 2016 Annual Pretreatment Program Workshop

## Arkansas Environmental, Energy, and Water Law Blog

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The 32<sup>nd</sup> U.S. environmental Protection Agency Region VI & Region VI Pretreatment Association Annual Pretreatment Program Workshop ("Workshop") was held in Frisco, Texas from August 1<sup>st</sup> – August 4<sup>th</sup>.

Mr. David W. Houston, Pretreatment Compliance Program Manager/City of Austin, undertook a presentation at the Workshop titled *Microbrewery* ("Presentation").

The explosive growth of microbreweries around the nation has arguably placed them in the spotlight in the alcohol beverage industry. A consequence of the increase in the number of these facilities is a focus on the regulatory responsibilities associated with their construction and operation.

The primary environmental regulatory regime applicable to microbreweries is the Clean Water Act. This is due to their generation of wastewater that is typically either direct discharged pursuant to a Clean Water Act permit into a waterway or as an indirect discharger into a Public Owned Treatment Works ("POTW").

Microbreweries and breweries have been the subject of both environmental enforcement and challenges in permitting proceedings. For example, a post in the July 18<sup>th</sup> *Restaurant, Winery and Liquor Law Blog* states that D.G. Yuengling & Son, Inc. resolved with the United States Environmental Protection Agency 141 alleged Clean Water Act violations and was required to pay \$2.8 million in fines. (See <http://tracyjonglawfirm.com/rwlblog/?p=1578>.) The brewery is described as a Pennsylvania facility that allegedly failed to comply with industrial user permit limits ("i.e., indirect discharger) that had been routed to a local municipal wastewater collection and treatment system. It further states that the alleged violations involved brewery wastewater exceeding the discharge limits for biochemical oxygen, phosphorus, zinc and pH.

Mr. Houston's *Microbrewery* presentation undertook a description of the type of breweries such as:

- Brewpub
- Microbrewery
- Regional breweries

Further, he describes a typical brewing process. Treatment plant loadings were also discussed referencing parameters such as:

- Ammonia-nitrogen

- cBOD
- COD
- Sulfate
- TSS

Both loadings and influent loadings were addressed.

An example of pollution prevention and treatment plant loadings after such pollution prevention by the facility were reviewed. This included a discussion of percentage of influent loadings and future pollution prevention efforts.

Microbrewery concerns were described as:

- Removal of organic waste for reuse without causing a nuisance
- Wastewater billing established by water consumption when 75-80% of water does not go down the drain
- Concern regarding misapplication of regulations

[A copy of the presentation can be downloaded here.](#)