



STORIES OF PROGRESS IN ACHIEVING HEALTHY WATERS

EPA Region 3 Water Protection Division

Brewer Agrees to Take Action, Pay Fine for CWA Violations

Pottsville, Pennsylvania · August 4, 2016

D. G. Yuengling and Son Inc. has settled Clean Water Act (CWA) violations involving its two large-scale breweries near Pottsville, Pennsylvania, agreeing in a consent decree with EPA and the U.S. Department of Justice to spend \$7 million to improve environmental measures at the facilities and to pay a \$2.8 million penalty.

The company allegedly discharged pollutants in violation of its Industrial User permit into the Greater Pottsville Area Sewer Authority (GPASA) municipal wastewater treatment plant.

The [consent decree](#) filed in federal court in Harrisburg, Pennsylvania, also includes a requirement to implement an environmental management system (EMS) to achieve CWA compliance at the brewery operations. Yuengling must hire a third party consultant to develop the EMS and a third party auditor to ensure its proper implementation.

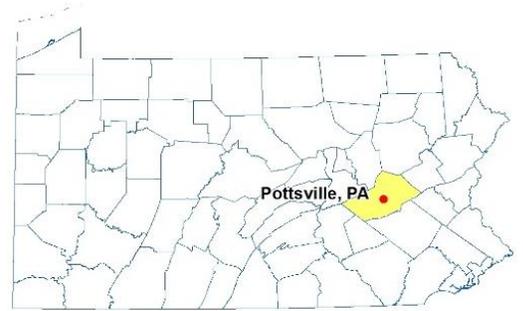
Yuengling allegedly violated CWA requirements for companies that discharge industrial waste to municipal publically-owned wastewater treatment facilities. Companies must obtain and comply with permit limits on discharges of industrial waste that goes to public treatment facilities, which in many cases require “pretreatment” of waste before it is discharged. The case was referred to EPA by the GPASA.

In a statement, EPA Regional Administrator Shawn M. Garvin said, “Yuengling is responsible for serious violations of its Clean Water Act pretreatment discharge limits, posing a potential risk to the Schuylkill River which provides drinking water to 1.5 million people. This history of violations and failure to fully respond to orders ... to correct the problems resulted in this enforcement action.”

In a complaint filed concurrently with the settlement, the U.S. alleged that Yuengling violated pretreatment permit requirements, including discharge limits for biological oxygen demand (BOD), phosphorus, zinc and pH to the GPASA treatment plant, at least 141 times from 2008 to 2015.

Pretreatment helps remove or change the composition of pollutants in wastewater. Unpermitted or excessive industrial discharges may interfere with the operation of public wastewater treatment plants, which are generally designed to handle sewage and domestic waste, leading to the discharge of untreated or inadequately treated wastewater into local waters.

The enforcement action is expected to reduce BOD by more than 155,000 pounds per year and eliminate negative impacts to the treatment plant that had been caused by the permit exceedances. The consent decree is available at www.justice.gov/enrd/.



AT A GLANCE

- *Yuengling to spend millions to resolve alleged environmental violations.*

