



## AT THE BAR WITH BOWDITCH

A Legal Blog for the Craft Brewing Community

### Waste Not, Want Not: Wastewater Considerations for Craft Brewers

BY JENNIFER L. GARNER • APRIL 8, 2016

On average, it takes seven barrels of water to create one barrel of beer. Most of the water used at the brewery is discharged as wastewater and flows to the sewer system. That's not insignificant. Brewery water can be very expensive to treat.

When considering a new location, a brewer should look at the specific town's wastewater regulations, permitting processes, and, if possible, talk to the town's public works department before buying or leasing a property. Some towns charge a surcharge for industrial wastewater, so ask whether that particular town has a surcharge and what it is. Additionally, ask about the town's capacity to treat wastewater – if your brewery really takes off and you'd like to expand, whether the town can support the added wastewater could be a significant wrinkle for your brewery down the road. Finally, consider putting contingencies into your purchase and/or lease documents that protect you in the event that you do not have the opportunity to research these issues fully before executing the documents.

A few items to keep in mind in dealing with brewery wastewater are the concentration of biochemical oxygen demand ("BOD"), which is a measure of the nutrient value of wastewater, the concentration of total suspended solids ("TSS"), and the pH, which is essentially a scale that measures the acidity or basicity of an aqueous solution. Brewery wastewater is very high in sugar and alcohol, causing it to have a higher BOD. It may also contain suspended solids from the grains and hops used in the production process and has an irregular pH that could range from very low to very high, depending on the task the water was used for. These characteristics can be tricky to deal with, and should be a consideration for any brewery looking to purchase property.