

**RESOLUTION** RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal governmental body or agency, must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, the Hyperion Water Reclamation Plant (Hyperion) is the largest wastewater treatment plant west of the Mississippi River, and has served not only Los Angeles but also nearby cities including El Segundo, Culver City, Beverly Hills, Santa Monica, West Hollywood, San Fernando, Glendale and Burbank, since 1957; and

WHEREAS, on Sunday, July 11, 2021, the Bureau of Sanitation's (LASAN) Hyperion Water Reclamation Plant suffered a major flood that resulted in the overflow of wastewater into Santa Monica Bay in an incident that was unprecedented and unforeseeable; and

WHEREAS, LASAN is working closely and cooperatively with neighbors as well as state and federal water quality and air quality regulators to resolve issues relating to the July 11 incident, including infrastructure upgrades; and

WHEREAS, Hyperion maintains a continuous air quality monitoring program, which includes the voluntary installation of hydrogen sulfide (H<sub>2</sub>S) monitoring stations along the plant's fence line and within the City of El Segundo, which provide real-time air quality data that is accessible to the public, and that H<sub>2</sub>S is known to be a characteristic of wastewater treatment facilities and sewers, whereas volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) emissions can be attributed to multiple sources within a community; and

WHEREAS, since the July 2021 incident, the South Coast Air Quality Management District (SCAQMD) has collected several survey air measurements in the community nearby Hyperion to measure for H<sub>2</sub>S and VOCs; and

WHEREAS, over the past two years, data from air quality sampling indicated that emission levels remain below the California state standard; and

WHEREAS, on September 8, 2022, SCAQMD and the City entered into a Stipulated Order of Abatement (Stipulated Order) which, among other things, required Hyperion to conduct 24-hour community air sampling within the City of El Segundo using federal standards ("EPA TO-15") to test for various compounds; and

WHEREAS, the City of Los Angeles and LASAN have committed to working with the SCAQMD to continue deployment of best available odor control technologies and to improve operation and maintenance best practices at Hyperion in compliance with regulatory requirements; and

WHEREAS, currently pending in the Legislature is AB 1216 (Muratsuchi), which would require, on or before January 1, 2025, the owner or operator of a wastewater treatment facility that is located within 1,500 feet of a residential area to develop, install, operate, and maintain a fence-line monitoring system for specified pollutants in accordance with guidance developed by the appropriate air quality management district, of which, as currently written, is only imposed on the Hyperion Plant; and

WHEREAS, LASAN is acting in good faith to work with SCAQMD on its air sample testing to determine independently whether there is a need for additional regulation and/or monitoring of air quality around Hyperion as part of LASAN's commitment to protecting public health.

NOW, THEREFORE, BE IT RESOLVED, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2023-24 State Legislative Program SUPPORT for AB 1216 (Muratsuchi) relative to requiring the Hyperion Water Reclamation Plant to develop, install, operate, and maintain fence-line monitoring systems IF AMENDED to:

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1. Provide that the State of California fund the local agency for costs associated with the proposed solution.
2. Provide that the provisions of the measure take effect based on the conclusive findings by the SCAQMD that there is a need for additional air quality monitoring requirements.
3. Provide that if conditions of item 2 above are met, in-lieu of continuous fence-line monitoring for VOCs and NOx, periodic community sampling for these two constituents take place over the next three years.

PRESENTED BY: Traci Park  
TRACI PARK  
Councilmember, 11<sup>th</sup> District

SECONDED BY: [Signature]

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