

1 OFFICE OF THE GENERAL COUNSEL  
2 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT  
3 MARY REICHERT, SBN 264280  
4 Senior Deputy District Counsel  
5 Email: mreichert@aqmd.gov  
6 ERIKA CHAVEZ, SBN 265247  
7 Senior Deputy District Counsel  
8 Email: echavez@aqmd.gov  
9 21865 Copley Drive  
10 Diamond Bar, California 91765-0940  
11 TEL: 909.396.3400 • FAX: 909.396.2961

12 Attorneys for Petitioner  
13 South Coast Air Quality Management District

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16 **BEFORE THE HEARING BOARD OF THE**  
17 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

18 **In the Matter of**

**Case No. 1212-40**

19 SOUTH COAST AIR QUALITY  
20 MANAGEMENT DISTRICT,

**FINDINGS AND DECISION FOR A  
MODIFICATION OF A STIPULATED  
ORDER FOR ABATEMENT**

21 Petitioner,

22 vs.

23 LOS ANGELES CITY SANITATION  
24 BUREAU, HYPERION WATER  
25 RECLAMATION PLANT

South Coast AQMD Rule 402 and Health and  
Safety Code section 41700

26 [Facility ID No. 800214

Hearing Date: January 25, 2023

Time: 9:00 a.m.

Place: Hearing Board

27 Respondent.

South Coast Air Quality

Management District

21865 Copley Drive

Diamond Bar, CA 91765

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**FINDINGS AND DECISION OF THE HEARING BOARD**

This Modification of a Stipulated Order for Abatement was heard on January 25, 2023,  
pursuant to notice and accordance with the provisions of the California Health and Safety Code  
section 40823 and South Coast AQMD Rule 812. Previous hearing dates were September 6 and 8

1 and December 15, 2022. The following members of the Hearing Board were present: Cynthia  
2 Verdugo-Peralta, Chair; Robert Pearman, Vice Chair; Micah Ali; Allan Bernstein, DPM, MBA;  
3 and Mohan Balagopalan. Petitioner, Executive Officer of the South Coast Air Quality  
4 Management District (“South Coast AQMD” or “Petitioner”), was represented by Mary Reichert,  
5 Senior Deputy District Counsel, and Erika Chavez, Senior Deputy District Counsel. Respondent  
6 City of Los Angeles, Department of Public Works, Bureau of Sanitation (“Respondent” or “LA  
7 Sanitation”) was represented by Adena Hopenstand, Deputy City Attorney, City of Los Angeles.  
8 The parties stipulated to issuance of an order for abatement. The public was given the opportunity  
9 to testify. Evidence was received and the matter was submitted. The Hearing Board finds and  
10 decides as follows: The Hearing Board finds that GOOD CAUSE exists to issue the Modified  
11 Order for Abatement. This finding of good cause is based on the following:

12 1. Petitioner is a body corporate and politic established and existing pursuant to Health  
13 and Safety Code §40000, et seq. and §40400, et seq., and is the sole and exclusive local agency  
14 with the responsibility for comprehensive air pollution control in the South Coast Air Basin.

15 2. Respondent LA Sanitation operates the Hyperion Water Reclamation Plant  
16 (“Hyperion”), a wastewater treatment facility subject to the jurisdiction of the South Coast AQMD.  
17 Hyperion is located in southwest Los Angeles at 12000 Vista Del Mar, Playa Del Rey, CA 90293.  
18 Its Facility ID Number is 800214.

19 3. **South Coast AQMD Rule 402 and California Health and Safety Code (H&S**  
20 **Code”) Section 41700** prohibit the discharge, from any source whatsoever, such quantities of air  
21 contaminants or other material which causes injury, detriment, nuisance, or annoyance to any  
22 considerable number of persons or the public, or which cause, or have the natural tendency to  
23 cause, injury or damage to business or property.

24 4. South Coast AQMD alleges that Respondent is unable to contain the sewage odors  
25 at Hyperion and cannot conduct operations at the wastewater treatment plant without being in  
26 violation of District Rule 402.

27 5. To date in 2022, South Coast AQMD has received more than 1,100 complaints of  
28 an odor nuisance from the public, with Hyperion as the alleged source. Complaints include odor

1 descriptions of sewage.

2 6. South Coast AQMD Inspectors have investigated the complaints, traced many of  
3 them back to Hyperion, and confirmed Hyperion as the source of the odors on numerous  
4 occasions. Since June 2022, South Coast AQMD has issued 11 Notices of Violation (“NOVs”)  
5 against Respondent for violating South Coast AQMD Rule 402 and H&S Code section 41700.

6 7. In the month of August 2022, South Coast AQMD received more than 350  
7 complaints alleging Hyperion as the source of an odor nuisance. Since September 2, 2022, the date  
8 of the last NOV, South Coast AQMD has continued to receive complaints of sewage odors. South  
9 Coast AQMD Inspectors continue to investigate and have confirmed Hyperion as the source of the  
10 odors on several occasions.

11 8. Respondent has agreed to stipulate to issuance of this Order for Abatement pursuant  
12 to South Coast AQMD Rule 806(b) and California Health & Safety Code § 42451(b).

13 9. This Stipulated Order for Abatement represents a compromise between the Parties  
14 and does not serve as an admission of liability or guilt as to any of the violations alleged herein.  
15 South Coast AQMD Rule 806(b) and H&S Code § 42451(b) permit the Hearing Board to issue a  
16 stipulated order for abatement upon the terms and conditions set forth in the stipulated Proposed  
17 Findings and Decision without making findings regarding: (a) whether Respondent is in violation  
18 of H&S Code § 41700, or any South Coast AQMD rule or regulation; (b) whether the order will  
19 not constitute a taking of property without due process of law; and (c) whether the order results in  
20 closing an otherwise lawful business, such closing would not be without a corresponding benefit in  
21 reducing air contaminants. The Hearing Board does not make any of finding whether Respondent  
22 is or was in violation of H&S Code§ 41700 or South Coast AQMD Rule 402.

23 10. Respondent states that it can comply with the stipulated conditions set forth below.  
24 The reporting requirements and time limits set forth in the conditions below have been justified.

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- c. Installation of an odor complaint contact sign that provides the 24-hour hotline number and 1-800-CUT-SMOG, and meets all of the following requirements:
  - i. The sign shall be installed within 20 feet of the main entrance to the Facility;
  - ii. The dimensions of the sign shall be at least 48 inches wide by 48 inches tall;
  - iii. Lettering on the sign shall be at least 4 inches tall;
  - iv. Lettering color shall contrast with the sign background;
  - v. The lower edge of the sign shall be located between 6 and 8 feet above grade; and
  - vi. The sign shall be unobstructed and clearly visible to a person outside the Facility property.
- d. Respondent shall investigate all complaints within one hour of receipt.
- e. Respondent shall document and maintain the following information:
  - i. Date and time complaint received.
  - ii. Complainant name, address, and phone number.
  - iii. Complaint description.
  - iv. Employee who investigated complaint, and date and time complainant contacted.
  - v. Verification of odors at location identified by complainant.
  - vi. Wind direction.
  - vii. Odor description.
  - viii. Odor intensity (0 – 5 scale: 0 = no odor detected; 1 = very light odor; 2 = light odor, distinguishable; 3 = moderate odor, very distinguishable; 4 = strong odor, very distinguishable, irritable; 5 = very strong odor, very distinguishable, overpowering and intolerable)

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- ix. Findings – Potential sources, location within the facility, particular equipment and/or process, and root cause analysis.
- x. For complainants that provide contact information and do not decline receiving a written response, provide a legible written report to complainant summarizing findings within 96 hours of complaint receipt.
- xi. Date and time complaint summary provided to complainant.  
Complainant may remain anonymous if requested; if so, Respondent need not include any identifying information in the complaint documentation.

f. Notify South Coast AQMD by calling 1-800-CUT-SMOG within one hour of receiving 6 or more odor complaints (i.e., complaints from 6 different households) in a calendar day.

g. Provide South Coast AQMD a written report that includes the information recorded under 1e and a summary of findings by Tuesday at midnight for the prior 7-day reporting period., if at least one complaint was received during that 7-day period. The 7-day reporting period begins on Saturday at 12:00 am and ends on Friday at 11:59 p.m. Report shall be submitted via email to Michal Haynes (mhaynes@aqmd.gov) and Garrett Kakishita (gkakashita@aqmd.gov).

2. Respondent shall designate within sixty (60) days of the issuance of this Order, at their expense, qualified employees at the Facility to perform odor patrols and hydrogen sulfide (H2S) monitoring using portable H2S monitors near the Facility in the adjacent communities. The employee conducting the odor patrol in the community shall not have visited the primary treatment systems area prior to conducting an odor patrol that day. Respondent shall authorize these employees to address, respond to, investigate, and take corrective action(s) as necessary and feasible to remediate the source of the odors and document the Facility's response to odor issues. Odor patrols and monitoring shall occur at the following times:

- a. During mornings between the hours of 0400 – 1000 hours.
- b. During evenings between the hours of 2000 – 2200 hours.
- c. When wastewater influent flows are expected to be at the highest that day, according to Facility measurements and data.

Respondent shall hire a consultant to provide initial training for all relevant employees on odor patrol and H2S monitoring practices and procedures, including odor detection, the surveillance procedures required by this Order, and best practices to effectively track ambient odors during an odor surveillance. Respondent shall hire a consultant to provide refresher training semi-annually for all relevant employees. Respondent shall maintain records documenting both initial and refresher training. Initial training shall occur by November 7, 2022. Following the initial training, and by December 4, 2022 the consultant shall accompany Respondent on community odor surveillances during the first daily odor surveillance for a period of three weeks to provide additional instruction on conducting the odor surveillance, with each employee that conducts odor surveillance going on at least three consultant-accompanied odor surveillance trips (altogether, “Additional Training”). Respondent shall provide records of training to South Coast AQMD (attention Michal Haynes, mhaynes@aqmd.gov and Garrett Kakishita, gkakishita@aqmd.gov) upon request.

3. Respondent shall continue to operate the three (3) Acrulog H2S monitoring systems at their approximate current locations, per the coordinates listed in the table below, along the eastern fenceline perimeter.

Acrulog site #5	33.924518	-118.426900
Acrulog site #7	33.926856	-118.427632
Acrulog site #9	33.928822	-118.428364

The Acrulog at site #5 shall be operated until the Teledyne at temporary site #2 is operational, pursuant to Condition No. 4. The Acrulogs at sites #7 and #9 shall be operated until the Teledyne at permanent site #3 is operational, pursuant to Condition No. 4. These Acrulog H2S monitoring systems shall measure H2S levels at least once every 15 minutes. Data from these

1 monitors shall be posted on Respondent's website. Data from these monitors shall be kept on file  
2 and made available immediately to South Coast AQMD personnel upon request. Weekly records,  
3 from Saturday at 12:00 a.m. through Friday at 11:59 pm, shall be sent to Michal Haynes  
4 (mhaynes@aqmd.gov) and Garrett Kakishita (gkakashita@aqmd.gov) by the following Tuesday at  
5 midnight for the prior 7-day reporting period.

6 4. Respondent shall continue to operate the two (2) Teledyne T101 H2S monitoring  
7 systems at their current locations, per the approximate coordinates listed in the table below, along  
8 the eastern fenceline perimeter.

9 Teledyne site #1	33.92879	-118.42842
10 Teledyne temporary site #3	33.92083	-118.42532

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12 Respondent shall, within ninety (90) days of the issuance of this Order, install and operate a  
13 third Teledyne T101 H2S monitoring system at the following approximate location.

14 Teledyne site #2	33.9268142	-118.4275196
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16 Respondent shall relocate the Teledyne at temporary site #3 to permanent site #3, once the  
17 roadwork at the permanent site is complete. The relocated Teledyne shall be installed and operated  
18 at the following approximate location, per the coordinates listed in the table below.

19 Teledyne permanent site #3	33.92245	-118.42589
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21 Notwithstanding the aforementioned coordinates, Respondent may adjust the siting of  
22 Teledyne at site #3 according to the conditions of the site and the requirements of the equipment.  
23 Such adjustment may only take place with the concurrence of the South Coast AQMD personnel  
24 (Monitoring Division).

25 Respondent shall maintain at least one (1) spare Teledyne T101 monitoring system on-site  
26 in case of malfunction. These Teledyne H2S monitoring systems shall measure H2S levels at least  
27 once every 5 minutes. Data from these monitors shall be posted live in real time on Respondent's  
28 website. Data from these monitors shall be kept on file and made available immediately to South



1 Coast AQMD personnel upon request. Weekly records, from Saturday at 12:00 a.m. through  
2 Friday at 11:59 p.m., shall be sent to Michal Haynes (mhaynes@aqmd.gov) and Garrett Kakishita  
3 (gkakashita@aqmd.gov) by the following Tuesday at midnight for the prior 7-day reporting period.

4 5. Respondent shall notify South Coast AQMD by telephone at 1-800-CUT-SMOG  
5 (1-800-288-7664) no more than one hour after discovery or within one hour respondent knew or  
6 reasonably should have known of a H<sub>2</sub>S reading of more than 30 ppb (0.3 ppm) for a one hour  
7 average in the modes of H<sub>2</sub>S monitoring described in Condition Nos. 3 and 4.

8 6. Respondent, upon detecting H<sub>2</sub>S levels in excess of 27 ppb (0.027 ppm) for a one-  
9 hour average in the modes of H<sub>2</sub>S monitoring described in Conditions Nos. 3 and 4, shall employ  
10 odor reduction measures within one hour, wherever practicable, including but not limited to:

- 11 a. Application of additional ferric salts (e.g., ferric chloride) in the influent  
12 channel.
- 13 b. Deployment of misting systems at identified odor sources using non-VOC-  
14 containing odor neutralizing chemicals. The misting system and neutralizers  
15 shall be used for a minimum of 1 hour after the last exceedance period.

16 Respondent shall provide records of odor reduction measures taken to Michal Haynes  
17 (mhaynes@aqmd.gov) and Garrett Kakishita (gkakashita@aqmd.gov). Respondent shall  
18 remeasure H<sub>2</sub>S levels within 1 hour of employment of odor reduction measures. Respondent shall  
19 perform a root cause analysis and provide a written report to Michal Haynes  
20 (mhaynes@aqmd.gov), Garrett Kakishita (gkakashita@aqmd.gov), Angela Shibata  
21 (ashibata@aqmd.gov), and Simin Mehrabani (smehrabani@aqmd.gov) within 5 working days of  
22 the elevated reading(s). Respondent shall submit a Safety Data Sheet (SDS) on the odor  
23 neutralizing chemical to Angela Shibata (ashibata@aqmd.gov) and Simin Mehrabani  
24 (smehrabani@aqmd.gov), prior to use in the misting system.

25 7. Respondent shall, no later than twenty-one (21) days from the issuance of this  
26 Order, repair or replace all non-functional pressure gauges associated with Permit numbers  
27 F66769, F66770, F66771, G22329, F38896 and G15557 and provide proof of repairs to Michal  
28 Haynes (mhaynes@aqmd.gov) and Garrett Kakishita (gkakashita@aqmd.gov).

1           8.       Respondent shall, no later than fourteen (14) days from the issuance of this Order,  
2 submit a report on the clarifier tank covers of Primary Battery A-D (PTO G48629), including the  
3 condition of all tank covers and whether repairs, replacement, or improvements are needed, and a  
4 timeline to make any such repairs, replacements or improvements to Michal Haynes  
5 (mhaynes@aqmd.gov) and Garrett Kakishita (gkakashita@aqmd.gov).

6           9.       Respondent shall inspect scrubber gauges, stack emissions and process equipment  
7 daily. Respondent shall notify South Coast AQMD by telephone at 1-800-CUT-SMOG (1-800-  
8 288-7664) of any equipment operating contrary to its Title V permit conditions, within one hour of  
9 confirming maintenance problems.

10          10.       Respondent shall inspect bar screens daily. Records of daily bar screen inspections  
11 and bar screen maintenance shall be kept monthly and provided to Michal Haynes  
12 (mhaynes@aqmd.gov) and Garrett Kakishita (gkakashita@aqmd.gov) no later than 5 business days  
13 after the conclusion of each calendar month.

14          11.       Respondent shall measure the concentration of H<sub>2</sub>S at the exhaust of the Odor  
15 Control System (PTO G22329) at least once per day as required in Condition No. 6 of the Permit  
16 to Operate, using an approved instrument. Approved instrument specifications shall be capable of  
17 measuring H<sub>2</sub>S concentrations specified in PTO G22329 (1.0 ppmv permit limit). Instrument  
18 specification documentation shall be provided to Michal Haynes (mhaynes@aqmd.gov), Garrett  
19 Kakishita (gkakashita@aqmd.gov), and Ray Ronquillo (rronquillo1@aqmd.gov) within ten (10)  
20 days from the issuance of this Order.

21          12.       Respondent shall notify South Coast AQMD by telephone at 1-800-CUT-SMOG  
22 (1-800-288-7664) no more than one hour after detecting an H<sub>2</sub>S reading of more than 1.0 ppmv at  
23 the exhaust of the Odor Control System (PTO G22329).

24          13.       Respondent shall ensure the Odor Control System (PTO G22329) continuously  
25 recirculates sodium hypochlorite and sodium hydroxide through the system without any  
26 interruptions. Respondent shall maintain enough sodium hypochlorite and sodium hydroxide onsite  
27 at all times so that the system does not operate without scrubbing solution at any time.

28          14.       Respondent shall ensure adequate stock of all odor control products and supplies,

1 including, but not limited to, ferric salts, calibration gases, calibrated field instruments, odor  
2 neutralizing chemicals, sodium hypochlorite and sodium hydroxide.

3 15. Respondent shall no later than ten (10) days from the issuance of this Order  
4 authorize retention of a consultant to conduct the following assessments and studies:

- 5 a. A study in the nearby communities, including but not limited to Playa Del Rey  
6 and El Segundo, based on available meteorological data to determine  
7 prevailing wind patterns in the community and related meteorological  
8 conditions. This study shall include an assessment of prevailing wind direction  
9 and speeds throughout the course of the past five calendar years.
- 10 b. Onsite study to characterize wind patterns and related meteorological  
11 conditions at each location identified as an odor source by the consultant.  
12 Study shall include an assessment of installation of potential barriers between  
13 current and future odor source locations at the Facility to reduce odors impacts  
14 on the surrounding communities.
- 15 c. Analysis of verified complaint trends throughout the course of the past five  
16 calendar years.
- 17 d. Onsite assessment of the Odor Control System (PTO G22329) for the purpose  
18 of determining whether the design capacity of the system can sustain the  
19 influent flow of the plant and whether certain improvements to the operation  
20 of the system can be implemented to reduce the frequency of maintenance  
21 events.
- 22 e. Onsite assessment of when odors are most prevalent and the associated  
23 operations at the Facility.
- 24 f. Onsite assessment of practices throughout and at the end of the operating day  
25 that mitigate odors at the Facility.
- 26 g. Onsite assessment of odor neutralizer uses and applications.
- 27 h. A list of general best management practices to mitigate potential odors from a  
28 sewage treatment plant.

1 i. The consultant shall attend a public meeting hosted by Respondent to listen to  
2 resident concerns.

3 j. The consultant shall receive all root cause analysis reports as described in  
4 Condition 6.

5 Upon completion of the assessment of operations, the consultant shall propose adjustments  
6 or modifications to sewage treatment systems or operations that the consultant reasonably believes,  
7 based on their professional judgment, could reduce the potential emission of odors from the  
8 Facility and related community impacts. The consultant shall include an assessment of the  
9 feasibility and limitations of any proposed operational adjustment or modification. The consultant  
10 shall document its proposals in a final report (Consultant Report) to be submitted to South Coast  
11 AQMD (Attention: Michal Haynes, mhaynes@aqmd.gov; Garrett Kakishita,  
12 gkakishita@aqmd.gov; Ray Ronquillo, rronquillo1@aqmd.gov; Erika Chavez,  
13 echavez@aqmd.gov; and Mary Reichert, mreichert@aqmd.gov) by December 6, 2022.

14 16. Respondent shall submit a proposed plan (Implementation Plan) implementing the  
15 recommendations of the Consultant Report, as described in Condition No. 15, to South Coast  
16 AQMD (Attention: Michal Haynes, mhaynes@aqmd.gov; Garrett Kakishita,  
17 gkakishita@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Simin Mehrabani,  
18 smehrabani@aqmd.gov); Erika Chavez, echavez@aqmd.gov; and Mary Reichert,  
19 mreichert@aqmd.gov) by January 6, 2023. The Implementation Plan shall include timelines for  
20 submitting applications for all required approvals from South Coast AQMD and any other  
21 regulatory entity, timelines for completing all necessary steps for Respondent to execute contracts  
22 and purchase orders, and a manufacturing and installation schedule, as applicable. On the same  
23 date that the Respondent submits its Implementation Plan to South Coast AQMD, Respondent  
24 shall submit the Consultant Report, Implementation Plan, and a status report to the Hearing Board  
25 (attention: Clerk of the Board).

26 17. Respondent shall retain a consultant to complete two (2) 24-hour integrated samples  
27 using EPA TO 15 method, within 30 days of the issuance of this Order, in locations approved by  
28 South Coast AQMD. The results shall be released simultaneously to South Coast AQMD and

1 Respondent.

2 18. Respondent shall, within 30 days of the issuance of this order, create an opt-in  
3 email system for residents to receive notifications upon detecting H2S levels in excess of 27 ppb  
4 (0.027 ppm) for a one-hour average in the mode of H2S monitoring described in Condition No. 4.  
5 Respondent shall publish the availability of this opt-in e-mail system on Respondent's website,  
6 with instructions on how to opt-in.

7 19. Respondent shall, within 30 days of the issuance of this order, submit a report to  
8 South Coast AQMD (attention Ray Ronquillo, rronquillo@aqmd.gov, Michal Haynes,  
9 mhaynes@aqmd.gov; and Garrett Kakishita, gkakishita@aqmd.gov) documenting its current odor  
10 mitigation projects, timelines, and prioritizations and reasons therefor.

11 20. Respondent shall notify South Coast AQMD by calling 1-800-CUT-SMOG at least  
12 24 hours in advance of removing clarifier tank covers of Primary Battery A-D (PTO G48629) for  
13 capital improvement purposes.

14 21. Respondent shall return for a status hearing on January 25, 2023, or as soon  
15 thereafter as the Hearing Board can schedule the status hearing, to report in writing, to be received  
16 to the Hearing Board, no later than January 20, 2023, on the findings of the Consultant Report, and  
17 status of the Implementation Plan and mitigation measures, and consider modification or  
18 Dissolution of this Order, as appropriate.

19 22. The Hearing Board may modify the Order for Abatement upon making the findings  
20 required by Health and Safety Code Section 42451(a) and South Coast AQMD Rule 806(a). Any  
21 modification of the Order shall be made only at a public hearing held upon 10 days published  
22 notice and appropriate written notice to Respondent.

23 23. The Hearing Board shall retain jurisdiction over this matter until and including  
24 September 6, 2023 and at that time this Order shall no longer be of any force or effect, unless this  
25 Order is amended, modified or dissolved before then.

26 24. Nothing herein shall be deemed or construed to limit the authority of South Coast  
27 AQMD to issue Notices of Violation, or to seek civil penalties, criminal penalties, or injunctive  
28 relief, or to seek further orders for abatement, or other administrative or legal relief.

1           25.     Respondent shall return for a status hearing on December 15, 2022, to report on any  
2 notices of violations that have been issued since September 8, 2022. Respondent shall include a  
3 report on the causes of those violations, if known, as well as any specific corrective action(s) that  
4 were taken.

5           26.     Respondent shall provide, within 30 days from today, to the South Coast AQMD  
6 (Attention: Ray Ronquillo, rronquillo1@aqmd.gov; Michal Haynes, mhaynes@aqmd.gov; and  
7 Garrett Kakishita, gkakishita@aqmd.gov) the recirculation rate of the scrubbing solution, the  
8 pressure drop across the scrubbers, and the pH values where applicable, for the Odor Control  
9 System (PTO G22329).

10  
11 Modification of an Order for Abatement

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13           27.     No later than February 24, 2023, Respondent shall submit a report listing all  
14 equipment (identified by permit number, if applicable) currently undergoing refurbishment or  
15 planned to undergo refurbishment within the next year, repair, and/or construction with a  
16 description of the scope of the project, project timeline, and indicate if permit applications have  
17 been submitted to South Coast AQMD.

18           28.     Respondent shall conduct the following:

- 19           a.     By no later than March 27, 2023, authorize the retention of a contractor to  
20                 design, incorporate, and maintain redundant capacity for each of the facility's  
21                 odor control equipment such that if the primary odor control equipment  
22                 becomes partially operational, non-operational, or is not sufficiently venting and  
23                 controlling the emission source odors that it serves (e.g. issuance of a Rule 402  
24                 Notice of Violation), odors from the vent sources will be sufficiently controlled  
25                 and ensure compliance with all applicable South Coast AQMD, state, and  
26                 Federal Rules and Regulations.
- 27           b.     Beginning on no later than April 6, 2023, prepare a monthly progress report on  
28                 the status of contractor procurement, contracts, bidding, contract execution,

1 odor control equipment procurement, odor control equipment application  
2 submittal, and odor control equipment installation and/or storage to design,  
3 incorporate, and maintain redundant capacity for the facility's odor control  
4 equipment to South Coast AQMD. The monthly progress reports shall be  
5 submitted in accordance with Condition no. 50. Each monthly report shall  
6 clearly identify the new information added as compared to the prior monthly  
7 report.

8 c. Respondent shall complete Primary Treatment Chemical Scrubbers  
9 refurbishment by September 30, 2023.

10 29. Respondent shall evaluate the installation of windbreaks and/or wind flow  
11 disruptors along the eastern border of the facility (such that there are not any distinguishable gaps  
12 in the windbreaks and/or wind flow disruptors that result in a channeling affect across the hillside)  
13 to enhance dispersion of odors from the facility. By no later than February 9, 2023, Respondent  
14 shall submit a report detailing the findings of the evaluation to South Coast AQMD by email  
15 (attention: Michal Haynes, mhaynes@aqmd.gov; Garrett Kakishita, gkakishita@aqmd.gov; Simin  
16 Mehrabani, smerhabani@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Erika Chavez,  
17 echavez@aqmd.gov; Mary Reichert, mreichert@aqmd.gov, and the Clerk of the Board,  
18 clerkoftheboards@aqmd.gov). The report detailing the findings of the evaluation shall include the  
19 following:

- 20 a. The viability and advantages and disadvantages of the different windbreaks  
21 and/or wind flow disruptors.
- 22 b. The estimated duration and timeline of the steps necessary to implement and  
23 install each of the windbreaks and/or wind flow disruptors evaluated,  
24 including any regulatory approvals and any associated environmental  
25 analysis and public notification/outreach required, contractor procurement,  
26 contracts, bidding, contract execution, equipment procurement, and  
27 equipment installation.

28 If installation of windbreaks and/or wind flow disruptors is deemed viable by South Coast AQMD

1 in writing to Respondent, Respondent shall complete the installation of windbreaks and/or wind  
2 flow disruptors no later than 180 days after receipt of written notification of viability by South  
3 Coast AQMD or no later than 180 days after required regulatory approvals have been procured,  
4 whichever is later.

5 30. By no later than February 9, 2023, Respondent shall provide a list of all Various  
6 Locations air pollution control equipment, by permit number, currently located at the facility.  
7 Respondent shall provide notification of any new Various Locations air pollution control  
8 equipment brought to the facility within 2 days of bringing the equipment onsite. Notification shall  
9 be made to South Coast AQMD by email (attention: Michal Haynes, [mhaynes@aqmd.gov](mailto:mhaynes@aqmd.gov); Garrett  
10 Kakishita, [gakishita@aqmd.gov](mailto:gakishita@aqmd.gov); Simin Mehrabani, [smerhabani@aqmd.gov](mailto:smerhabani@aqmd.gov); Angela Shibata,  
11 [ashibata@aqmd.gov](mailto:ashibata@aqmd.gov); Erika Chavez, [echavez@aqmd.gov](mailto:echavez@aqmd.gov); Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov),  
12 and the Clerk of the Board, [clerkoftheboards@aqmd.gov](mailto:clerkoftheboards@aqmd.gov)).

13 31. Respondent shall ensure that the owner or operator of the air pollution control  
14 equipment operating under various locations permits at Hyperion submits complete fixed location  
15 permit applications with an expedited permit processing request no later than February 9, 2023 or  
16 removes the various locations permitted equipment from site prior to the conclusion of the  
17 residency period conditioned in their respective permits.

18 32. Respondent shall develop and implement a monthly maintenance schedule and  
19 procedure for investigating and reporting the condition of the Primary Clarifier seals and covers on  
20 a daily basis and shall repair/replace covers as needed. By no later than February 9, 2023,  
21 Respondent shall submit the monthly maintenance schedule and procedure for investigating and  
22 reporting the condition of the Primary Clarifier seals and covers to South Coast AQMD by email  
23 (attention: Michal Haynes, [mhaynes@aqmd.gov](mailto:mhaynes@aqmd.gov); Garrett Kakishita, [gakishita@aqmd.gov](mailto:gakishita@aqmd.gov); Simin  
24 Mehrabani, [smerhabani@aqmd.gov](mailto:smerhabani@aqmd.gov); Angela Shibata, [ashibata@aqmd.gov](mailto:ashibata@aqmd.gov); Erika Chavez,  
25 [echavez@aqmd.gov](mailto:echavez@aqmd.gov); Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov), and the Clerk of the Board,  
26 [clerkoftheboards@aqmd.gov](mailto:clerkoftheboards@aqmd.gov)).

27 33. Respondent shall install temporary enclosures around the Primary Clarifiers, while  
28 the Primary Clarifier covers are open for refurbishment, maintenance, and/or repair, to minimize



1 the release of odors. By no later than February 1, 2023, Respondent shall install the temporary  
2 enclosures. The temporary enclosures shall be vented to odor control equipment with a valid South  
3 Coast AQMD permit with sufficient odor control and ventilation capacity to vent the vapor space  
4 of the vent source and maintain the vapor space under negative pressure such that there is inward  
5 air flow at all openings of the vent source to the enclosure.

6 34. Respondent shall review and evaluate the design of odor control and ventilation  
7 systems including fixed location units with Primary Clarifier covers closed as a baseline as well as  
8 fixed location units and portable various locations units with a given number of Primary Clarifier  
9 covers open to determine whether the odor control and ventilation systems have sufficient capacity  
10 to vent the vapor space of the vent source and mitigate odors. This evaluation shall be referred to  
11 as the evaluation prior to chemical scrubber upgrades.

12 Respondent shall review and evaluate the design of odor control and ventilation systems  
13 including fixed location units with Primary Clarifier covers closed after the existing chemical  
14 scrubber facility upgrades have been completed as a second baseline as well as fixed location units  
15 and portable various locations units with a given number of Primary Clarifier covers open after the  
16 existing chemical scrubber facility upgrades have been completed to determine whether the odor  
17 control and ventilation systems after the upgrades to the chemical scrubber facility have sufficient  
18 capacity to vent the vapor space of the vent source and mitigate odors. This evaluation shall be  
19 referred to as the evaluation after chemical scrubber upgrades.

20 The evaluations shall include the following:

- 21 a. A detailed description of the vent source and odor control and ventilation  
22 systems, their operational status, and their configuration and location for each  
23 scenario evaluated.
- 24 b. Measurements of differential pressure, inward air velocity, and video recorded  
25 results of smoke tests, conducted at approximately 25 foot intervals along the  
26 length of each row of Primary Clarifiers covers for a given Primary Clarifier  
27 Battery.
- 28 c. Measurements of inlet air dampers flow rates into each Primary Clarifier and

1 the inlet flow rate into each odor control and ventilation system, at a minimum,  
2 for each scenario evaluated.

3 d. Based on the measurements and observations described above, identification of  
4 deficiencies of capture, collection, and control of vent sources, as well as  
5 recommendations to improve the capture, collection, and control of the vent  
6 sources.

7 By no later than February 8, 2023, Respondent shall submit a report detailing  
8 measurements, observations, findings, and recommendations from the evaluation prior to chemical  
9 scrubber upgrades to South Coast AQMD by email (attention: Michal Haynes,  
10 mhaynes@aqmd.gov; Garrett Kakishita, gkakishita@aqmd.gov; Simin Mehrabani,  
11 smerhabani@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Erika Chavez, echavez@aqmd.gov;  
12 Mary Reichert, mreichert@aqmd.gov, and the Clerk of the Board, clerkoftheboards@aqmd.gov).

13 By no later than October 31, 2023, Respondent shall submit a report detailing  
14 measurements, observations, findings, and recommendations from the evaluation after chemical  
15 scrubber upgrades to South Coast AQMD by email (attention: Michal Haynes,  
16 mhaynes@aqmd.gov; Garrett Kakishita, gkakishita@aqmd.gov; Simin Mehrabani,  
17 smerhabani@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Erika Chavez, echavez@aqmd.gov;  
18 Mary Reichert, mreichert@aqmd.gov, and the Clerk of the Board, clerkoftheboards@aqmd.gov).

19 35. If positive pressures are detected in the initial evaluations of the Primary Clarifiers  
20 (baseline) as described in Condition No. 34, within 30 days of submittal of the evaluation,  
21 Respondent shall submit a plan to achieve negative pressures within the Primary Clarifiers.  
22 Respondent shall submit any required permit applications for equipment installations or  
23 modifications described in the plan within 14 days of submittal of the plan to achieve negative  
24 pressures within the Primary Clarifiers.

25 36. Respondent shall initiate and complete installation, in accordance with the timeline  
26 indicated below, of differential pressure gauges on the Primary Clarifiers, at approximately 3  
27 equidistant locations along the length of each Primary Clarifier including a point furthest from the  
28 exhaust ducting (that is being used to vent and control the Primary Clarifiers), to ensure a negative

1 pressure differential is maintained at all times throughout the headspace of the Primary Clarifiers.

2 a. Respondent shall initiate the installation of differential pressure gauges on  
3 one of the three Primary Clarifier Batteries (of either B, C, or D) by  
4 February 8, 2023, and shall complete the installation of differential pressure  
5 gauges on this Primary Clarifier Battery by February 24, 2023.

6 b. Respondent shall initiate the installation of differential pressure gauges on  
7 the remaining of the two Primary Clarifier Batteries (of B, C, and D) that  
8 have not initiated the installation of differential pressure gauges by  
9 February 24, 2023, and shall complete the installation of differential  
10 pressure gauges on these Primary Clarifier Batteries by March 24, 2023.

11 c. Respondent shall initiate the installation of differential pressure gauges on  
12 Primary Clarifier Battery A by March 24, 2023, and shall complete the  
13 installation of differential pressure gauges on Primary Clarifier Battery A by  
14 April 14, 2023.

15 By no later than April 14, 2023, all Primary Clarifiers shall be equipped with all  
16 differential pressure gauges.

17 Respondent shall record the differential pressure readings at a frequency of no less than  
18 twice daily (at least one during the day and one during the night). If negative pressure readings  
19 across a monitoring calendar day (day and night readings) are monitored and recorded for a  
20 specific differential pressure gauge location for at least seven consecutive days, the monitoring  
21 frequency for that specific differential pressure gauge location may be reduced to no less than  
22 twice in one day (at least one during the day and one during the night), once a week. Monitoring  
23 records shall be kept and maintain and made them available to South Coast AQMD personnel upon  
24 request.

25 37. Respondent shall prioritize refurbishment of the Primary Clarifier covers and seals  
26 over other non-essential primary equipment refurbishment works to limit fugitive odor emissions  
27 from the Primary Clarifiers. Respondent shall also prioritize refurbishment of the Primary  
28 Clarifiers based on the condition of the covers and seals, such that the Primary Clarifier Battery

1 covers and seals that are in the worst condition are prioritized for refurbishment first.

2 a. By no later than May 25, 2023, Respondent shall install temporary covers on  
3 Primary Clarifier Batteries B, C, and D until permanent covers and seals are  
4 installed. Upon installation of the temporary covers, Respondent shall inspect and  
5 record the condition of the temporary covers at a frequency of no less than once a  
6 week. The inspection results of the conditions of the temporary covers shall be  
7 submitted in the monthly report described in Condition no. 50. Respondent shall  
8 replace the temporary covers as soon as possible and no later than 7 days after the  
9 inspection result identifying that the temporary cover condition has been  
10 compromised and shall make the records available to South Coast AQMD  
11 personnel upon request.

12 b. By no later than December 31, 2023, Respondent shall complete refurbishment of  
13 all covers and seals on the Primary Clarifier Batteries online and in service and  
14 Respondent shall take any remaining Primary Clarifier Battery(ies) offline and out  
15 of service.

16 c. By no later than June 6, 2024, Respondent shall complete refurbishment of all  
17 covers and seals on the Primary Clarifier Batteries.

18  
19 38. By no later than March 11, 2023, Respondent shall provide a report detailing  
20 findings of the Primary Treatment Optimization Study described in the submitted Implementation  
21 Plan. The report shall be submitted to South Coast AQMD by email (attention: Michal Haynes,  
22 mhaynes@aqmd.gov; Garrett Kakishita, gkakishita@aqmd.gov; Simin Mehrabani,  
23 smerhabani@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Erika Chavez, echavez@aqmd.gov;  
24 Mary Reichert, mreichert@aqmd.gov, and the Clerk of the Board, clerkoftheboards@aqmd.gov).

25 39. Respondent shall maintain a log indicating the date(s), time, duration, and purpose  
26 of the work, whenever a confined space work activity is being conducted on the Primary Clarifiers.  
27 This log shall be kept and maintained and made available to South Coast AQMD personnel upon  
28 request.

1           40.     By no later than March 27, 2023, Respondent shall initiate the evaluation of the  
2 Truck Loading/Unloading Facilities (including the headworks grit removal loading/unloading  
3 building and the biosolids sludge loading/unloading building) for the building capture efficiency  
4 and fugitive emission mitigation effectiveness. Respondent shall submit a report of the evaluation  
5 by May 26, 2023 to South Coast AQMD by email (attention: Michal Haynes,  
6 mhaynes@aqmd.gov; Garrett Kakishita, gkakishita@aqmd.gov; Simin Mehrabani,  
7 smerhabani@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Erika Chavez, echavez@aqmd.gov;  
8 Mary Reichert, mreichert@aqmd.gov, and the Clerk of the Board, clerkoftheboards@aqmd.gov).

9           41.     Respondent shall ensure all truck entry and egress doors to the Truck  
10 Loading/Unloading Facilities (including the headworks grit removal loading/unloading building  
11 and the biosolids sludge loading/unloading building) are completely closed prior to any loading  
12 and unloading activities within the buildings by February 8, 2023, except during maintenance of  
13 the truck entry and egress doors or during breakdown conditions caused by an accidental fire or  
14 non-preventable mechanical or electrical failure. Breakdown conditions shall be reported pursuant  
15 to Rule 430 requirements.

16           42.     Respondent shall develop odor mitigation work practice operating procedures for  
17 truck entry, egress, loading, unloading, housekeeping practices, and recordkeeping practices at the  
18 Truck Loading/Unloading Facilities (including the headworks grit removal loading/unloading  
19 building and the biosolids sludge loading/unloading building) to ensure operating procedures are  
20 consistently implemented. The odor mitigation work practice operating procedures shall be  
21 submitted to South Coast AQMD by email (attention: Michal Haynes, mhaynes@aqmd.gov; Simin  
22 Mehrabani, smerhabani@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Erika Chavez,  
23 echavez@aqmd.gov; Mary Reichert, mreichert@aqmd.gov, and the Clerk of the Board,  
24 clerkoftheboards@aqmd.gov) by February 28, 2023, 11:59 pm.

25           43.     Respondent shall implement the odor mitigation work practice operating procedures  
26 for truck entry, egress, loading, unloading, housekeeping practices, and recordkeeping practices at  
27 the Truck Loading/Unloading Facilities (including the headworks grit removal loading/unloading  
28 building and the biosolids sludge loading/unloading building) and train facility operators and

1 contractors on the odor mitigation work practice operating procedures by March 14, 2023.  
2 Training records shall be maintained and provided to South Coast AQMD upon request.

3 44. Respondent shall analyze historical pressures in the anaerobic digesters/digester gas  
4 storage vessels from the past two years and identify potential releases of digester gas as indicated  
5 by pressures at or near the pressure release rating of the Pressure/Vacuum Valves. Respondent  
6 shall submit a report identifying the sources of any digester gas releases and the duration of  
7 digester gas releases during the past two years and detailed description of the reason or cause for  
8 each release. By no later than March 10, 2023, Respondent shall submit the report to South Coast  
9 AQMD by email (attention: Michal Haynes, [mhaynes@aqmd.gov](mailto:mhaynes@aqmd.gov); Garrett Kakishita,  
10 [gakakishita@aqmd.gov](mailto:gakakishita@aqmd.gov); Simin Mehrabani, [smerhabani@aqmd.gov](mailto:smerhabani@aqmd.gov); Angela Shibata,  
11 [ashibata@aqmd.gov](mailto:ashibata@aqmd.gov); Erika Chavez, [echavez@aqmd.gov](mailto:echavez@aqmd.gov); Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov),  
12 and the Clerk of the Board, [clerkoftheboards@aqmd.gov](mailto:clerkoftheboards@aqmd.gov)).

13 45. If a digester control and/or recovery system is deemed viable and/or needed by  
14 South Coast AQMD in writing to the Respondent, Respondent shall submit a design proposal to  
15 South Coast AQMD by email (attention: Michal Haynes, [mhaynes@aqmd.gov](mailto:mhaynes@aqmd.gov); Garrett Kakishita,  
16 [gkakishita@aqmd.gov](mailto:gkakishita@aqmd.gov); Simin Mehrabani, [smerhabani@aqmd.gov](mailto:smerhabani@aqmd.gov); Angela Shibata,  
17 [ashibata@aqmd.gov](mailto:ashibata@aqmd.gov); Erika Chavez, [echavez@aqmd.gov](mailto:echavez@aqmd.gov); Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov),  
18 and the Clerk of the Board, [clerkoftheboards@aqmd.gov](mailto:clerkoftheboards@aqmd.gov)) for a digester gas control and/or  
19 recovery system for digester gas released from the pressure/vacuum valves on each anaerobic  
20 digester/digester gas storage vessel by no later than 45 days after receipt of written notification of  
21 viability by South Coast AQMD. Respondent shall submit complete permit application(s) for the  
22 installation of a digester gas control and/or recovery system for digester gas released from the  
23 pressure/vacuum valves on each anaerobic digester/digester gas storage vessel by no later than 60  
24 days after receipt of written notification of viability by South Coast AQMD. Within 120 days of  
25 the issuance of the permit(s), Respondent shall install the digester gas control and/or recovery  
26 system on each anaerobic digester/digester gas storage vessel.

27 46. Respondent shall upon detecting any hydrogen sulfide (H<sub>2</sub>S) 15 ppb (0.015 ppm)  
28 for a one-hour average in the modes of H<sub>2</sub>S monitoring described in Condition Nos. 3 and 4, shall

1 employ odor reduction measures within one hour, wherever practicable, including but not limited  
2 to:

- 3 a. Application of additional ferric salts (e.g., ferric chloride) in the influent channel.
- 4 b. Deployment of misting systems at identified odor sources using non-VOC-  
5 containing odor neutralizing chemicals. The misting system and neutralizers shall be used for a  
6 minimum of 1 hour after the last exceedance period.

7 Respondent shall conduct a root cause analysis for any fenceline ambient air monitoring  
8 (described in Condition Nos. 3 and 4) results greater than 15 ppb hydrogen sulfide (H<sub>2</sub>S) for a  
9 one-hour average. The analysis shall identify sources and suspected causes of the readings and  
10 include any efforts conducted to mitigate the source of the emissions. The analysis shall be  
11 submitted to South Coast AQMD within 5 working days of the initial reading greater than 15 ppb  
12 H<sub>2</sub>S. If the analysis concludes there was a monitor malfunction, Respondent shall include a report  
13 from the contractor who inspected, repaired, replaced, or reset the monitor or any of its  
14 components. The records of odor reduction measures taken and the root cause analysis shall be  
15 submitted to South Coast AQMD by email (attention: Michal Haynes, [mhaynes@aqmd.gov](mailto:mhaynes@aqmd.gov);  
16 Garrett Kakishita, [gkakashita@aqmd.gov](mailto:gkakashita@aqmd.gov); Simin Mehrabani, [smerhabani@aqmd.gov](mailto:smerhabani@aqmd.gov); Angela  
17 Shibata, [ashibata@aqmd.gov](mailto:ashibata@aqmd.gov); Erika Chavez, [echavez@aqmd.gov](mailto:echavez@aqmd.gov); Mary Reichert,  
18 [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov), and the Clerk of the Board, [clerkoftheboards@aqmd.gov](mailto:clerkoftheboards@aqmd.gov)). Respondent shall  
19 submit a Safety Data Sheet (SDS) on the odor neutralizing chemical to Angela Shibata  
20 ([ashibata@aqmd.gov](mailto:ashibata@aqmd.gov)) and Simin Mehrabani ([smehrabani@aqmd.gov](mailto:smehrabani@aqmd.gov)), prior to use in the misting  
21 system.

22 47. Respondent shall investigate the feasibility and availability of utilizing a portable or  
23 roving ambient air monitor(s) to conduct continuous air monitoring to identify sources of  
24 significant H<sub>2</sub>S releases that may impact fenceline monitor readings. By no later than February 24,  
25 2023, Respondent shall submit to South Coast AQMD by email (attention: Michal Haynes,  
26 [mhaynes@aqmd.gov](mailto:mhaynes@aqmd.gov); Garrett Kakishita, [gkakashita@aqmd.gov](mailto:gkakashita@aqmd.gov); Simin Mehrabani,  
27 [smerhabani@aqmd.gov](mailto:smerhabani@aqmd.gov); Angela Shibata, [ashibata@aqmd.gov](mailto:ashibata@aqmd.gov); Erika Chavez, [echavez@aqmd.gov](mailto:echavez@aqmd.gov);  
28 Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov), and the Clerk of the Board, [clerkoftheboards@aqmd.gov](mailto:clerkoftheboards@aqmd.gov)),

1 the feasibility and availability findings of utilizing a portable or roving ambient air H2S monitors.  
2 The findings shall also identify all companies, vendors, contractors, consultants that were inquired  
3 regarding feasibility and availability and provide the results of each inquiry. If the Respondent or  
4 South Coast AQMD deems monitoring under this provision as feasible, Respondent shall procure  
5 monitoring equipment within 14 days of the feasibility determination and shall commence  
6 monitoring within 72 hours of monitoring equipment procurement. Data shall be analyzed and  
7 included as part of the root cause analyses for fence line readings in Condition no. 46.

8 48. By no later than February 1, 2023, Respondent shall conduct the following:

- 9 a. Introduce sufficient quantities of odor reducing iron salts or other odor  
10 reducing chemicals into each influent trunk sewer at least once per day to  
11 reduce odors.
- 12 b. Respondent shall monitor and record the H2S concentration before (if possible)  
13 and after or during the introduction of odor reducing iron salts or other odor  
14 reducing chemicals into each influent trunk sewer.
- 15 c. Respondent shall use a South Coast AQMD approved method or instrument to  
16 monitor the H2S concentration in each influent trunk sewer.
- 17 d. Respondent shall record the H2S reading, date, time, location of H2S  
18 measurement, and name of personnel conducting the H2S monitoring.
- 19 e. Respondent shall record the date, time, location, and the name of personnel  
20 conducting introduction of odor reducing iron salt or chemical; and quantity  
21 (and specify units) and type of the odor reducing salt or chemical added to  
22 each of the influent trunk sewers.
- 23 f. Respondent shall include the records and results of monitoring and recording  
24 in the monthly progress reports in accordance with Condition no. 50.
- 25 g. Submit the safety data sheet (SDS) of the odor reducing iron salt or other odor  
26 reducing chemical upon the initial use of the iron salt or chemical in the  
27 respective monthly progress reports.
- 28 h. Respondent shall utilize the data and records required by this condition to



1 develop and implement further mitigation measures.

2 49. By no later than February 24, 2023, Respondent shall survey all air pollution  
3 control equipment for the presence of pressure gauges and exhaust flowmeters and shall ensure all  
4 air pollution control equipment are equipped with operational pressure gauges and ensure they are  
5 installed correctly and are properly maintained. Respondent shall submit a list of all air pollution  
6 control equipment, status of their pressure gauge(s) and flowmeters, their normal operating range,  
7 and their monitoring frequency to South Coast AQMD by email (attention: Michal Haynes,  
8 mhaynes@aqmd.gov; Garrett Kakishita, gkakashita@aqmd.gov; Simin Mehrabani,  
9 smerhabani@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Erika Chavez, echavez@aqmd.gov;  
10 Mary Reichert, mreichert@aqmd.gov, and the Clerk of the Board, clerkoftheboards@aqmd.gov).

11 50. Respondent shall conduct the community sampling test, completing two (2) 24-hour  
12 integrated samples using EPA TO 15 method, in locations approved by South Coast AQMD,  
13 within a three (3) month period, but in no event later than April 25, 2023, The results shall be  
14 reported at the June 2023 hearing.

15 51. Respondent shall submit a monthly progress report on the implementation of the  
16 conditions of this Order and any other proposed plans to mitigate odors to South Coast AQMD by  
17 email (attention: Michal Haynes, mhaynes@aqmd.gov; Garrett Kakishita, gkakashita@aqmd.gov;  
18 Simin Mehrabani, smerhabani@aqmd.gov; Angela Shibata, ashibata@aqmd.gov; Erika Chavez,  
19 echavez@aqmd.gov; Mary Reichert, mreichert@aqmd.gov, and the Clerk of the Board,  
20 clerkoftheboards@aqmd.gov), by the 6th day of the month at 11:59 p.m. At a minimum, the report  
21 shall provide the status of the procurement and execution of the contract(s) and a detailed  
22 description of the work completed, challenges encountered, unexpected additional work  
23 performed, delays in parts/components delivery (if any), and estimated completion of each phase  
24 of the work as required to carry out the conditions of this Order. Each monthly report shall clearly  
25 identify the new information added as compared to the prior monthly report.

26 52. If Respondent determines a modification to this Order is necessary, Respondent  
27 shall contact Petitioner's Counsel and the Clerk of the Board to find a mutually-agreeable hearing  
28 date. Respondent shall file a Petition to Modify the Order no later than 21 days prior to the agreed-

1 upon hearing date.

2 53. All records required by this Order shall be kept and maintained and shall be  
3 provided to South Coast AQMD personnel upon request.

4 54. Respondent shall return for a status hearing on June 20, 2023, or as soon thereafter  
5 as the Hearing Board can schedule the status hearing, to report on any Standard Operating  
6 Procedures (SOP) or best practices developed by Respondent, which shall include the maintenance  
7 schedule on significant equipment and processes that impact air quality and odors. Respondent  
8 shall provide a representative to testify about the maintenance practices and schedule for  
9 equipment that impact air quality and odors, as well as the status on the conditions at this hearing.

10  
11 FOR THE BOARD: Cynthia Verdugo-Peralta  
12 Cynthia Verdugo-Peralta, Chair

13  
14 DATED: 02/02/23

15  
16 Prepared by Mary Reichert and Erika Chavez,  
17 approved by Adena Hopensand

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