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Future state bill aims to speed up Hyperion odor recovery

The bill is set to be introduced in the coming weeks and will require air-quality monitors in the community.

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The Hyperion Water Reclamation Plant could soon have new state rules to follow.

Assemblymember Al Muratsuchi, D-Torrance, will introduce a new state bill in the coming weeks that would possibly require the wastewater recycling facility and its operator, Los Angeles Sanitation & Environment, to do more to mitigate odors caused by hydrogen sulfide, which have lingered for nearly two years.

Officials with LASAN and the city of Los Angeles have repeatedly say they are working hard to fix various issues and are eager to address odor complaints.

But El Segundo residents say they have been continually plagued by hydrogen sulfide odors since a July 2021 backup at Hyperion caused the facility to flood and spill millions of gallons of sewage into the ocean. The incident, officials said then, nearly crippled Hyperion, the region's largest and oldest wastewater reclamation facility.



The potential legislation would expand on the Muratsuchi-authored Assembly Bill 1647 — which was enacted in 2017 and required oil refineries to install community and fence-line air quality monitors to keep track of toxic chemicals — to large wastewater facilities, such as Hyperion. Fence-line monitors are already in place around Hyperion’s perimeter, but adding monitors in neighborhoods would further allow officials to detect the odors residents continue to complain about.

“It’s a transparency and accountability measure to put pressure on Hyperion,” Muratsuchi said, “in hopes that Hyperion will do the right thing and address the problems.”

Muratsuchi will introduce the legislation, which is still currently unnumbered, as a spot — or placeholder — proposal before the Feb. 17 deadline to introduce new bills. He’ll introduce the official bill before committee hearings begin in March.

If all goes smoothly, the bill could be on Gov. Gavin Newsom’s desk for consideration by September, Muratsuchi said. It would first need to get through committees and be passed by both the Assembly and state Senate.

Muratsuchi began looking into Hyperion in December after redistricting put the plant and El Segundo in his district, he said. But state Sen. Ben Allen, D-Santa Monica, had previously been talking with El Segundo and Hyperion officials about remedying the remaining effects of the spill.

“The bill’s important.” Allen said. “But the conversations with Hyperion are just as important.”

Allen said he would love to get a system in place to relieve El Segundo residents without a bill.

But Hyperion’s compliance record, he said, shows that this push may be needed.

“There’s been some progress,” Allen said. “But it’s a long term project.”

Hyperion had initially said it could meet a 2025 deadline to finish replacing all the corroded covers on its primary clarifiers — the main source of the odors — but Allen and his team got officials to agree to speed that up to the end of this year.



The South Coast Air Quality Management District board also last [added a new stack of conditions last month to an order of abatement it issued the facility in September to make officials there clear up the odors more quickly.](#) Since the 2021 incident, AQMD has also hit Hyperion with multiple notices of violation.

During that January hearing, AQMD staff said that the majority of the odors seem to emanate from the primary clarifiers.

Officials representing Hyperion said during that hearing that would continue working to address the odors and that they would comply with the updated terms.

“We look forward to continuing to work with the district to resolve this matter, to address the odor complaints,” Adena Hopenstand, deputy city attorney for Los Angeles, said at the time. “We believe this addresses odors and air quality first with an aggressive timeline, and hope with this, we can continue to work on regaining the public’s trust and confidence.”

Muratsuchi and Allen, meanwhile, are still having discussions with AQMD to understand what more legal authority it needs in order to really address the issues at Hyperion, the assemblymember said.

Besides the hydrogen sulfide odor, Muratsuchi said, El Segundo is particularly concerned about volatile organic compounds, or VOCs — like formaldehyde — and nitrogen oxides, or NOx.

“We want to make sure we’re detecting and protecting all surrounding communities,” Muratsuchi said, from “toxic chemicals that may be emitted from Hyperion.”

Folks in El Segundo, meanwhile, say they are still dealing with the effects every day.

“I filed complaints with Hyperion yesterday (Thursday, Feb. 9) and with AQMD, but Hyperion of course called me back — like they do every day — saying they are in compliance and they don’t detect any odors,” El Segundo resident Sarah Miskowicz wrote in a Thursday email to AQMD, Los Angeles County officials, the media and members of the community. “They tell me that maybe it’s trash I’m smelling or the construction nearby.”



Besides moving up Hyperion's improvement timeline, legislators are also pushing to bring an independent investigator into the facility.

"We're going to put pressure on Hyperion and force them to focus on this issue," Allen said. "This is an issue they really need to take seriously and address."

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