



City of El Segundo

Office of the City Manager

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Mayor Pro Tem*

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Councilmember*

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City Clerk*

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*Darrell George,
City Manager*

*Mark D. Hensley,
City Attorney*

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Deputy City Manager*

*Joseph Lillio,
Chief Financial Officer*

*Deena Lee,
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*Jose Calderon,
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*Aly Mancini,
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*Michael Allen,
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*Jamie Bermudez,
Police Chief*

*Elias Sassoon,
Public Works*

Transmitted Via Email

April 4, 2023

The Honorable Luz Rivas
Chair, Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

RE: AB 1216 (Muratsuchi) Wastewater Treatment Plants: Monitoring of Air Pollutants

Dear Assembly Member Rivas,

The City of El Segundo, representing over 17,000 residents who live directly east or southeast of the Hyperion Water Reclamation Plant, which is operated by the City of Los Angeles, SPONSORS and SUPPORTS AB 1216, Wastewater Treatment Plants: Monitoring of Air Pollutants, which would require wastewater treatment facilities located within 1,500 feet of a residential area in the state of California, and meeting other specified criteria, to monitor for concerning air pollutants such as hydrogen sulfide (H₂S), nitrogen oxides (NO_x), and volatile organic compounds (VOCs) at their fence-line. This bill would also require that air-quality monitoring data be shared with the public in real-time in a publicly accessible format, allowing people to know what they are breathing, what to expect, and make informed decisions. Without these testing regulations in place, the health and safety of the people in the surrounding communities may be at risk.

On July 11, 2021, the Hyperion Water Reclamation Plant (Hyperion) experienced a nearly catastrophic spill, which resulted in over 17 million gallons of untreated sewage being discharged into the Santa Monica Bay. Since then, there have been well over 1,100 odor-related complaints from our community members who report suffering from headaches and nausea from the ongoing smell. It is to be noted that H₂S, NO_x, and VOCs are pollutants of concern that are commonly emitted during the wastewater treatment process, give off pungent odors, and can have a myriad of negative health effects if they reach a certain threshold. Understanding the type and quantity of Hyperion's emissions that are exceeding currently identified thresholds and thresholds established in the future through fence-line air quality monitoring – which is currently not required under state law – is critical to

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preventing health problems and establishing mitigation measures.

The current law generally designates pollution control to air quality management districts, which, for Hyperion, is South Coast Air Quality Management District (SCAQMD). To date, SCAQMD has issued over 72 notices of violation (NOVs) to Hyperion since the July 2021 spill. Over 70 of these NOV's are for odor, with the most recent NOV being issued on January 17, 2023. While SCAQMD is overseeing the air quality, compliance is slow, and in the meantime, potentially harmful and noxious gases continue to affect the health of the surrounding neighborhoods.

On numerous occasions, the City has asked Hyperion leadership and members of Los Angeles Sanitation Bureau, who manages the Hyperion plant, to include testing for NOx and VOCs in addition to their current air-quality monitoring for H2S – a requirement of one of the NOVs issued by SCAQMD. Hyperion has responded by saying they are meeting their current legal obligations.

The fence-line air-quality monitoring requirements in AB 1216 is similar to the current requirements of petroleum refineries in AB 1647 in that it mandates required fence-line air monitoring systems to better understand and mitigate sources of pollution to protect surrounding communities. Given the potentially toxic emissions created by both types of facilities, it makes sense to implement similar testing standards for publicly operated wastewater treatment plants to match the state standards for privately operated petroleum refineries. One major difference is that a refinery that fails to comply with air quality standards can be shut down until it is in compliance, whereas a public utility, like Hyperion, cannot. All the more reason to proactively regulate emissions monitoring at the state level rather than having individual air quality districts reactively issue NOVs that take months to implement.

The state of California has an obligation to protect the health and well-being of its residents, AB 1216 does just that. To not test for these known pollutants of concern borders on gross negligence and could put the quality of life of thousands of Californians at risk.

For these reasons, The City of El Segundo supports AB 1216 - Wastewater Treatment Plants: Monitoring of Air Pollutants.

Sincerely,



Darrell George,
City Manager

Cc: El Segundo Honorable Mayor Boyles and City Council Members
Honorable Assemblymember, District 66, Al Muratsuchi and Staff
Elias Sassoon, El Segundo Public Works Director
Mark Hensley, El Segundo City Attorney