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

**In the Matter of**

SOUTH COAST AIR QUALITY  
MANAGEMENT DISTRICT,

Petitioner,

vs.

LOS ANGELES CITY SANITATION  
BUREAU, HYPERION WATER  
RECLAMATION PLANT

[Facility ID No. 800214]

Respondent.

**Case No. 1212-39**

**DECLARATION OF SHERI SYMONS**

South Coast AQMD Rule 3002(c)(1)

Hearing Date: September 11, 2024

Time: 9:30 a.m.

Place: Hearing Board  
South Coast Air Quality  
Management District  
21865 Copley Drive  
Diamond Bar, CA 91765



1 after July 15, 2024. The Clerk has scheduled the hearing for September 11, 2024. The parties  
2 have agreed to place the matter on the Consent Calendar. A stipulation memorializing this  
3 agreement has been filed concurrently with this Declaration. This declaration summarizes the key  
4 developments since the hearing held on June 2, 2023. This declaration is made in support of the  
5 Parties' Stipulation to Place Matter on Consent Calendar.

6 **Status Update**

7 7. LA Sanitation completed the source test for Flare 2 and the re-test of Flare 3, as  
8 required by Condition 1 of the Stipulated Order for Abatement.

9 8. LA Sanitation completed the repairs and maintenance recommended by the John  
10 Zink Report(s) for Flare 6 by April 16, 2022 as required by Condition 2 of the Stipulated Order for  
11 Abatement.

12 9. LA Sanitation submitted weekly progress reports as required by Condition 3 of the  
13 Stipulated Order for Abatement.

14 10. In accordance with Condition 4, LA Sanitation submitted the Comprehensive  
15 Evaluation and Report to the South Coast AQMD on June 29, 2022 and the Implementation Plan  
16 on September 24, 2022. The Report, Plan and a status report were submitted to the Hearing Board  
17 on September 24, 2022. LA Sanitation contracted with John Zink and George T. Hall Company to  
18 provide the Comprehensive Evaluation and Report, and with Brown & Caldwell to provide an  
19 Implementation Plan.

20 11. LA Sanitation investigated the availability of a thermal oxidizer or other appropriate  
21 digester gas control system to use in replacement of non-compliant flares and investigated  
22 obtaining a various locations permit, as required by Condition 5 of the Stipulated Order for  
23 Abatement. LA Sanitation contacted two companies, Zecco and John Zink. Neither company had  
24 equipment available for this purpose. The equipment on offer by these companies could not  
25 provide the capacity needed. The equipment was not permitted to operate in the South Coast Air  
26 District, and the companies would not guarantee it would meet emission requirements using  
27 digester gas.

1           12.     As for Condition 6, LA Sanitation expedited the work to submit the deliverables  
2 required to procure goods, work and services called for under the modified Stipulated Order for  
3 Abatement; however, the vendors did not have an option to expedite the work or accelerate the  
4 schedule.

5           13.     LA Sanitation paid annual fees as required by Condition 7 of the Stipulated Order  
6 of Abatement by April 14, 2022.

7           14.     Efforts to replace the existing Flare Station and to install new flares, as required by  
8 Condition 8, are underway. As of the date of this Declaration, LA Sanitation and the City's  
9 Bureau of Engineering selected Brown & Caldwell as the consultant to prepare the pre-design and  
10 design of the new flare station at Hyperion and issued a Notice to Proceed for the pre-design on  
11 November 27, 2023. Brown & Caldwell is preparing a preliminary design and is on schedule to  
12 complete it by May 27, 2025. As part of its work, Brown & Caldwell sampled the digester gas and  
13 analyzed its constituents and determined that pre-treatment is required to meet regulatory  
14 emissions requirements. Brown & Caldwell is currently evaluating the different digester gas pre-  
15 treatment options available. In addition, Brown & Caldwell is (a) reviewing plant operational data  
16 to size the new flares and develop controls that will integrate with the existing digester gas  
17 management system; (b) reviewing plant site plans to prepare a site plan for the new system and  
18 locate tie-in points; and (c) reviewing the permanent and standby power demands to determine  
19 what electrical system modifications are needed.

20           15.     In accordance with Condition 12, the flares have been operated and maintained to  
21 prevent the release of raw digester gas to the atmosphere. The source tests of Flares 1-6 were  
22 conducted on April 8, 9 and 10, 2024, in accordance with the approved protocol. South Coast  
23 AQMD was given advance notice of the scheduled source tests on March 29, 2024. As of the date  
24 of my execution of this declaration, to my knowledge, South Coast AQMD has not yet had an  
25 opportunity to complete its evaluation of the source test conducted from April 8 through April 10,  
26 2024 and has not found that any of the flares are not in compliance. However, preliminary results  
27 of the source test of Flares 1, 2, 3, 4 and 5 suggest that, notwithstanding the preventive

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1 maintenance and cleaning performed as recommended, the equipment may not be compliant with  
2 the BACT limit for NOx. The Hearing Board was briefed on LA Sanitation's preliminary  
3 assessment of the results on May 7, 2024. Until the flare replacement project is completed, LA  
4 Sanitation will prioritize the order of the flares to be used in the Flare Station, so that those flares  
5 that meet the BACT limit for NOx run first and those that do not demonstrate compliance in a  
6 back-up, as needed, capacity.

7 16. LA Sanitation submitted monthly progress reports on the implementation of the  
8 conditions of this Order to South Coast AQMD, in accordance with Condition 13. The last  
9 monthly report was submitted on July 7, 2024.

10 17. The operation of the Flare Station under the Stipulated Order for Abatement is not  
11 expected to result in violation of Health and Safety (H&S) Code Section 41700 (nuisance).

12 **Flare Station Funding**

13 18. The LA Sanitation's Clean Water Capital Improvement Program (CWCIP) is a  
14 multi-year program to improve the wastewater conveyance and treatment infrastructure. The  
15 CWCIP has a 10-year plan, and individual projects are prioritized, scheduled and budgeted within  
16 this framework.

17 19. New CWCIP projects are approved for scope, budget and schedule and prioritized.  
18 Funds are not committed for construction until the project has completed design and is ready to  
19 proceed to bid and award. This approach optimizes the available funds for construction. For  
20 example, many projects have multi-year schedules, and during this time, scope, costs and schedule  
21 may change. If a project is delayed to a future fiscal year, a lower priority project would move up  
22 and take its place to use the funding that is now available.

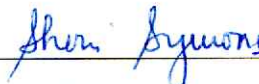
23 20. LA Sanitation approved the preliminary scope of work, budget and schedule for the  
24 new flare station in December 2022 and approved revisions in May 2023. The cost estimate for  
25 the project to prepare the site is currently \$40,400,000, and the cost estimate for the project to  
26 install the flares is \$83,500,000 (totaling \$123,900,000). The project is currently on schedule and  
27 in pre-design. If additional revisions are identified that would affect the scope, budget and  
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1 schedule, LA Sanitation and Bureau of Engineering staff would request approvals.

2 21. The scheduled date for bid and award is contingent upon the South Coast AQMD  
3 issuing a Permit to Construct ("PTC"). Per the Condition 8(c), LA Sanitation will submit an  
4 application for a PTC by February 4, 2027. Per the Condition 8(d), LA Sanitation will construct  
5 the new station within 60 months after the South Coast AQMD issues the PTC. The project has a  
6 placeholder in the CWCIP in Fiscal Year 2027-28.

7 I declare under penalty of perjury under the laws of the State of California that the above is  
8 true and correct to the best of my knowledge.

9 Executed on September 9, 2024, in Los Angeles, California.

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