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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

**[PROPOSED] FINDINGS AND
DECISION FOR A MODIFIED
STIPULATED ORDER FOR
ABATEMENT**

South Coast AQMD Rule 3002(c)(1)

Hearing Date: October 8, 2026
Time: 9:30 a.m.
Place: Hearing Board
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

FINDINGS AND DECISION OF THE HEARING BOARD

On October 1, 2026, Respondent Los Angeles City Sanitation Bureau (“LA Sanitation”), represented by Susan Smith, attorney at law, and Petitioner South Coast Air Quality Management District (“South Coast AQMD”), represented by Erika Chavez, Principal Deputy District Counsel, (collectively, “the Parties”) submitted a Stipulation to Place Matter on Consent Calendar. In

1 support thereof, Respondent LA Sanitation submitted a status update on its compliance with the
2 conditions set forth in the Stipulated Modified Order for Abatement entered on June 1, 2023, by
3 way of the Declaration of Sheri Symons. The status/modification hearing was heard on October 8,
4 2026, on the Hearing Board's consent calendar, pursuant to notice in accordance with the
5 provisions of the California Health and Safety Code sections 40823 and South Coast AQMD Rule
6 812. The following members of the Hearing Board were present: Micah Ali, Chair; Robert
7 Pearman, Esq., Vice Chair; Jerry P. Abraham, MD, MPH, CMQ; Mohan Balagopalan; and Cynthia
8 Verdugo-Peralta. Petitioner, Respondent, and their representatives, did not appear. The Hearing
9 Board finds and decides as follows:

10 The Hearing Board finds that GOOD CAUSE exists to support that the Stipulated Modified
11 Order for Abatement entered on June 1, 2023 will remain in effect, and no further modifications are
12 required at this time. This finding of good cause is based on the following:

13 1. The Declaration of Sheri Symons and other record materials demonstrate that, since
14 adoption of the Stipulated Modified Order for Abatement on June 1, 2023, LA Sanitation has made
15 reasonable efforts to comply with its conditions.

16 2. A hearing in this matter shall be calendared on October 13, 2027 at 9:30 a.m. to
17 review the status of this matter and consider a modification and/or extension of the Order.

18 3. The Hearing Board shall retain jurisdiction over this matter until thirty (30) days
19 after Respondent achieves final compliance, per the Order.

20 **CONCLUSIONS**

21 1. The parties have stipulated to issuance of this Order.

22 2. This Order is not intended to be, nor does it act as a variance, and Respondent remains
23 subject to all rules and regulations of the District, and with all applicable provisions of California
24 law.

25 **ORDER**

26 THEREFORE, based on the foregoing and good cause appearing, the Hearing Board
27 hereby orders Respondent to continue to comply with conditions of the Stipulated Modified Order
28

1 for Abatement issued on June 1, 2023 and:

2 1. The parties shall appear before the Board for a hearing on October 13, 2027 at 9:30
3 a.m. to review the status of this matter and consider a modification and/or extension of the Order.

4 2. The Stipulated Modified Order for Abatement entered on June 1, 2023 will remain in
5 effect, and no further modifications are required at this time.

6 3. The Hearing Board shall retain jurisdiction over this matter until and including 30
7 days after Respondent has achieved final compliance. Final Compliance is defined as South Coast
8 AQMD's confirmation that the new flare(s) have been installed, are operational, and comply with
9 all applicable South Coast AQMD Rules, pursuant to source test results for the new flares submitted
10 by LA Sanitation to South Coast AQMD.

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

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

18 6. Nothing herein shall be deemed or construed as an admission by Respondent.

19 7. Respondent shall notify the Clerk of the Hearing Board in writing when final
20 compliance is achieved, as defined in Condition 14 of the Order for Abatement.

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22
23 FOR THE BOARD: _____
24 **Micah Ali, Chair**

25 DATED: _____
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