

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 9**

75 Hawthorne Street
San Francisco, California 94105

IN THE MATTER OF:)	DOCKET NO. CWA-309(a)-24-005
)	
City of Los Angeles,)	
Los Angeles Sanitation and)	ADMINISTRATIVE ORDER ON
Environment,)	CONSENT
)	
Hyperion Treatment Plant,)	<i>Proceeding under Section 309(a) of the Clean</i>
)	<i>Water Act, 33 U.S.C. § 1319(a)</i>
Los Angeles, California)	
)	
_____ Respondent.)	

ADMINISTRATIVE ORDER ON CONSENT

I. STATUTORY AUTHORITY

1. Section 309(a) of the Clean Water Act (CWA), 33 U.S.C. § 1319(a), provides that, whenever the United States Environmental Protection Agency (EPA) finds that any person is in violation of any condition or limitation which implements, *inter alia*, Sections 301(a) and 402 of the CWA, 33 U.S.C. §§ 1311(a) and 1342, the EPA may issue an order requiring such person to comply with such condition or limitation, and shall specify a time for compliance that the EPA determines to be reasonable.

2. The EPA makes the following Findings of Fact and Determinations of Law and issues this Administrative Compliance Order on Consent (AOC) pursuant to the authority vested in the EPA by Section 309(a) of the CWA, 33 U.S.C. § 1319(a), as amended. This authority has been delegated to the Regional Administrator of the EPA, Region 9, and further delegated by the Regional Administrator to the Director of the Enforcement and Compliance Assurance Division of the EPA, Region 9.

3. Respondent is the City of Los Angeles, Department of Public Works, Bureau of Sanitation ("LASAN").

4. Respondent neither admits nor denies the factual allegations and legal conclusions set forth in Section III of this AOC, except to the extent that those allegations provide the EPA with a jurisdictional basis to enforce this AOC.

II. STATUTORY AND REGULATORY FRAMEWORK

5. CWA Section 301(a), 33 U.S.C. § 1311(a), makes it unlawful for a person to discharge pollutants from a point source into waters of the United States, except as authorized by a

National Pollutant Discharge Elimination System (NPDES) permit issued pursuant to CWA Section 402, 33 U.S.C. § 1342.

6. CWA Section 402, 33 U.S.C. § 1342, establishes the NPDES program and authorizes the EPA and authorized states to issue permits governing the discharge of pollutants from point sources into waters of the United States.

7. CWA Section 502(5), 33 U.S.C. § 1362(5), defines “person” to include a “municipality.” Under CWA Section 502(4), 33 U.S.C. § 1362(3), the term “municipality” includes a “City.”

8. CWA Section 502(12), 33 U.S.C. § 1362(12), defines “discharge of a pollutant” to mean “(A) any addition of any pollutant to navigable waters from any point source, [or] (B) any addition of any pollutant to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft.”

9. CWA Section 502(6), 33 U.S.C. § 1362(6), defines “pollutant” to include, among other things, “municipal waste discharged into water” and “sewage.”

10. CWA Section 502(14), 33 U.S.C. § 1362(14) defines “point source” to include “any discernable, confined and discrete conveyance ... from which pollutants are or may be discharged.”

11. CWA Section 502(7), 33 U.S.C. § 1362(7), defines “navigable waters” as “waters of the United States, including territorial seas.” The term “territorial seas,” is defined by Section 502(8), 33 U.S.C. § 1362(8), to mean “the belt of the seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of three miles.”

III. FINDINGS OF FACT AND DETERMINATIONS OF LAW

12. Respondent is a “municipality” and therefore is a “person” within the meaning of CWA § 502(5), 33 U.S.C. § 1362(5).

13. At all times relevant to this action, Respondent owned and operated the Hyperion Treatment Plant, which is a Publicly Owned Treatment Works as defined at 40 C.F.R. §§ 122.2 and 403.3, located at 12000 Vista del Mar in Playa del Rey, California (hereafter, the “Facility”).

14. The Facility collects, treats, and disposes of wastewater for the entire City of Los Angeles (except the Wilmington-San Pedro area, the strip north of San Pedro, and Watts) and from twenty nine (29) satellite agencies under contractual agreements, including Beverly Hills, Culver City, El Segundo, Santa Monica, San Fernando, and West Hollywood. The Facility’s service area includes more than four-million people.

15. All wastewater influent enters the Facility through a single building, known as the Headworks Building. The Headworks Building provides preliminary treatment, consisting of screening and grit removal through eight bar screens equipped with mechanical rakes. Following preliminary treatment, wastewater undergoes primary sedimentation and secondary aerobic digestion and sedimentation prior to discharge through the Five-Mile Outfall (Discharge Point 002). The Facility has a One-Mile Outfall (Discharge Point 001), which is used primarily for

discharges of stormwater flow during wet weather if the runoff rate of stormwater exceeds the capacity of the pumps at the North, South, or Central Stormwater Pump Stations; for emergency discharges of stormwater and secondary effluent in case of a power outage or during planned maintenance on the Five-Mile Outfall. These two outfalls are “point sources” within the meaning of CWA Section 502(14), 33 U.S.C. § 1362(14).

16. Wastewater discharges from the Facility include biological oxygen demand, enterococcus, oil and grease, sewage, and total suspended solids, and therefore contain “pollutants,” as defined by CWA Section 502(6), 33 U.S.C. § 1362(6).

17. Effluent from the One-Mile and Five-Mile Outfalls discharges into the Santa Monica Bay and the Pacific Ocean, which are “navigable waters” and “waters of the United States,” including territorial seas, within the meaning of CWA Section 502(7), 33 U.S.C. § 1362(7) and implementing regulations.

18. Respondent’s discharge of pollutants in wastewater into waters of the United States, including territorial seas, constitutes a “discharge of pollutants” within the meaning of CWA Section 502(12), 33 U.S.C. § 1362(12).

19. The state of California is authorized to implement the NPDES program for discharges into state waters through its State Water Resources Control Board and Los Angeles Regional Water Quality Control Board. EPA jointly permits this Facility because there are two outfalls; the One-Mile Outfall discharges into state waters and the Five-Mile Outfall discharges more than three (3) miles offshore into waters where EPA directly implements the CWA.

20. On February 2, 2017, the California Regional Water Quality Control Board, Los Angeles Region (Regional Board 4), adopted Order No. R4-2017-0045. On February 15, 2017, EPA Region 9 adopted NPDES Permit No. CA0109991 (hereafter, the “Permit”), which became effective on April 1, 2017. The Permit expired on March 31, 2022, but was administratively extended and covers the time period relevant to this AOC¹. The Permit authorizes Respondent to discharge treated wastewater from the Facility through the One-Mile and Five-Mile Outfalls, in accordance with effluent limitations and other conditions set forth in the Permit.

21. The Permit includes, among other things, the following conditions:

- a. Section III.A. of the Permit prohibits discharges through the One-Mile Outfall except as allowed in five limited situations described in subsections 1-5.
- b. Section III.G. of the Permit prohibits the bypass or overflow of untreated wastewater to surface waters except as allowed in Section I.G. of Attachment D.
- c. Section IV.A. of the Permit establishes effluent limitations for both outfalls for various parameters found in untreated wastewater, including biological oxygen demand (BOD), oil and grease, settleable solids, and total suspended solids (TSS), as listed in Tables 5 and 6.

¹ On February 23, 2023, Regional Board 4 adopted Order No. R4-2023-0033. EPA adopted Permit No. CA0109991 on March 17, 2023, which became effective on May 1, 2023.

- d. Attachment E of the Permit requires the Respondent to collect effluent monitoring samples for various parameters found in untreated wastewater, including BOD, oil and grease, settleable solids, TSS, as listed in Table E-7.
- e. Attachment E of the Permit requires Respondent to report sampling results in Discharge Monitoring Reports (DMRs) and Electronic Self-Monitoring Reports (eSMRs), which are publicly available.
- f. Section VII.A of the Permit requires that Respondent comply with all Standard Provisions, including Proper Operation and Maintenance in Attachment D, Section D. Proper Operation and Maintenance requires that Respondent “at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used ... to achieve compliance with the conditions of this Order/Permit.”

22. On July 11, 2021, the eight bar screens in the Facility’s Headworks building jammed and shut down. Untreated wastewater overflowed from the Headworks’ influent channel and flooded the Facility. Floodwaters entered the Facility’s contaminated storm drain system, overwhelmed it, and began to overflow from that storm drain system to the One-Mile Outfall.

23. At 2:11 p.m. on July 11, a high influent water surface level alarm was triggered. The control room did not acknowledge this alarm in the Facility’s Distributed Control System (“DCS”) until the following day.

24. At 4:30 a.m. on July 12, operators opened the Headworks’ bypass channel to allow the influent flow to bypass the offline bar screens and enter the treatment process. Flooding immediately began to decrease, and by 8:40 a.m. the overflow to the One-Mile Outfall ceased.

25. As a result of the incidents above, approximately 12.5 million gallons² of untreated wastewater was discharged into the Santa Monica Bay through the One-Mile Outfall.

26. Following the incidents of July 11-12, 2021, Respondent produced a preliminary report on July 16, 2021, and the “30-Day Report on Unplanned Discharge to 1-Mile Outfall of Untreated Wastewater on July 11 and 12, 2021” (“30-Day Report”) on August 13, 2021.

27. According to the 30-Day Report, once the Headworks Building became overwhelmed by flooding at least five million gallons of untreated wastewater began to overflow into the streets of the 144-acre Facility and below-ground into the pipe galleries and pump rooms. As a result of the flooding damage, return activated sludge pumps, primary sludge pumps, polymer system pumps, effluent pumping plant pumps, waste activated sludge centrifuges, and other critical equipment were inoperable for various periods of time.

28. As a result of the damage to the pump assets referenced above, Respondent held sludge within the treatment processes at the Facility, which negatively impacted overall plant

² According to Respondent, approximately 4.5 million gallons of wastewater that entered the One-Mile Outfall was pumped back to the Facility for secondary treatment and discharge through the Five-Mile Outfall, and thus the total volume of discharge was reduced from the initial estimate of approximately 17 million gallons.

performance and its ability to comply with effluent limits. Respondent was unable to resume processing sludge in a significant way until August 1, 2021.

29. On July 29, 2021, Regional Board 4 issued Respondent an Order (Order No. R4-2021-0107) under California Water Code 13383, requiring additional monitoring to assess the impacts of the July 11-12 incident on receiving water quality.³

30. On August 24 and 25, 2021, representatives of the EPA and Regional Board 4 performed an inspection of the Facility to evaluate the Headworks Building and to assess Respondent's compliance with the requirements of Sections 301 and 402 of the CWA, 33 U.S.C. §§ 1311 and 1342, and its NPDES Permit. The Regional Board 4 provided the inspection report to Respondent on July 26, 2022.

31. On October 8, 2021, Regional Board 4 issued Respondent a Notice of Violation for the unauthorized discharge of July 11 and 12, 2021.

32. On January 11, 2022, Brown & Caldwell, issued the "Third-party Review of Plant Influent Piping, Influent Channel, and Bar Screen Channels for Hyperion Event."

33. On February 11, 2022, the Advisors to an Ad Hoc Committee formed by the Los Angeles Board of Public Works, issued the "Report of the Ad Hoc Advisory Committee Advisors on the July 11, 2021 Flooding at the Hyperion Water Reclamation Plant and Recommendations for Future Improvements."

34. On August 10, 2022, CDM Smith issued the "Hyperion Wastewater Reclamation Plant Headworks Report."

35. Based on EPA's review of the records provided by Respondent pursuant to the NPDES Permit, Regional Board 4's Order No. R4-2021-0107 and its amendments, observations made during the August 2021 inspection, and the reports identified above, the EPA identifies the following violations:

- a. The Respondent had an unauthorized discharge of approximately 12.5 million gallons of untreated sewage on July 11-12, 2021, to the Santa Monica Bay which is a water of the United States, in violation of Permit sections III.A and III.G.
- b. According to self-monitoring results, Respondent exceeded effluent limitations at least fifty-three (53) times from July 17, 2021 to October 31, 2021, in violation of Permit section IV.A. Effluent violations included pollutant parameters of BOD, percent removal of BOD, settleable solids, oil & grease, TSS, percent removal of TSS, and turbidity. These violations are identified in Appendix 1 to this AOC. The effluent violations are attributable to the Facility's damaged treatment processes resulting from the Facility's flooding on July 11-12.

³ Regional Board 4 amended Order No. R4-2021-0107 on August 2 and September 17, 2021, to add four additional stations to the daily offshore sampling requirement (Order No. R4-2021-0107-A01), and to reduce the frequency of the daily offshore sampling requirement (Order No. R4-2021-0107-A02).

- c. The Respondent's staff did not respond to the high influent channel level in a timely manner, in violation of Permit section VII.A and Attachment D, Section D.

36. Because Respondent failed to comply with the conditions and limitations in its NPDES Permit, EPA is authorized to issue an order requiring compliance pursuant to CWA Section 309(a)(3), 33 U.S.C. § 1319(a)(3).

IV. ORDER FOR COMPLIANCE ON CONSENT

37. Based on the foregoing Findings of Fact and Determinations of Law and pursuant to the authority of CWA Section 309(a), 33 U.S.C. § 1319(a), IT IS HEREBY ORDERED and AGREED TO:

38. Respondent shall take the following actions at the Facility:

a. Distributed Control System (DCS)

- i. By the dates below, Respondent shall fully integrate the Headworks Building equipment with the DCS, consistent with Capital Improvement Project (CIP) 8179. The integration shall include the following action items:
 - 1. Fully integrate the existing equipment in Headworks, including the bar screens, screw presses, drum screens, supply fans, level sensors, and necessary ancillary equipment with the DCS by March 31, 2024.
 - 2. Fully integrate new equipment in Headworks, including the sluice gates to be installed under CIP 2516, by December 31, 2025.
 - 3. Ensure the assets referenced in Paragraphs 38.a.i.1 and 38.a.i.2 can be remotely monitored, and in some instances, remotely controlled from the Control Room.
- ii. By June 30, 2024, Respondent shall make the following DCS software updates.
 - 1. Update alarm or status screens software to remove vestigial alarms.
 - 2. Establish priority levels for alarms and update as necessary.
 - 3. Establish alarm acknowledgment requirements and/or passcodes for high priority alarms.
- iii. Within three (3) months of completion of the DCS project described in Paragraph 38.a, Respondent shall train Hyperion operators responsible for control room operations on the updates and submit proof of training to EPA within one (1) month of training completion.

b. Headworks Building High-Level Channel Overflow Management Improvements

- i. By December 31, 2025, Respondent shall complete construction of high-level channel overflow management improvements so that influent wastewater flows above a high-level threshold in the Headworks Building will be routed to the

aerated grit basin, while minimizing damage to downstream treatment equipment. Such improvements shall ensure the rerouting of up to at least 600 MGD of flow. Improvements will include passive overflow in Channel 10 along with a screen to prevent large debris/solids from continuing downstream. Respondent shall ensure that each quarterly progress report required in paragraph 38.f below includes a detailed discussion of progress under this paragraph including any challenges encountered. As part of the improvements, Respondent shall by December 31, 2025:

1. Install stainless steel slide gates, actuators, power supply connections, level indicators, and related appurtenances for the West channel and bar screen channels in Channel Nos. 2-10 in the Headworks Building.
2. Complete construction of new passive overflow in bar screen Channel No. 10.
3. Install screen to remove large debris/solids within the new passive overflow in bar screen Channel No. 10.

c. Conveyance System and Interceptor Maintenance

- i. Within thirty (30) days of the Effective Date of this AOC, Respondent shall clean and remove debris to improve the conveyance of wastewater flow through all accessible interceptors leading to the Headworks Building and inside the Headworks Building's influent, bar screen, and bypass channels. The scope of work includes sewer pipeline cleaning within the Headworks Building influent and bypass channels, Coastal Interceptor Sewer, North Outfall Sewer, North Central Outfall Sewer, and North Outfall Relief Sewer as depicted in Figure 1, attached to this AOC.
- ii. Within sixty (60) days of the Effective Date of this AOC, Respondent shall submit a Conveyance System Inspection and Cleaning standard operation procedure (SOP) for EPA's review and comment that addresses the inspection and cleaning of the interceptor sewers leading to the Headworks Building and inside the Headworks Building's influent, bar screen, and bypass channels.
- iii. Within thirty (30) days of receipt of EPA's comments on Conveyance System Inspection and Cleaning SOP, Respondent shall finalize and implement the SOP.

d. Criticality Analysis

i. Electrical Systems

1. Within thirty (30) days of the Effective Date of this AOC, Respondent shall submit to EPA for review and comment a criticality report analyzing the contribution of the Headworks Building's electrical systems to the July 11 flooding incident. The analysis shall provide

recommendations for potential electrical system upgrades, if necessary.

ii. Bar Screen Mechanical Functionality

1. Within twelve (12) months of the Effective Date of this AOC, Respondent shall submit a report reviewing bar screen Operation & Maintenance records and identify any trends regarding bar screen failure, repairs and downtime.
2. If Respondent's report recommends any bar screen modifications or upgrades, Respondent will submit a schedule for any such modifications or upgrades.

iii. Proper Staffing and Training at the Facility

1. Within thirty (30) days of the Effective Date of this AOC, Respondent shall submit a report to EPA for review and comment that includes the following:
 - a. A comparison of the staffing levels for Operations positions on July 11, 2021, and the current Operations staffing levels at the Facility, organized by title, role/responsibilities, and training/certification level.⁴
 - b. A comparison of the Operations staffing levels for each type of shift on July 11, 2021 and current Operations staffing levels, and explain any differences in staffing levels for different shifts.

e. Update Standard Operating Procedures

- i. Within sixty (60) days of completion of the requirements of Paragraphs 38.a. and 38.b, or any time before then if practicable, Respondent shall reevaluate, update, and submit at least the following SOPs related to the Headworks Building and emergency operations within the Headworks Building to EPA for review and comment: SOP PRE-002, SOP PRE-005, SOP PRE-006, SOP PRE-007, SOP PRE-011, SOP PRE-014, SOP PRE-017, SOP PRE-018, SOP PRE-019, SOP PRE-021, SOP PRE-020 , SOP HWRP-007, and General Order 003.
- f. Respondent shall submit progress reports to the EPA on a quarterly basis, with the first report due on the first business day of the third month after the Effective Date of this AOC. Subsequent reports shall be due on the first business day following each three-month period, until the Respondent has fully completed and implemented the actions required in this Section.

⁴ Personally identifiable information, including names, should not be included in the report.

V. FINAL REPORT AND TERMINATION OF THE AOC

39. Within thirty (30) calendar days after Respondent has fully completed and implemented the actions required by Section IV of this AOC, Respondent shall submit for the EPA's review and approval a final report (Final Report) that includes a description and timeline of all of actions which have been taken toward achieving compliance with this AOC and the CWA.

40. If the EPA determines, after review of the Final Report, that all the requirements of this AOC have been completed and implemented in accordance with this AOC, the EPA will provide notice to Respondent and this AOC shall be deemed terminated.

41. If the EPA determines that any requirement has not been completed and implemented in accordance with this AOC, the EPA will notify Respondent, provide a list of deficiencies, and require Respondent to modify its actions as appropriate to correct such deficiencies. If so required, Respondent shall implement the modified requirement(s) and submit a modified Final Report.

V. SUBMISSIONS AND RECORD RETENTION

42. Respondent shall submit all written communications, including progress reports, electronically. Respondent shall submit all required reports and plans to the EPA in an electronic format that allows them to be searchable by key word. Respondent shall send all submittals to the following e-mail addresses. Submissions will be deemed made on the date they are sent electronically.

Michael Weiss, Environmental Protection Specialist
U.S. EPA Region 9
weiss.michael@epa.gov

Daron Ravenborg, Attorney-Advisor
U.S. EPA Region 9
ravenborg.daron@epa.gov

43. All reports, notifications, documentation, and submittals required by this AOC shall be signed by a duly authorized representative of Respondent as specified by 40 C.F.R. § 122.22 and shall include the following statement:

“I certify under the penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

44. Respondent shall preserve and retain all records and documents now in its possession or control, or which come into its possession or control, that relate in any manner to the performance of the tasks in this AOC, until five (5) years after termination of this AOC. Respondent shall also instruct its agents to preserve all documents, records, and information of whatever kind, nature, or description relating to the performance of the tasks in this AOC.

VI. MODIFICATION

45. Any request for modification by Respondent shall include the reason(s) for the request and a timeline for completion. Modification of this AOC shall be in writing and shall take effect only upon approval by the EPA. Failure by Respondent to implement any modified requirement(s) shall be a violation of this AOC.

VII. DISPUTE RESOLUTION

46. The parties will use their best efforts to resolve all disputes or differences of opinion informally and in good faith.

47. If Respondent disagrees, in whole or in part, with any decision made by EPA under this AOC, Respondent shall submit a Notice of Dispute in writing within sixty (60) days of the EPA decision. The parties agree to enter into informal negotiations for a period not to exceed thirty (30) days, unless the parties agree otherwise. If the dispute cannot be resolved by informal negotiations, Respondent may invoke formal dispute resolution within thirty (30) days after the conclusion of the informal negotiation period.

48. Respondent shall invoke formal dispute resolution by sending EPA a written Statement of Position regarding the matter in dispute. EPA shall respond within thirty (30) days of receipt of such Statement of Position. Formal disputes will be resolved by the Director, Enforcement and Compliance Assurance Division, Region 9.

VIII. GENERAL PROVISIONS

49. This AOC is binding on Respondent and its officials, officers, directors, partners, agents, employees, successors and assigns, and on all persons, independent contractors, consultants and contractors acting in concert with Respondent.

50. Respondent shall provide a copy of this AOC to any successor in interest to its control, operation, or any other interest in any portion of its Facility at least thirty (30) days prior to the transfer, and shall simultaneously notify the EPA in writing, via e-mail, that such notice has been given. Within fourteen (14) days after the effective date of this AOC or the date of contracting, whichever is later, Respondent shall provide a copy of this AOC to all contractors and/or consultants to perform any of the work described in Section IV. Respondent shall condition the transfer of control, operation, or any other interest in any portion of its Facility and any contract related to the performance of the work described in Section IV upon successful execution of this AOC.

51. This AOC is not and shall not be construed to be a permit under the CWA, nor shall it in any way relieve or affect Respondent's obligations under the CWA, or any other applicable federal or state laws, regulations, and/or permits. Compliance with this AOC shall be no defense

to any actions commenced pursuant to such applicable laws, regulations, or permits, nor does it constitute a release.

52. This AOC shall in no way affect the rights of the EPA or the United States against any person not a party hereto.

53. This AOC shall in no way limit or affect the EPA's authority to obtain information, and to enter, inspect, sample or monitor compliance under any law, permit, court order or agreement.

54. The provisions of this AOC shall be severable. If any provision is declared by a court of competent jurisdiction to be unenforceable, then the remaining provisions shall remain in full force and effect.

55. Respondent consents to and agrees not to contest the EPA's authority or jurisdiction to issue and enforce this AOC. Respondent waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review under Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701-706.

56. Failure to comply with the terms of this AOC may result in liability for statutory civil penalties under CWA Section 309(d), 33 U.S.C. § 1319(d), as modified by 40 C.F.R. Part 19. Upon suit by the EPA, a United States District Court may impose such penalties if the court determines that Respondent has violated the CWA as described above and failed to comply with the terms of this AOC. In determining the amount of any penalty, the court will consider the seriousness of the violations, the economic benefit (if any) resulting from the violations, any history that Respondent may have of such violations, any good faith efforts that Respondent has made to comply with legal requirements, the economic impact a penalty may have upon Respondent, and such other matters as justice may require.

57. Issuance of this AOC is not an election by the EPA to forego any remedies available to it under the law, including without limit any administrative, civil or criminal action to seek penalties, fines, or other appropriate relief under the CWA. The EPA reserves all available legal and equitable rights and remedies to enforce any violations cited in this AOC, and the right to seek recovery of any costs and attorney fees incurred by the EPA in any actions against Respondent for non-compliance with this AOC.

58. In accordance with CWA Section 309(a)(4), 33 U.S.C. § 1319(a)(4), the EPA will provide notice and a copy of this AOC to Regional Board 4 upon execution.

59. The undersigned signatory for Respondent certifies that he or she is authorized to execute this AOC and legally bind the Respondent.

IX. EFFECTIVE DATE

60. This AOC shall become effective on the date it is signed by the EPA.

In re: City of Los Angeles, LASAN, Hyperion Treatment Plant
CWA-309(a)-24-005

IT IS SO AGREED AND ORDERED:

FOR RESPONDENT CITY OF LOS ANGELES

/s/

TIMEYIN DAFETA
EXECUTIVE HYPERION PLANT MANAGER
LOS ANGELES SANITATION & ENVIRONMENT

3/11/2024

Date

In re: City of Los Angeles, LASAN, Hyperion Treatment Plant
CWA-309(a)-24-005

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 9

Digitally signed by JAMES MARINCOLA
Date: 2024.03.13

Amy C. Miller-Bowen, Director
Enforcement and Compliance Assurance Division

Date