

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 96-081

APPROVAL OF A GRANT FOR THE CITY OF LOS ANGELES (C-06-3015-120)

WHEREAS:

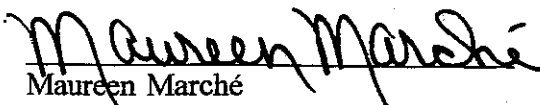
1. The City of Los Angeles (City) received a federal grant to modify/replace the Hyperion Energy Recovery System (HERS) (Grant No. C-06-2417-720);
2. The City has decided not to modify/replace HERS since they have found several more cost-effective methods for disposal of sludge;
3. The City has requested that they be allowed to use the unused funds for their Hyperion Full Secondary Project;
4. The U. S. Environmental Protection Agency (US/EPA) has determined that the Hyperion Full Secondary Project is eligible for a grant up to \$124,578,347 (total eligible cost (TEC)) and has given the City a grant for \$70,708,091 (TEC) leaving an unfunded balance of \$54,014,711 (TEC);
5. The US/EPA will be totally responsible for administration of the grant; and
6. The City has a lawsuit pending against the US/EPA concerning the SWRCB's authority in 1982 to limit grants to actual eligible cost plus five percent for contingencies and these funds may be required to satisfy a court judgment should the City prevail.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board approves a grant increase for the Hyperion Full Secondary Project (Grant No. C-06-3015-120) from the deobligation of the Hyperion Energy Recover System grant (Grant No. C-06-2417-720) not to exceed \$29,708,091 (US/EPA funds) (\$54,014,711 x 55%), contingent upon the City withdrawing its law suit against the US/EPA regarding the SWRCB's policy on limiting grants to actual eligible cost plus five percent for contingencies.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 21, 1996.

  
Maureen Marché  
Administrative Assistant to the Board