

September 29, 2023

#### Via E-Mail and Certified Mail

Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force c/o County of Los Angeles Department of Public Works Environmental Programs Division P.O. Box 1460 Alhambra, CA 91802-1460 taskforce@dpw.lacounty.gov coyola@pw.lacounty.gov

Re: Chiquita Canyon, LLC's Thirtieth Monthly Update

Dear Members of the Integrated Waste Management Task Force:

Chiquita Canyon, LLC ("Chiquita") received a letter from the Integrated Waste Management Task Force (the "Task Force") dated April 19, 2021. The Task Force's letter requests that Chiquita provide monthly updates concerning a Notice of Violation ("NOV") that the County of Los Angeles Department of Regional Planning ("DRP") issued to Chiquita on June 11, 2020. The NOV alleges non-compliance with Conditions 68, 77, 79 and 113 of Chiquita's Conditional Use Permit ("CUP"). Chiquita previously provided monthly updates to the Task Force from April 2021 through August 2023. This letter serves as Chiquita's thirtieth monthly update.

On December 2, 2021, the County of Los Angeles Department of Public Works ("PW") requested that these monthly updates include additional details concerning any NOVs issued by regulatory agencies and the landfill's actions to mitigate those NOVs. This letter provides additional details concerning the status of Chiquita's implementation of Conditions 77 and 79.

On August 15, 2022, PW requested that these monthly updates clearly indicate whether or not Chiquita received an NOV from any regulatory agencies during the reporting month and, if so, that Chiquita include a copy of the NOV as an attachment to the letter. Since the last monthly update, Chiquita received seventeen NOVs from the South Coast Air Quality Management District ("SCAQMD") for alleged violations of SCAQMD Rule 402 and Health & Safety Code section 41700 dated from September 1 to 28, 2023. Copies of these NOVs are attached to this letter.

Integrated Waste Management Task Force c/o Los Angeles County Department of Public Works September 29, 2023 Page 2 of 3

#### June 2020 DRP NOV

Chiquita has reached a settlement agreement with the County of Los Angeles (the "County"), which includes terms affecting Conditions 77 and 79. This settlement agreement was approved by the County Board of Supervisors on October 11, 2022. The settlement agreement requires Chiquita to submit an application to modify its CUP consistent with the terms of the settlement agreement. Those terms include proposed modifications to Conditions 77 and 79. Chiquita submitted the required CUP modification application on November 10, 2022. The hearing on the June 2020 NOV is stayed pending the outcome of this CUP modification process.

Chiquita continues to work on securing the permits and approvals required to begin construction on the new entrance along Wolcott Way under Conditions 77 and 79. Chiquita has provided updates on the June 11, 2020 NOV and Conditions 77 and 79 during previous meetings of the Chiquita Canyon Landfill Community Advisory Committee (the "CAC"). A link to these previous meetings and meeting materials summarizing the status of Chiquita's implementation of activities related to Conditions 77 and 79 can be found on DRP's website, here <a href="https://planning.lacounty.gov/public-hearings-and-meetings/chiquita-canyon-landfill/community-advisory-committee/">https://planning.lacounty.gov/public-hearings-and-meetings/chiquita-canyon-landfill/community-advisory-committee/</a>. Chiquita is happy to continue to provide these updates at future CAC meetings if requested.

#### **SCAQMD Rule 402 NOVs**

The SCAQMD Rule 402 NOVs were issued due to odors that allegedly emanated from the Chiquita Canyon Landfill (the "Landfill"). The source of any odors coming from the Landfill is a large and unexpected increase in the production of landfill gas at the Landfill. This increase in landfill gas production is due to an abnormal biotic or abiotic process (a reaction) taking place within a portion of the Landfill waste mass. This reaction is producing higher than normal levels of dimethyl sulfide ("DMS"). As of August 2023, DMS has not been detected across the community (the DMS detection limit is 10 parts per billion). Based on this air monitoring data, emissions of DMS from the Landfill do not present a human health risk. However, because DMS has an odor that can be detected at very low concentrations, one may still perceive "cabbage-like" odors. More information on DMS and the underlying landfill reaction can be found on the Odor Mitigation webpage of Chiquita's website, here:

https://chiquitacanyon.com/reports/odor-mitigation/.

On August 15, 2023, SCAQMD petitioned its Hearing Board for an Order for Abatement to address the SCAQMD Rule 402 NOVs issued by SCAQMD inspectors as a result of the landfill reaction. SCAQMD "is the regulatory agency responsible for improving air quality for large areas of Los Angeles," including the Landfill and its surrounding community. After significant negotiation with SCAQMD staff and attorneys, Chiquita and SCAQMD submitted a proposed Stipulated Order for Abatement with forty conditions designed to address and abate the current

<sup>&</sup>lt;sup>1</sup> SCAQMD, About South Coast AQMD, https://www.aqmd.gov/nav/about (last visited Sept. 13, 2023).

Integrated Waste Management Task Force c/o Los Angeles County Department of Public Works September 29, 2023 Page 3 of 3

odor issues. After a full-day hearing, the SCAQMD Hearing Board approved the Stipulated Order on September 6, 2023.

The Stipulated Order contains both short-term and long-term measures designed to slow the underlying reaction and mitigate the impacts felt in the community. It memorializes many of the mitigation measures that Chiquita was undertaking voluntarily, as described in the August 2023 update. It also compels Chiquita to implement new measures and to continue studying the reaction, its potential impacts, and potential ways to mitigate the reaction and its potential impacts. As required by the Stipulated Order, along with beginning to implement the ongoing mitigation measures such as twice daily odor surveillance at 32 locations in the surrounding communities conducted by a third party contractor, Chiquita has installed a Semi-Permanent Vapor Odor Control system and a landfill perimeter odor control misting system, and has submitted the completed design for the geosynthetic cover to SCAOMD.

In September 2020, Chiquita submitted a permit application to SCAQMD for a new flare that would allow the Landfill to better control the increasing quantity of gas. On September 28, 2023, after SCAQMD and U.S. Environmental Protection Agency review, Chiquita received the permit from SCAQMD. PW has cleared the foundation plans for the flare and was waiting for final permit approval from the SCAQMD to issue the building permit. Chiquita has poured the foundation for the flare and will proceed promptly to install the flare as required by the Stipulated Order.

More information on Chiquita's implementation of the Stipulated Order, including a copy of the Stipulated Order, can be found on the Odor Mitigation webpage of Chiquita's website, here: <a href="https://chiquitacanyon.com/reports/odor-mitigation/">https://chiquitacanyon.com/reports/odor-mitigation/</a>.

Chiquita looks forward to continuing to provide the Task Force with updates on the June 11, 2020 NOV and any NOVs issued by regulatory agencies. Should you have any questions, please feel free to contact me.

Regards,

Steve Cassulo District Manager

Chiquita Canyon, LLC

Enclosures: Notices of Violation from the SCAOMD

cc: David Nguyen, Department of Public Works (via email)

Omid Mazdiyasni, Department of Public Works (via email)



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## **NOTICE OF VIOLATION**

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**NOTICE OF VIOLATION** 

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Chiquita Canyon Landfill		119219	VB
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### South Coast Air Quality Management District

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29201	Henry	Mayo	Drive	Constaic		91384

	CH DAY A VIO		RS MAY BE HANDL	ED AS A SEPA	RATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF
DI	SCRIPTION	OF VIOLATION	ONS		
#	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)	Description of Violation
1	SCAQMD CH&SC CCR CFR	Rule 402			For discharging such quantities of air contaminants to cause insury, detriment, nuisance or annoyance to a considerable
2	☐ SCAQMD CH&SC ☐ CCR ☐ CFR	Califor H35 Code S 41700	ec		number of persons.
3	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR				
4	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR				
5	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR				
	5teve	Cas		one: (661) 171 - 92	
Titl	DIST	rict	waste	Jecon() Cometton	0.10.200
*Ke	ey to Authority Abbre	SCAQMD - So	outh Coast Air Quality Mana ia Code of Regulations	gement District	CH&SC - California Health and Safety Code CFR - Code of Federal Regulations  Method of Service: By Clackonic Mon



**P** 80507

DATE OF VIOLATION						
Month:	22	2 Year				

### **NOTICE OF VIOLATION**

Facility Name:	CANYON LAN	IDFILL	Facility ID#: 119219	Sector:
Location Address: 29201 Henry	Mayo Drive	Castaic	91°	384
Mailing Address: 29201 Henr	y Mayo Drive	Castaic	Zip:	384

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DI	OU ARE HEREB STRICT (SCAQ/ RIMINAL PENAL	MD) RULES, ST	AT YOU HAVE BEE	N CITED FOR ERAL LAW. IF	ONE OR MO	DRE VIOLATIONS OF THE S SUCH VIOLATION(S) MAY I	OUTH COAST AIR RESULT IN THE IM	QUALITY MANAGEMENT POSITION OF CIVIL OR
	CH DAY A VIO OLATION ARE IS		RS MAY BE HANDL	ED AS A SEPA	RATE OFFE	NSE REGARDLESS OF WH	ETHER OR NOT A	DDITIONAL NOTICES OF
DI	ESCRIPTION	OF VIOLATION	ONS					
#	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)		Descrip	otion of Violation	
1	SCAQMD CH&SC CCR CFR	Rule 402			of	dischorging air contam oury detrim	ent, nui	to couse sonce
2	SCAQMD CH&SC CCR CFR	Califor H&S Code So 41700	nía :c			umber of per	isons,	
3	SCAQMD CH&SC CCR CFR							
4	SCAQMD CH&SC CCR CFR							
5	SCAQMD CH&SC CCR CFR							
Se	rved To.			one: (661)		Served By	3 Tera	Date Notice Served:
Tit	Distri Mano	Cassu ct over	Email: 54	100000 GONNEGTO	2	LAURANCE 13 209-396-2370 310-233-	3, Israe	フェンションション @ aqmd.gov
*K	ey to Authority Abbre							y Electronic Mou
			outh Coast Air Quality Mana ia Code of Regulations	gement District		ornia Health and Safety Code Federal Regulations	In Person	€ ☐ Certified Mail



**NOTICE OF VIOLATION** 

DATE OF VIOLATION								
Month:	Day:	Year:						
09	25	23						

Facility Name:		Facility ID#:	Sector:
CHIQUITA CANYON LANDFILL	thornton of Violetian	119219	VB
Location Address:	City:	Zip:	
29201 HENRY MAYO DRIVE	CASTAIC	Tarana Lapa La	11384
Mailing Address:	City:	Zip:	
29 201 HENRY MAYO DRIVE	CASTA IC	9	1384

YOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN CITED FOR ONE OR MORE VIOLATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES, STATE LAW OR FEDERAL LAW. IF PROVEN, SUCH VIOLATION(S) MAY RESULT IN THE IMPOSITION OF CIVIL OR CRIMINAL PENALTIES.

FACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF

	VIOLATION ARE ISSUED.						
DI	ESCRIPTION	OF VIOLATION	ONS		ar solution revolution to the collection between the collections are be		
#	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)	Description of Violation		
1	CFR	402			FOR DISCHARGING SUCH QUANTITIES OF  AIR CONTAMINATS TO CAUSE INJURY  DETRIMENT, NUISANCE OR AWNOYANCE  TO A CONSIDERABLE NUMBER OF PERSONS		
2	SCAQMD CH&SC CCR CFR	41700		en in the second	The second secon		
3	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR		entranel is	300 <u>1731</u> 19 300 <del>1331</del> 10 1 1 4 8 9 1	To the state of th		
4	□ SCAQMD □ CH&SC □ CCR □ CFR				Available are selected as a major process and		
5	☐ SCAQMD ☐ CH&SC ☐ CCR ☐ CFR	a politic des	ucurp samo		THE TENTH OF THE PARTY OF THE P		
	NVENTE VE  E:  DISTRICT		LO Email: Steve	one: 661 37 .cqssulp	Phone No: Email: Ap 671 @ agmd.gov		
*K	ey to Authority Abbre	viations:	outh Coast Air Quality Man nia Code of Regulations	agement District	CH&SC - California Health and Safety Code CFR - Code of Federal Regulations  Method of Service:  In Person		



NOTICE OF VIOLATION

P 78290

DATE OF VIOLATION						
Month:	26	23				

Chiquita Canyon Landfill	Constant Vision of the second	Facility (D#)	Sector
29201 Henry Mayo Dr.	Castaic =	9/3	384
Maling Address. 29201 Henry Mayo Dr.	Castaic	9/	384

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EACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF VIOLATION ARE ISSUED.

	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)	Description of Violation
1	SCAOMD CH&SC CCR CFR	402			For discharging such quantities of air contaminants to cause injury detriment, nuisance or annoyance to a considerable number of persons
2	SCAQMD CH&SC CCR CFR	41700	The Land will be to the control of t		For discharging such quantities of air contaminants to cause injury detriment, nuisance, or annoyance to a considerable number of persons
3	SCAQMD CH&SC CCR CFR		egiletel a		minger Manager and Appliance are a remain
4	SCAQMD CH&SC CCR CFR		an groupe of the	201210	acount of side in
5	SCAQMD CH&SC CCR CFR				
Ser	Steve	Cass	5410 G	61-371-	9214 Christing Ojeda 9-27-23
Title		manager		n. cassulo	



P 77662

### **NOTICE OF VIOLATION**

DATE OF VIOLATION							
Month:	Day:	Year:					
0.9	27	2023					

Facility Name:		Facility ID#:	Sector:
CHIGUITA CANDON CANDT	// Car Harran	119219	VB
Location Address:	City:	Zip:	
29201 Henry Maip Drive	Castasc	91	384
Mailing Address:	City:	Zip:	
29201 Henry Mayo Drive	Costalc	9	1384

YOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN CITED FOR ONE OR MORE VIOLATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES, STATE LAW OR FEDERAL LAW. IF PROVEN, SUCH VIOLATION(S) MAY RESULT IN THE IMPOSITION OF CIVIL OR CRIMINAL PENALTIES.

FACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES OF

VI	VIOLATION ARE ISSUED.								
DI	DESCRIPTION OF VIOLATIONS								
#	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)		Descrip	otion of Violation	oof hat shirter op Gordino. John oo nordiffer het raam Contratt han basse het etter	
1	SCAQMD CH&SC CCR CFR	Rule 402			OF IN	2 DISCHARGING: AIR CONTAINN JURY, DETRIM ANNOYANCE	MANTS TO	CAUSE	
2	SCAQMD CH&SC CCR CFR	California HIS Coole Sec 4170	100 mm m		<u>No</u>	MBER OF PE	RSO/US.		
3	SCAQMD CH&SC CCR CFR	,							
4	SCAQMD CH&SC CCR CFR								
5	SCAQMD CH&SC CCR CFR								
	Served To: Phone: Served By: Date Notice Served:  Steve (2500/0 (661)-371-9214 Hugo Campur 09/27/2023								
Title	Mamaga	PY	Email: Steve		ens.	Phone No: 909-396-210 310-233-	h campo	@ aqmd.gov	
*Ke	ey to Authority Abbre	SCAQMD - Se	outh Coast Air Quality Mana nia Code of Regulations	agement District		alifornia Health and Safety Code of Federal Regulations	Method of Service:	Certified Mail	



\*Key to Authority Abbreviations:

### South Coast Air Quan nent District 21865 COPLEY DRIVE, DIAMOND BAK, CA 91765-4178

### **NOTICE OF VIOLATION**

P 70073

DATE OF VIOLATION							
Month:	Day:	Year:					
190	28/	2000					

								and the same	o ava		
Fa	cility Name:	Total and the season in the se	regional sust integration accompany	tone store			Fa	acility ID#:	Sector:		
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Lo	cation Address:	HENRY	MAIN DE	to or tensed and mi to be seen and seen and II-		City:	one or more applications also been re-	to noitately in with navigating (GMT)	Zip: 913X4		
Ma	iling Address:	TOTAL NEW YORK	tron hear because the de-	SVE II was usanta ma		City:	and the first van which was	an man activity of s	Zip:		
0	9201	HENRY	Mahol	RIVE		Castaje	toejaus gem-natielos	v meatern v	91384		
DI	YOU ARE HEREBY NOTIFIED THAT YOU HAVE BEEN CITED FOR ONE OR MORE VIOLATIONS OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES, STATE LAW OR FEDERAL LAW. IF PROVEN, SUCH VIOLATION(S) MAY RESULT IN THE IMPOSITION OF CIVIL OF CRIMINAL PENALTIES.										
	EACH DAY A VIOLATION OCCURS MAY BE HANDLED AS A SEPARATE OFFENSE REGARDLESS OF WHETHER OR NOT ADDITIONAL NOTICES O VIOLATION ARE ISSUED.										
D	ESCRIPTION	OF VIOLATI	ONS	Civil Prosecu		a polision le	ent a validad <del>e hoet par</del> Le risoal <del>avalidade</del> hoet b	cation of nauteon	n por josepsk		
#	Authority*	Code Section or Rule No.	SCAQMD Permit to Operate or CARB Registration No.	Condition No. (If Applicable)		or enter exercise to	Description of Violati	ion and walking an	nemen – enge Roman stadion Romanic college		
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2	□ CCR	41700	terration marine to an	gal <del>isti na</del> pri	CONTO	mind all th	to Laust 18	HULL -	7.00 (F-07) 1885		
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SCAQMD - South Coast Air Quality Management District
CCR - California Code of Regulations

CR - California Code of Regulations

CH&SC - California Health and Safety Code
CFR - Code of Federal Regulations

In Person

Certified Mail

909-396-2378

310-233-

Email:

Method of Service:

@ aqmd.gov