



# CHIQUITA CANYON

*A Waste Connections Company*

March 31, 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 Twenty-Fourth 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 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 February 2023. This letter serves as Chiquita's twenty-fourth 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 NOV's issued by regulatory agencies and the landfill's actions to mitigate those NOV's. 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. Chiquita received one NOV from the Los Angeles Regional Water Quality Control Board dated March 24, 2023 for an alleged failure to develop a complete Stormwater Pollution Prevention Plan. A copy of this NOV is attached to this letter.

Integrated Waste Management Task Force  
c/o Los Angeles County Department of Public Works  
March 31, 2023  
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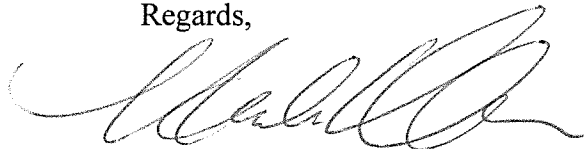
**June 2020 Department of Regional Planning NOV**

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 required to begin construction on the new entrance along Wolcott Way under Conditions 77 and 79. For more information, Chiquita provides updates on the June 11, 2020 NOV and Conditions 77 and 79 during the meetings of the Chiquita Canyon Landfill Community Advisory Committee (the "CAC"). A link to these meetings and meeting materials summarizing the status of Chiquita's implementation of activities related to Conditions 77 and 79 can be found on the Department of Regional Planning's website, here: <https://planning.lacounty.gov/agenda/cclcac>.

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,



Nicole Ward  
Assistant District Manager  
Chiquita Canyon, LLC

Enclosure: March 24, 2023 Notice of Violation from the Los Angeles Regional Water Quality Control Board

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



## Los Angeles Regional Water Quality Control Board

March 24, 2023

Steve Cassulo  
Chiquita Canyon Landfill  
29201 Henry Mayo Drive  
Castaic, California 91384

**Certified Mail**  
**Return Receipt Requested**  
**Claim No. 7019 0700 0001 9921 4332**

C T Corporation System  
Agent for Service of Process for  
Chiquita Canyon Landfill  
330 North Brand Boulevard, Suite 700  
Glendale, California 91203

**Certified Mail**  
**Return Receipt Requested**  
**Claim No. 7019 0700 0001 9921 4745**

### **NOTICE OF VIOLATION: FAILURE TO DEVELOP A COMPLETE STORMWATER POLLUTION PREVENTION PLAN – CHIQUITA CANYON LANDFILL, 29201 HENRY MAYO DRIVE, CASTAIC, CALIFORNIA, WDID 4 19I022488**

Dear Steve Cassulo:

Chiquita Canyon Landfill (Permittee) operates the facility Chiquita Canyon Landfill at 29201 Henry Mayo Drive in Castaic (Facility) that is subject to the requirements of the NPDES General Permit for Stormwater Discharges Associated with Industrial Activities Order No. 2014-0057-DWQ as amended in 2015 and 2018 (Amended General Permit). Chiquita Canyon Landfill is classified under Standard Industrial Classification (SIC) code 4953 - Refuse Systems. Section X of the Amended General Permit requires Chiquita Canyon Landfill to develop and electronically submit via the Stormwater Multiple Application and Report Tracking System (SMARTS) database, a Stormwater Pollution Prevention Plan (SWPPP).

The SWPPP electronically submitted by the Permittee on March 31, 2022 via SMARTS does not meet all the requirements listed in the Amended General Permit Section X.

**YOU ARE HEREBY NOTIFIED** that the Permittee is in non-compliance with the Amended General Permit and has violated California Water Code Section 13385 as follows:

#### **SWPPP Violations:**

- The SWPPP does not include procedures to identify alternate team members to the Pollution Prevention Team. This is a violation of the Amended General Permit Section X.D.1.c.

NORMA CAMACHO, CHAIR | RENEE PURDY, EXECUTIVE OFFICER



- The SWPPP did not evaluate all drains, inlets, or outlets for non-stormwater discharges (NSWDs). This is a violation of the Amended General Permit Section X.G.1.e.ii.
- The Pollutant Source Assessment does not identify if there are drainage areas with no exposure. This is a violation of the Amended General Permit Section X.G.2.c.
- The SWPPP does not identify additional parameters that may be present in industrial stormwater discharges. This is a violation of the Amended General Permit Section X.G.2.d.
- The SWPPP does not specify the person responsible for implementing the BMPs. This is a violation of the Amended General Permit Section X.H.4.a.iv.
- The SWPPP does not identify the team members assigned to conduct the monitoring requirements in the MIP. This is a violation of the Amended General Permit Section X.I.1.
- The Monitoring Implementation Plan (MIP) does not include an example of the facility's Chain of Custody form used when handling and shipping water quality samples to the lab. This is a violation of the Amended General Permit Section X.I.5.
- The site map does not identify the facility's structural control measures. This is a violation of the Amended General Permit Section X.E.3.c.
- The site map does not identify the facility's impervious areas. This is a violation of the Amended General Permit Section X.E.3.d.
- The site map does not identify the location of directly exposed materials. This is a violation of the Amended General Permit Section X.E.3.e.
- The site map does not identify shipping and receiving areas. This is a violation of the Amended General Permit Section X.E.3.f.
- The site map does not identify the facility's material handling and processing areas. This is a violation of the Amended General Permit Section X.E.3.f.
- The site map does not identify the facility's waste treatment or waste disposal areas. This is a violation of the Amended General Permit Section X.E.3.f.
- The site map does not identify the facility's dust or particulate generation areas. This is a violation of the Amended General Permit Section X.E.3.f.
- The site map does not identify the facility's cleaning and material reuse areas. This is a violation of the Amended General Permit Section X.E.3.f.

**The Permittee is required to take the following actions:**

- Develop a SWPPP that includes all the requirements listed in the Amended General Permit Section X. Refer to Appendix 1 in the Amended General Permit for a checklist of all SWPPP components to ensure that all requirements are sufficiently met.

By April 24, 2023, Chiquita Canyon Landfill is required to take the actions described above and electronically submit the SWPPP via SMARTS.

If Chiquita Canyon Landfill fails to respond, it may be subject to enforcement action, including administrative civil liabilities of up to ten thousand dollars (\$10,000) per day of violation of the General Permit pursuant to California Water Code section 13385. These

Steve Cassulo  
C T Corporation System  
Chiquita Canyon Landfill

March 24, 2023

administrative civil liabilities may be assessed by the Regional Water Board beginning with the date that the violations first occurred. The Regional Water Board may also refer this matter to the Attorney General's Office for further enforcement. This notice shall not be deemed to relieve Chiquita Canyon Landfill of liability for any penalties that may have already accrued. The Regional Water Board reserves its right to take any further enforcement action authorized by law.

**If the Permittee needs assistance or has questions, please contact Emma Averill at (213) 620-6369, via email at [Emma.Averill@waterboards.ca.gov](mailto:Emma.Averill@waterboards.ca.gov) or Pavlova Vitale at (213) 576-6751, via email at [Pavlova.Vitale@waterboards.ca.gov](mailto:Pavlova.Vitale@waterboards.ca.gov).**

Sincerely,

**Hugh  
Marley**  Digitally signed  
by Hugh Marley  
Date: 2023.03.24  
12:01:55 -07'00'

Hugh Marley  
Assistant Executive Officer

cc: (via email)  
Joe Baiocco, Operations Coordinator, County of Los Angeles,  
[jbaiocco@dpw.lacounty.gov](mailto:jbaiocco@dpw.lacounty.gov)

