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3 **BEFORE THE HEARING BOARD OF THE**
4 **SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

5 **In The Matter Of**

Case No. 6177-4

6 SOUTH COAST AIR QUALITY
7 MANAGEMENT DISTRICT,

8 Petitioner,

**FINDINGS AND DECISION FOR A
STIPULATED ORDER FOR
ABATEMENT**

9 vs.

10 CHIQUITA CANYON, LLC a Delaware
11 Corporation,
[Facility ID No. 119219]

District Rule 402 and Health and Safety Code
§ 41700 _____

12 Respondent.

Hearing Date: September 6, 2023

Time: 9:00 am

Place: Hearing Board
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

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15 On September 6, 2023, a hearing on a Stipulated Order for Abatement was held pursuant to
16 notice in accordance with the provisions of California Health and Safety Code §§ 40823 and
17 42451(a) and District Rule 812. The following members of the Hearing Board were present: Cynthia
18 Verdugo-Peralta, Chair; Jerry P. Abraham, MD, MPH, CMQ, Alternate; Micah Ali; Mohan
19 Balagopalan; and Adrienne Konigar Macklin, Esq., Alternate. Petitioner South Coast Air Quality
20 Management District ("South Coast AQMD") was represented by Kathryn Roberts, Senior Deputy
21 District Counsel and Mary Reichert, Senior Deputy District Counsel. Respondent Chiquita Canyon,
22 LLC, was represented by Jacob P. Duginski, attorney at law, and Megan L. Morgan, attorney at law,
23 of Beveridge & Diamond, P.C. South Coast AQMD and Respondent presented a proposed Stipulated
24 Order for Abatement. The public was given the opportunity to testify, evidence was received, and
25 the matter was submitted. The Hearing Board finds and decides as follows:
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FINDINGS OF FACT

1
2 1. South Coast AQMD is a body corporate and politic established and existing pursuant
3 to Health and Safety Code §§ 40000, *et seq.* and §§ 40400, *et seq.*, and is the sole and exclusive local
4 agency with the responsibility for comprehensive air pollution control in the South Coast Basin.

5 2. Respondent operates a landfill/solid waste disposal facility known as Chiquita
6 Canyon Landfill ("CCL") located at 29201 Henry Mayo Dr., Castaic, California, 91384, South Coast
7 AQMD Facility ID No. 119219. Respondent operates within the South Coast AQMD's jurisdiction
8 and is subject to the South Coast AQMD's rules. The landfill/solid waste disposal site has a footprint
9 of approximately 400 acres pursuant to a Conditional Use Permit issued by the County of Los
10 Angeles. CCL was first approved for waste disposal in 1967. The property has been in use as a
11 landfill since 1972. The property has continued as a landfill under a series of Conditional Use Permits
12 from Los Angeles County. Chiquita was most recently granted a renewed Conditional Use Permit
13 in 2017 to allow continued operations. Under its current use permit, CCL is allowed to accept an
14 average of 6,616 tons per day ("TPD") of solid waste between the hours of 4:00am to 5:00pm
15 Monday through Saturday. CCL may also accept green waste and beneficial reuse materials. CCL
16 may accept a maximum of 2,800,000 tons per year of solid waste and beneficial reuse material
17 combined.

18 3. **South Coast AQMD Rule 402 and California Health and Safety Code ("H&S**
19 **Code") Section 41700** prohibit the discharge, from any source whatsoever, such quantities of air
20 contaminants or other material which causes injury, detriment, nuisance, or annoyance to any
21 considerable number of persons or the public, or which cause, or have the natural tendency to cause,
22 injury or damage to business or property.

23 4. **South Coast AQMD Rule 102 and H&S Code Section 39013** define "air
24 contaminant," including as used in Rule 402 and Section 41700, as "any discharge, release, or other
25 propagation into the atmosphere directly or indirectly caused by man and includes, but is not limited
26 to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matters, acids or
27 any combination thereof."

28 5. **South Coast AQMD Rule 431.1(c)(2)** prohibits burning, in any equipment requiring

1 a permit to operate, landfill gas with sulfur compounds of greater than 150 parts per million by
2 volume ("ppmv") calculated as hydrogen sulfide ("H₂S") averaged daily.

3 6. **South Coast AQMD Rule 3002(c)(1)** requires operators to operate all Title V
4 facilities in compliance with all Title V permit conditions at all times.

5 7. **South Coast AQMD Rule 203(b)** requires all facilities to operate in compliance with
6 all conditions in their permit to operate.

7 8. **CCL's Facility-Wide Permit, Condition No. 3** prohibits CCL from using landfill
8 gas that contains sulfur compounds in excess of 150 ppmv calculated as H₂S averaged daily.

9 9. **South Coast AQMD Permit No. G55163, Condition No. 11** requires CCL to have
10 no more than 150 ppmv of total sulfur compounds (calculated as H₂S averaged daily) in its landfill
11 gas.

12 10. **South Coast AQMD Permit No. G23473, Condition No. 16** limits CCL's Flare No.
13 1 to a maximum of 2.5 lbs/hour of sulfur oxides ("SO_x") as SO₂.

14 11. CCL also operates a landfill gas collection and control system that includes vertical
15 and horizontal gas collection wells and associated piping and trenches, multiple collection headers
16 and blowers for venting landfill gas, a landfill gas treatment system, a condensate/leachate collection
17 system and two flares which combust landfill gas. CCL also has an active permit application for an
18 additional third flare which, if permitted, would be incorporated into its landfill gas collection and
19 control system.

20 12. South Coast AQMD alleges Respondent is inadequately containing landfill gas at
21 CCL, which can cause odor emissions from the landfill.

22 13. So far in 2023, South Coast AQMD received more than 2,100 complaints of an odor
23 nuisance from the public, with CCL as the alleged source. Complaints include odor descriptions of
24 both trash and landfill gas, but Petitioner and Respondent believe that all odors complained of are
25 landfill gas-related.

26 14. South Coast AQMD Inspectors investigated the complaints and traced some of them
27 back to CCL and confirmed CCL as the source of the odors on numerous occasions. Between May
28 and September 5, 2023, South Coast AQMD issued 58 Notices of Violation ("NOVs") against

1 Respondent for violating South Coast AQMD Rule 402 and H&S Code § 41700.

2 CONCLUSIONS

3 15. The Stipulated Order for Abatement set forth hereinafter is likely to mitigate
4 conditions that could contribute to potential odors and potential nuisance.

5 16. The issuance of a Stipulated Order for Abatement upon a fully noticed hearing would
6 not constitute a taking of property without due process of law.

7 17. The Stipulated Order for Abatement is not intended to be nor does it act as a variance.

8 ORDER

9 THEREFORE, subject to the aforesaid statements and good cause appearing, the Hearing
10 Board hereby orders Respondent to comply with the following conditions and increments of
11 progress:

12 **Odor Surveillance**

13 1. Respondent shall conduct odor surveillance in the communities surrounding CCL as
14 follows:

- 15 a. Respondent shall contract with a trained third party to conduct odor surveillance
16 each operating day within thirty (30) days after the issuance of this Order.
17 Respondent shall conduct odor surveillance each operating day until the trained
18 third party has been contracted. Respondent, or Respondent's contractor, as
19 applicable, shall conduct community odor surveillance at least twice each operating
20 day, once between the hours of 7:00 a.m. and 11:00 a.m. and once between the hours
21 of 8:00 p.m. and 12:00 a.m. If a three-week period passes without Respondent
22 receiving a Rule 402 NOV from the South Coast AQMD, or detecting odors at
23 above an intensity of 2 at more than 2 stops during a single surveillance, then
24 Respondent, or Respondent's contractor, as applicable, may stop conducting the
25 odor surveillances. If Respondent, or Respondent's contractor, as applicable, has
26 stopped conducting the odor surveillances pursuant to this condition and
27 Respondent subsequently receives a Rule 402 NOV from the South Coast AQMD,
28 then Respondent, or Respondent's contractor, as applicable, must resume

conducting the odor surveillances until another three-week period passes with no Rule 402 NOVs issued by the South Coast AQMD, or without Respondent or Respondent's contractor, as applicable, detecting odors at above an intensity of 2 at more than 2 stops in a single surveillance.

- b. Respondent, or Respondent's contractor, as applicable, shall conduct an odor surveillance at each of the following Surveillance Locations:

Stop	Description
1.	Intersection of Chiquito Canyon Road and driveway leading to the LA County Fire's Del Valle Regional Training Center
2.	Intersection of Chiquito Canyon Road and Lincoln Avenue
3.	Intersection of Lincoln Avenue and Jackson Street
4.	Intersection of Lincoln Avenue and Harding Avenue
5.	Intersection of Buchanan Way and Chiquito Canyon Road
6.	Intersection of Chiquito Canyon Road and San Martinez Road
7.	Intersection of San Martinez Road and Morningside Drive
8.	Intersection of Lexington Drive and Morningside Drive
9.	Intersection of Val Verde Road and Trellis Road
10.	Intersection of San Martinez Road and Euclid Ave.
11.	Intersection of San Martinez Road and Keningston Road
12.	Intersection of Hunstock Street and Windsor Road
13.	Intersection of Del Valle Road and Silver Street
14.	Intersection of Del Valle Road and Hasley Canyon Road
15.	Intersection of Hasley Canyon Road and Gibraltar Lane
16.	Intersection of Gibraltar Lane and Alton Way
17.	Intersection of Gibraltar Lane and Springvale Lane
18.	Intersection of Castlebury Place and Picadilly Place
19.	Intersection of Gibraltar Lane and Cambridge Avenue
20.	Intersection of Cambridge Avenue and Hasley Canyon Road
21.	Intersection of Creekbed Road and Firebrand Drive
22.	Intersection of The Old Road and Hillcrest Parkway
23.	Intersection of Hillcrest Parkway and Park Vista Drive at Castaic Elementary School
24.	Intersection of Hasley Canyon Road and Commerce Center Drive (Santa Clarita Valley International School & PlayMakers Preschool)
25.	Intersection of The Old Road and Live Oak Road
26.	Intersection of Live Oak Road and Hidden Trail Road

Stop	Description
27.	Intersection of Rangewood Road and Buckskin Drive
28.	Intersection of Live Oak Elementary School at Saddleridge Way
29.	Intersection of Quincy Street and Cambridge Avenue
30.	Intersection of Commerce Center Drive and Witherspoon Parkway
31.	Intersection of Franklin Parkway and driveway leading to the United States Postal Service
32.	Intersection of Henry Mayo Drive and Cambridge View Drive, leading into the Valencia Travel Village RV Resort

- c. Respondent, or Respondent's contractor, as applicable, conducting the odor surveillance shall not have visited the Reaction Area (as defined in Condition 9(a)), working face, or other areas where exposed trash or landfill gas odors exist at CCL within four hours prior to conducting an odor surveillance.
- d. Odor surveillance shall be conducted by proceeding to each Surveillance Location and making an assessment of each parameter listed in Condition No. 1(e). Assessment of each parameter shall be made while standing in ambient air and shall not be made from within a vehicle.
- e. Respondent, or Respondent's contractor, as applicable, shall record odor surveillance results in an "Odor Surveillance Log." The Odor Surveillance Log shall contain, but not be limited to: (1) the date and time; (2) stop number; (3) the wind speed and direction; (4) a narrative description of any odor detected (including the type of odor, such as trash, landfill gas, chemical, odor neutralizer, as applicable); (5) current weather conditions; and (6) an assessment of the strength of any odor detected using the scale below:

0	No odor detected
1	Very light odor detected
2	Light odor detected
3	Moderate odor
4	Strong odor
5	Very strong odor

- f. If Respondent, or Respondent's contractor, as applicable, conducting the odor surveillance detects odors at three or more stops that are determined to be of a

1 strength of 3 or higher on the scale above during any surveillance occurring during
2 Respondent's operating hours (between the hours of 4:00am and 5:00pm),
3 Respondent, or Respondent's contractor, as applicable, shall immediately notify
4 landfill operating staff. Respondent shall designate an employee able to receive such
5 notifications. Upon receiving such notification, Respondent shall review and
6 modify as appropriate fan placement, and conduct a visual inspection of the
7 Reaction Area (as defined in Condition 9(a)) to assess, and address as needed, any
8 cracks in the surface of the area.

- 9 2. Respondent shall maintain records of all Odor Surveillance Logs for the duration of this
10 Order and shall make them available for inspection by South Coast AQMD upon request.
11 Respondent shall maintain a written record of any notification received, and any action
12 taken in response to notice under Condition 1(f).

13 **Reducing Sulfur in the Landfill Gas to be Flared**

- 14 3. Respondent shall expedite, to the maximum extent feasible, replacement of granular
15 activated carbon media in the Landfill Gas Treatment System (under Permit G55163, A/N
16 603249), including the execution of contracts, as well as the delivery, replacement, startup,
17 and testing of any operation necessary to replenish and/or replace spent granular activated
18 carbon media in the Landfill Gas Treatment System. Respondent shall ensure adequate
19 stock of all odor control products and supplies are maintained on site.
- 20 4. Respondent shall prioritize and maximize the use and operation of landfill gas flare No. 2
21 over landfill gas flare No. 1 (under Permit G23473, A/N 491442) to the maximum extent
22 feasible when combusting landfill gas at the facility (FID 119219). Once Respondent
23 receives the necessary permits and puts the new landfill gas flare discussed in Condition 20
24 ("landfill gas flare No. 3") into operation, Respondent shall prioritize and maximize the use
25 and operation of landfill gas flares Nos. 2 and 3 over landfill gas flare No. 1 (under Permit
26 G23473, A/N 491442) to the maximum extent feasible when combusting landfill gas at the
27 facility (FID 119219).

- 1 5. Respondent shall sample, analyze, and record the landfill gas sulfur compounds combusted
2 in each flare (as measured at sampling location FL-150 that is representative of the gas
3 combusted in the flare under Permit G23473, A/N 491442) at least once each week using
4 colorimetric tests for H₂S and at least once each week sample for analysis for total sulfur
5 compounds as H₂S using South Coast AQMD Method 307-91.
- 6 a. Respondent shall record South Coast AQMD Method 307-91 analysis upon receipt
7 of laboratory analysis report. Each recorded measurement or result shall be
8 documented with the time and date when the measurement or sample collection was
9 conducted, and initialed by the personnel that conducted the measurement or sample
10 collection.
- 11 b. Sulfur compound readings and analysis shall be reported to South Coast AQMD
12 pursuant to Condition No. 8.
- 13 i. Tedlar bags used for Method 307-91 sampling and analysis shall not contain
14 droplets or debris.
- 15 ii. Colorimetric tube readings shall be conducted by taking a reading from a
16 Tedlar bag sample using an appropriate colorimetric tube sample collection
17 pump. All sampling shall be performed in accordance with the operational
18 manual for the colorimetric tube sample collection pump.
- 19 iii. Colorimetric tube readings shall use colorimetric tubes of appropriate
20 concentration range and shall be reported as follows:
- 21 1. Respondent shall first use the estimated appropriately ranged colorimetric
22 tube.
- 23 2. If the resulting reading reaches the upper concentration of the colorimetric
24 tube concentration range, subsequent reading(s) shall be taken using a
25 colorimetric tube with a concentration range that has a larger upper
26 concentration threshold until the result is not the upper concentration
27 threshold of the concentration range. Report the tube concentration range
28 and tube concentration result for each reading.

1 3. If the reading results in the lower concentration of the colorimetric tube
2 concentration range or does not register a result, subsequent reading(s)
3 shall be taken using a colorimetric tube with a concentration range that has
4 a smaller lower concentration threshold, if available, until the colorimetric
5 tubes available to the facility result in:

- 6 a. A reading that is within the concentration range of the tube,
7 b. A reading is the lower concentration of the colorimetric tube
8 concentration range, or
9 c. The colorimetric tube does not register a result.

10 4. When the result is the lower concentration of the colorimetric tube
11 concentration range or does not register a result, the lower concentration
12 of the colorimetric tube concentration shall be considered the
13 concentration result. Report the tube concentration range and tube
14 concentration result for each reading. If a lower range colorimetric tube is
15 not used and the tube concentration result is below the lower range of the
16 colorimetric tube used, Respondent shall report the result as "less than" or
17 "<" the lower range value of the tube. Notwithstanding the forgoing,
18 Respondent shall ensure that the colorimetric tube result is below the upper
19 range of the colorimetric tube used and shall report the precise result of all
20 results above the lowest range of the colorimetric tube used.

21 6. Respondent shall maintain adequate stock of appropriately ranged colorimetric tubes.

22 7. Respondent shall maintain a record of the following information, and provide such records
23 to the South Coast AQMD pursuant to Condition No. 8:

- 24 a. The hourly and daily flow of landfill gas combusted, in standard cubic feet, in each
25 flare (flares No. 1 & No. 2 under Permit G23473, A/N 491442; flare No. 3 under
26 A/N 624296), the thermal oxidizer (under Envent Corporation A/N 645484), and
27 any other equipment used to combust or control landfill gas at the facility, and the
28 total amount of landfill gas combusted at the facility;

- 1 b. The daily flow of landfill gas not flared, in standard cubic feet, if applicable; and
- 2 c. The results of the sulfur readings, sampling, and analyses, calculated as H₂S with
- 3 the time and date when each measurement or sample collection was conducted.
- 4 8. Respondent shall submit a monthly written report on the landfill operation, progress of the
- 5 status of the Landfill Gas Flares (flares No. 1 and No. 2 under Permit G23473, A/N 491442;
- 6 flare No. 3 under A/N 624296), Landfill Gas Treatment System (under Permit G55163,
- 7 A/N 603249), and efforts to resolve the total sulfur concentration in the landfill gas
- 8 exceeding 150 ppmv calculated as H₂S. Monthly reports shall be submitted to Respondent
- 9 on the third Monday of each subsequent month (except for this first month as described
- 10 below) not later than 5:00pm via email to Baitong Chen, Air Quality Engineer,
- 11 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),
- 12 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov). The first report for August
- 13 2023 shall be due on September 30, 2023. Each monthly report shall contain at a minimum
- 14 the following information:
- 15 a. The landfill gas sulfur compounds measurements and laboratory analysis with the
- 16 time and date of each measurement or sample collection, as identified in Condition
- 17 No. 5.
- 18 b. The landfill gas records and calculations identified in Condition No. 7, in a
- 19 Microsoft Excel spreadsheet format.
- 20 c. The integrated landfill surface sample analysis and landfill surface monitoring
- 21 readings identified in Condition Nos. 9 and 10, in a Microsoft Excel spreadsheet
- 22 format.
- 23 d. Estimated schedule for any replacement or refurbishment of granular activated
- 24 carbon media in the Landfill Gas Treatment System (under Permit G55163, A/N
- 25 603249) identified in Condition No. 3.
- 26 e. Description of any problems or delays, if any, encountered or projected to occur
- 27 pertinent to the execution of contracts, as well as the delivery, replacement, startup,
- 28 and testing of any operation necessary to replenish and/or replace spent granular

1 activated carbon media in the Landfill Gas Treatment System (under Permit
2 G55163, A/N 603249).

3 f. Specifications of the equipment and materials used for the weekly colorimetric tests
4 (only if there is a change from the previously provided specifications of the
5 colorimetric instrumentation or method used).

6 g. All wellhead temperature readings, lab analysis, and Draeger tube readings for
7 landfill gas from the past month in a Microsoft Excel spreadsheet format.

8 h. A graphic map showing location of each well with temperature exceedances (above
9 145 degrees Fahrenheit) and stratification of temperature ranges during that month,
10 which includes a description of any remedial measures taken to address or lower
11 gas well temperatures.

12 i. All vertical liquid impacted landfill gas wells, per Condition No. 20, including a
13 description of any remedial measures taken to address or reduce liquids in landfill
14 gas wells.

15 j. Updates on the investigation into the availability, viability, and utilization, including
16 pilot testing if needed, of an alternative sulfur compound treatment system that
17 controls, treats, or removes dimethyl sulfide ("DMS") and other sulfur compounds,
18 if any.

19 k. A summary report on SCS's implemented improvements to the landfill gas
20 collection system.

21 l. An inspection log for landfill cover inspections, pursuant to Condition No. 24.

22 m. Any subsequent additions to the landfill gas collection system, pursuant to
23 Condition No. 15.

24 n. Any subsequent additions to the landfill gas condensate or leachate collection
25 system, such as dewatering sumps/pumps, or other dewatering work performed per
26 the dewatering guidelines and implementation plan pursuant to Condition No. 17.

27 o. Updates on the procurement and installation of the geosynthetic cover, pursuant to
28 Condition No. 25.

1 9. Respondent shall collect integrated landfill surface samples for analysis across the Reaction
2 Area (as defined in Condition 9(a)) at least every two weeks as specified in Rule 1150.1
3 Attachment A 2.0. In the event Respondent is unable to sample specific landfill surface
4 area(s) or grid(s) due to inaccessibility or dangerous conditions for a technician,
5 Respondent shall document the date and the conditions that do not allow the sampling of
6 the specific area(s) or grid(s).

7 a. The "Reaction Area" shall be defined initially by the boundary of Cells
8 1/2A, 2B/3, 4, and Module 2B/3/4 P2. The boundary of the Reaction Area
9 shall be modified to include the associated landfill surface area of the cells
10 and modules that experience well temperatures of at least 170 degrees
11 Fahrenheit, settlement, cracks in the landfill cover, presence and quantity
12 of liquids, and the presence of hydrogen in the landfill gas. The DMS
13 Committee (defined in Condition 12), shall transmit to the South Coast
14 AQMD [attn: Baitong Chen, bchen@aqmd.gov; Nathaniel Dickel,
15 ndickel@aqmd.gov; Christina Ojeda, cojeda@aqmd.gov] 1) the revised
16 map which clearly displays the proposed boundary change(s) and depicts
17 the new Reaction Area; 2) a narrative summary explaining the rationale
18 behind the proposed changes, including memorializing any dissenting
19 view of any member of the DMS Committee; and 3) any supporting data
20 relied upon in the decision to revise the Reaction Area.

21 b. The DMS Committee shall review applicable data and shall consider
22 revision to the Reaction Area as frequently as appropriate but shall make
23 a determination about whether to revise the Reaction Area map at least
24 once per month.

25 10. Respondent shall conduct instantaneous landfill surface monitoring across the Reaction
26 Area (as defined in Condition 9(a)) at least every two weeks as specified in Rule 1150.1,
27 Attachment A 3.0, beginning no later than seven (7) days after the issuance of this Order.
28 In the event Respondent is unable to monitor specific landfill surface area(s) or grid(s) due

1 to inaccessibility or dangerous conditions for a technician, Respondent shall document the
2 date and the conditions that do not allow the monitoring of the specific area(s) or grid(s).

- 3 11. Respondent shall continue operating its flares and landfill gas treatment system even if the
4 emitted landfill gas exceeds the limits on total reduced sulfur and SO_x laid out in CCL's
5 permits (Permit G55163, Condition Nos. 11 and 16 and CCL's Facility-Wide Permit,
6 Condition No. 3) and South Coast AQMD Rules 431.1(c)(2), 3002(c)(1), and 203(b).
7 Respondent shall include deviation reporting associated with exceedances of these
8 emissions limits in its semi-annual Title V reports. Respondent shall not need to make any
9 additional deviation reporting associated with such exceedances.

10 **Investigation of Underlying Reaction and Odor Impacts**

- 11 12. Respondent shall organize a committee (the "DMS Committee") consisting of subject
12 matter experts to aid in the investigation, impact assessment, and remediation of the
13 ongoing landfill reaction and resultant odors as specified below. Respondent shall, through
14 retention of one or more consultants and/or designation of one or more new or existing
15 employees, complete the formation of the DMS Committee within thirty (30) days of the
16 issuance of this Order. Respondent shall, within thirty (30) days of the issuance of this
17 Order, provide to the South Coast AQMD [Baitong Chen, Air Quality Engineer,
18 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),
19 and Christina Ojeda, Air Quality Inspector (cojeda@aqmd.gov)] the names of all persons
20 included in the DMS Committee along with a Curriculum Vitae, or other description of the
21 individual's credentials, experience, and/or expertise in the applicable subject matter.

- 22 a. The DMS Committee shall include, at a minimum, at least one person with subject
23 matter expertise in each of the following areas:

- 24 i. Landfill design and operational best management practices;
25 ii. Landfill gas collection/extraction systems, landfill gas
26 condensate/leachate collection systems, and landfill gas control;
27
28

- iii. Chemical reaction(s) within landfills leading to formation of and elevated levels of dimethyl sulfide (“DMS”) and non-methane organic compounds (“NMOC”);
- iv. Public health relating to air quality and exposure to air contaminants including DMS.

b. Respondent, through the DMS Committee, shall conduct investigations and studies into the cause of the landfill reaction, the impact of air emissions, interim measures to limit odor transport, and corrective measures to reduce or abate the landfill reaction. Such investigations shall include, at a minimum:

- i. A study into known and possible methods for effective treatment of DMS and preventative mechanisms for DMS formation in landfill gas, including assessment of other landfills and review of scientific studies. By no later than April 30, 2024, Respondent shall provide a report detailing the findings of this Landfill Gas DMS Treatment Study and the proposals for implementation of the treatment methods. This report shall be submitted to South Coast AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)]. Respondent shall submit any required permit applications, with information included, for equipment installations or modifications necessary for implementation of the remedy strategies and/or treatment methods;
- ii. An investigation and report on 1) the cause of the alleged chemical reaction(s) resulting in the elevated well temperatures, elevated levels of DMS formation in the landfill gas, and elevated levels of NMOC formation in the landfill gas and 2) solutions to slow and stop the reaction(s) in the landfill. Investigation into the cause of

1 the alleged chemical reaction(s) shall include, but not be limited
2 to, waste characterization study of waste disposed within the
3 Reaction Area, to the extent records of such waste are within
4 Respondent's possession, including (but not limited to) analysis of
5 chemical and physical characteristics, BTU, moisture content,
6 biological methane potential. Respondent shall also conduct drill
7 core sampling in the Reaction Area (as defined in Condition 9(a))
8 to assess waste characterization in areas not affected by elevated
9 temperatures at the time of drilling. Respondent shall submit a
10 report on the findings of the investigation by no later than
11 December 8, 2023 to South Coast AQMD [Baitong Chen, Air
12 Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior
13 Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda,
14 Air Quality Inspector, (cojeda@aqmd.gov)];

- 15 iii. An investigation and report on the feasibility and availability of a
16 continuous community emission monitoring system to conduct
17 continuous monitoring and provide estimates of DMS
18 concentrations at the facility fenceline and within the affected
19 community. By no later than December 1, 2023, Respondent shall
20 submit to the South Coast AQMD [Baitong Chen, Air Quality
21 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air
22 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air
23 Quality Inspector, (cojeda@aqmd.gov)], the feasibility and
24 availability findings of this fenceline and community DMS
25 monitoring program. The findings shall identify all companies,
26 vendors, contractors, and consultants that were inquired regarding
27 the feasibility and availability and the results for each inquiry,
28 including an ultimate decision if monitoring is feasible. If the

1 DMS Committee deems monitoring under this provision feasible,
2 Respondent shall prepare and submit to the South Coast AQMD
3 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
4 Nathaniel Dickel, Senior Air Quality Engineer,
5 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,
6 (cojeda@aqmd.gov)] a workplan for the installation of and
7 operation of the required monitoring equipment and related
8 installations within thirty (30) days of the DMS Committee's
9 decision. This workplan will include a timeline for procurement
10 of monitoring equipment and for the commencement of
11 monitoring. It will also include a timeline for reporting out on the
12 collected data, including a proposal relating to the real-time
13 posting of monitoring data on Respondent's website or other
14 regular report-outs on the data;

- 15 iv. A study and report on landfill best management practices and
16 alternative methods to minimize the release of fugitive surface gas
17 and minimize odors from fugitive surface gas, including cover
18 practices at the Reaction Area (as defined in Condition 9(a)) and
19 working face, and how best to address related odorous emissions,
20 such as through the use of misting systems, fans, odor neutralizer,
21 or other means. By no later than November 6, 2023, Respondent
22 shall submit a report detailing the findings of this Fugitive Landfill
23 Gas Odor Mitigation Study and the proposals for the minimization
24 of landfill gas release and odors. This report shall be submitted to
25 South Coast AQMD [Baitong Chen, Air Quality Engineer,
26 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality
27 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality
28 Inspector, (cojeda@aqmd.gov)];

- 1 v. A report on the known health risks from acute and long-term
2 exposure to DMS, including any action levels from other public
3 health or government entities, and including a summary of
4 recommended actions for persons exposed to DMS for acute and
5 long-term durations. By no later than January 15, 2024,
6 Respondent shall submit this report to South Coast AQMD
7 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
8 Nathaniel Dickel, Senior Air Quality Engineer,
9 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,
10 (cojeda@aqmd.gov)].
- 11 c. Respondent shall make public all reports resulting from investigations and studies
12 done pursuant to this Condition through a link preceded by a brief narrative
13 description on the webpage created pursuant to Condition No. 28.
- 14 d. Respondent has conducted an initial flux chamber study pursuant to the direction of
15 the Los Angeles County Department of Public Health. Respondent shall submit a
16 report documenting the findings of the initial study no later than October 31, 2023
17 to South Coast AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
18 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina
19 Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)]. Respondent shall conduct an
20 additional landfill gas flux study for methane, non-methane organic compounds
21 ("NMOC"), total reduced sulfur ("TRS"), and speciated sulfur compounds to
22 determine the surface flux throughout the landfill. The study shall be conducted
23 through the use of static flux chambers oriented at various locations throughout the
24 landfill site. Respondent shall prepare a proposed protocol for the study based on
25 the results of the initial study and shall submit the protocol to South Coast AQMD
26 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior
27 Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality
28 Inspector, (cojeda@aqmd.gov)] for review and approval by December 31, 2023. A

report documenting the differences in the findings between the initial study and the additional study shall be submitted by no later than 90 days after South Coast AQMD approves the protocol to South Coast AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)].

Landfill Gas Collection System

13. Respondent shall expand its gas well system. Respondent shall continue to operate the installed five deep trench collectors in the Reaction Area (as defined in Condition 9(a)) and six leachate extraction pumps along the west slope. Respondent has installed 18 vertical dual extraction wells, and these 18 vertical dual extraction wells shall be connected to the landfill gas system by September 15, 2023 unless the circumstances outlined in Condition 13(a) apply.

a. In the event Respondent is unable to meet these deadlines due to inaccessibility or dangerous conditions for a technician, Respondent shall document the date and the conditions that do not allow the installation of the wells and/or their connection to the landfill gas system. Respondent shall submit this documentation to the South Coast AQMD and provide the South Coast AQMD with an updated date of completion for the required work.

14. Respondent shall continue to monitor each landfill gas collection system well at least monthly for at least temperature pursuant to 40 CFR Part 63 Subpart AAAA. Respondent shall address wells with a temperature reading of at least 170 degrees Fahrenheit or greater in accordance with 40 CFR 63 Subpart AAAA. Notwithstanding temperature exceedances, Respondent shall continue to operate all wells as necessary to ensure the continued operation of the landfill gas collection system.

15. Respondent shall continue to evaluate and install, as needed, vertical dual extraction wells to collect both landfill gas and leachate. Respondent shall continue to expand the well-field

as needed, and notify South Coast AQMD by October 31, 2023 of the number of wells added, attention to Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov). Any subsequent additions to the well-field shall be documented in the monthly reports pursuant to Condition 8.

16. Respondent shall submit, by October 6, 2023, a complete permit modification application for the Landfill Gas Collection System (under Permit G43917, A/N 578102) to increase the number of permitted wells in the well field. The submittal shall be accompanied with a complete Title V Revision application and shall be submitted with an expedited permit processing request and associated required fees, forms, and information.

17. Respondent shall expeditiously dewater wells being impacted by liquids, and shall take proactive measures to remove additional liquids in the Reaction Area to limit the reaction severity and spread. This shall be accomplished through the installation of dewatering sumps/pumps at 20 percent of the landfill gas collection wells with the worst liquid impaction issues in the Reaction Area as determined by the DMS Committee within 60 days of the issuance of this Order, unless otherwise determined infeasible per Condition No. 17.a. below. Respondent shall provide updates in the monthly reports pursuant to Condition No. 8.

a. In the event Respondent determines the installation of a dewatering sump/pump at a single landfill gas collection well to be infeasible, Respondent shall provide detailed rationale and reasoning in the monthly report submitted pursuant to Condition No. 8, and shall continue with implementation of the dewatering guidelines pursuant to Condition No. 18 to remove liquids to the maximum extent possible including to ensure installation across 20% of total landfill gas collection wells within the Reaction Area.

18. Respondent shall, in addition to the installation of dewatering sumps/pumps specified in Condition No. 17 above, within ninety (90) days of the issuance of this Order, provide

1 proposed Reaction Area dewatering guidelines and implementation procedures for the
2 landfill to South Coast AQMD (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
3 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov)) that include but are
4 not limited to the following:

- 5 a. Proposed methodologies and monitoring procedures that determine the level of
6 dewatering within the Reaction Area (as defined in Condition 9(a)) wells impacted
7 by liquid. Methods may include the measurement of the gas flow at each landfill
8 gas collection well impacted by liquids;
- 9 b. Use of dewatering pumps or other methods to remove liquids from Reaction Area
10 (as defined in Condition 9(a)) wells impacted by liquids;
- 11 c. An implementation plan for the use of dewatering pumps or other methods to
12 remove liquids from the Reaction Area wells impacted by liquids. The plan shall
13 include a list of wells in the Reaction Area and depth where liquids are expected to
14 impact landfill gas collection efficacy or be a concern, the proposed action to
15 remove the liquids, and the schedule for liquid removal. The implementation plan
16 shall also include pro-active measures, such as additional dewatering pumps, to be
17 installed at landfill gas collection wells where liquid impaction issues have not yet
18 occurred, but may be expected to occur.
- 19 d. Upgrades to the site leachate collection system as needed, including through the
20 addition of increased air compressor and/or drain line infrastructure;
- 21 e. Protocols for the pumping and monitoring of dewatering pumps and other such
22 methods to remove water from Reaction Area (as defined in Condition 9(a)) wells
23 impacted by liquids;
- 24 f. Well field liquid sounding in the Reaction Area (as defined in Condition 9(a)), and
25 a proposed schedule for conducting liquid sounding on a consistent basis;
- 26 g. A timeline for appropriate reporting on impacted wells;
- 27 h. The feasibility of integrity testing of all vertical gas wells in the Reaction Area (as
28 defined in Condition 9(a)) and a timeline and protocol for addressing any wells that

the integrity testing demonstrates are damaged or are exhibiting temperatures of at least 170 degrees Fahrenheit; and

- i. A timeline for implementation of appropriate dewatering procedures upon discovery of wells impacted by liquids.

The proposed Reaction Area dewatering guidelines and implementation procedures shall be implemented within seven (7) days of South Coast AQMD approval.

19. Respondent shall submit, by October 6, 2023, a complete permit modification application to the Landfill Gas Condensate and Leachate Collection/Storage System (under Permit G66132, A/N 613131) to increase the landfill's liquid storage capacity. The submittal shall be accompanied with a complete Title V Revision application and shall be submitted with an expedited permit processing request and associated required fees, forms, and information.

20. Respondent shall increase its landfill gas control capacity. Respondent has submitted a permit application for a new 6,000 scfm ultra-low emissions landfill gas flare (Flare No. 3), which is currently in a public comment period. Once the flare is fully permitted and fully operational equipment is received, Respondent shall have forty-five (45) days to finish installation and begin operating the new landfill gas flare unless the circumstances outlined in Condition No. 20(a) apply. Respondent shall notify the South Coast AQMD that the new landfill gas flare is operational within 48 hours of beginning operation (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

- a. In the event Respondent is unable to meet these deadlines due to inaccessibility or dangerous conditions for a technician, Respondent shall document the date and the conditions that do not allow the installation of the new flare. Respondent shall submit this documentation to the South Coast AQMD and provide the South Coast AQMD with an updated date of completion for the required work.

21. Respondent shall submit, by October 31, 2023, a complete permit application for the new construction of a Landfill Gas Flare (Flare No. 4) to increase the landfill gas control

1 capacity. The submittal shall be accompanied with a complete Title V Revision application
2 and shall be submitted with an expedited permit processing request and associated required
3 fees, forms, and information.

4 22. Respondent shall continue to use a portable thermal oxidizer that operates under a permit
5 to operate or temporary permit to operate for additional landfill gas control capacity until
6 the DMS Committee concludes that such a portable thermal oxidizer is no longer needed.
7 Respondent shall notify the South Coast AQMD as to the DMS Committee's
8 recommendation (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel
9 Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air
10 Quality Inspector, (cojeda@aqmd.gov)).

11 23. Respondent shall continue to use both 4,000 scfm flares (under Permit No. G23473, A/N
12 491442) when the DMS Committee determines that such use is necessary due to insufficient
13 flaring capacity or other such necessity-based situations, until the second new 6,000 scfm
14 ultra-low emissions flare (Flare No. 4) referenced in Condition No. 21 is permitted and
15 operational.

16 **Landfill Cover**

17 24. Respondent shall visually inspect the landfill cover around the Reaction Area (as defined
18 in Condition 9(a)) each operating day and shall promptly repair any cover issues identified,
19 which may include adding and spreading soil, wetting, and retracking the damaged area.
20 Respondent shall maintain a log demonstrating that it has addressed any damages to the
21 landfill cover, including the date the damage was identified, the action taken to repair the
22 damage, and the time at which the repair was completed. Results of the daily inspection and
23 the repair log required by this condition shall be included in the monthly reports required
24 pursuant to Condition No. 8.

25 25. Respondent shall install a geosynthetic cover over western portions of Module 2B/3/4 Phase
26 2, Module 2B/3, and Module 4 to limit the migration of landfill gas from the site.
27 Respondent shall submit the completed design for the cover, which will provide greater
28 definition to the cover location, including associated landfill gas extraction infrastructure

1 to be installed underneath the cover, to the South Coast AQMD by September 12, 2023
2 (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air
3 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,
4 (cojeda@aqmd.gov)). Respondent shall then obtain and install the geosynthetic cover
5 material of at least 30 mil thickness. Respondent shall notify South Coast AQMD by
6 October 31, 2023 (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel
7 Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air
8 Quality Inspector, (cojeda@aqmd.gov)) on the progress of procuring and installing the
9 geosynthetic cover. Respondent shall include updates on the procurement and installation
10 of the geosynthetic cover in the monthly reports pursuant to Condition 8.

11 **Ambient Air & Emissions Monitoring**

12 26. The DMS Committee shall review air dispersion modeling, smoke release studies, and
13 computational fluid dynamics (“CFD”) modeling that have previously been completed for
14 the landfill to assess odor and emissions transport into the nearby community. The DMS
15 Committee shall use the previous models updated with current datapoints to undertake a
16 study to determine odor and emission transport of odors from the landfill and to identify
17 effective techniques that may be used to remedy potential odor impacts on the nearby
18 community. The study shall include an evaluation of the efficacy of odor control measures,
19 including but not limited to perimeter misting equipment, wind barriers, wind cutter fans,
20 and odor dispersion/misting fans, for purposes of minimizing odors in the surrounding
21 community. The study shall be based on both the landfill’s current and projected closure
22 in 2047, topography and configuration. The study shall include, but not be limited to,
23 identifying transport trajectories and quantifying odor gas concentrations within the
24 surrounding community. Upon completion of the study, a written report documenting the
25 study and the findings, shall be submitted to South Coast AQMD by December 1, 2023.
26 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air
27 Quality Engineer, (ndickel@aqmd.gov); Christina Ojeda, Air Quality Inspector,
28 (cojeda@aqmd.gov)].

- 1 a. The report shall include a recommendation on whether additional modeling is
2 recommended to fully address the current odor circumstances at the landfill and
3 potential odor impacts on the nearby community.
- 4 b. If such additional modeling is recommended by the DMS Committee, the DMS
5 Committee shall, within 45 days of providing the report and recommendation,
6 provide a proposal to the South Coast AQMD that shall, at a minimum, include the
7 following:
- 8 i. The identification and qualifications of the primary personnel
9 and/or firms proposed to conduct the study, as well as the specific
10 techniques and location(s) where the study will be conducted;
- 11 ii. A timeline for completion of the study and submittal of the final
12 written reports to South Coast AQMD no later than 150 days after
13 South Coast AQMD approval of the study proposal.
- 14 27. Respondent shall follow the direction of DPH to expand and enhance its current ambient
15 air monitoring program to include DMS and other constituents of landfill gas, sampling at
16 residential locals where recent odor complaints have been reported and at on-site locations
17 where odors are most pronounced, and to conduct a flux chamber study (the "initial" flux
18 chamber study discussed in Condition No. 12(d)). Any reports submitted to DPH related to
19 these studies shall also be submitted to the South Coast AQMD (Baitong Chen, Air Quality
20 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,
21 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

22 **Community Outreach**

- 23 28. Respondent shall continue to maintain and update regularly (on a weekly basis) a dedicated
24 page of its website with a highly visible link on its homepage (the "odor mitigation section")
25 for presenting information discussing odor mitigation at CCL. Such webpage shall include
26 all information in English and Spanish within 30 days of the issuance of this Order and
27 meet the following requirements:
28

- a. The odor mitigation webpage shall be accessible via a direct hyperlink included on the homepage of CCL's website (<https://chiquitacanyon.com>), via a clickable link with text stating "Odor Mitigation;"
- b. The odor mitigation webpage shall display prominently at the top of the page a notification that complaints of any odors believed to be caused by CCL can be made to CCL (24-Hour Hotline) at (661) 253-5155;
- c. The odor mitigation webpage shall display prominently at the top of the page a notification that complaints may also be submitted to the South Coast Air Quality Management District via telephone at 1 (800) CUT-SMOG or 1 (800) 288-7664 or online on South Coast AQMD's website (which shall hyperlink to the following: <http://www3.aqmd.gov/webappl/complaintsystemonline/NewComplaint.aspx>);
- d. The odor mitigation webpage shall include a "Recent Updates" section which shall provide a narrative description of Respondent's understanding of the reaction and DMS;
- e. The odor mitigation webpage shall include an "Odor Mitigation Efforts" section which shall describe the efforts Respondent is taking to mitigate potential odors;
- f. The odor mitigation webpage shall include an "Odor and Maintenance Logs" section which shall include via hyperlink any logs created pursuant to this Order, preceded by a brief narrative description;
- g. The odor mitigation webpage shall include a "Reports, Permits, and Other Documents" section which shall include via hyperlink, preceded by a brief narrative description:
 - i. This Order;
 - ii. Safety Data Sheets for odor neutralizer used at the facility and compounds used in the Semi-Permanent Vapor Odor Control system referenced in Condition No. 32;
 - iii. A copy of Respondent's current Conditional Use Permit (No. 2004-00052-(5));

- iv. Any reports relating to odor or odor mitigation required by Respondent's Conditional Use Permit (No. 2004-00052-(5)) to be submitted to any government agency, including any responses or discussion of remedial actions to odor violations or complaints required by any government agency; and
 - v. All reports created by the DMS Committee pursuant to this Order.
 - vi. Any other reports or correspondence requested by the County of Los Angeles agencies related to the reaction, odor, and Respondent's mitigation efforts.
- h. The odor mitigation webpage shall include an "Air Monitoring and Health Impacts Section" which shall include a brief narrative describing the current status of air quality monitoring required under Condition 68 of Respondent's Conditional Use Permit (No. 2004-00052-(5)). The "Air Monitoring and Health Impacts Section" shall also include, via hyperlink, preceded by a brief narrative description:
- i. Any consultant reports submitted to the Community Advisory Committee ("CAC"), TAC, or any government agency under Condition 68 of Respondent's Conditional Use Permit (No. 2004-00052-(5)).
 - ii. Any quarterly or annual reports submitted to the Los Angeles County Department of Public Health or South Coast AQMD under Condition 68 of Respondent's Conditional Use Permit (No. 2004-00052-(5)).
- i. The odor mitigation webpage shall include an "Upcoming Public Meetings" Section, which shall display the title/subject, date, time, location and/or virtual access information (including videoconference link or teleconference number as applicable), and a note of whether public comment will be received for the following meetings:
- i. Any noticed hearing of the South Coast AQMD Hearing Board in Case No. 6177-4;
 - ii. Any meeting of the CAC where odor mitigation and/or violations are included as an agenda item or anticipated to be discussed;

- iii. Any meeting of the TAC where odor mitigation and/or violations are included as an agenda item or anticipated to be discussed; and
- iv. Any other meeting open to the public at which CCL is a scheduled host and/or participant where odor mitigation and/or violation are included as an agenda item or anticipated to be discussed.

29. Respondent shall host a public one-hour community meeting once each calendar month following a month in which Respondent receives three or more Rule 402 NOVs from the South Coast AQMD. If Respondent does not receive three or more Rule 402 NOVs from the South Coast AQMD in a calendar month, Respondent does not need to host a community meeting during the following month. During each meeting, Respondent shall provide updates with regards to implementation of this Order and make time available for public comment on matters related to CCL. The meeting date and time and format (in-person or virtual) shall be announced via Respondent's website and shall also be sent via email to everyone who has signed up for email notifications on Respondent's website. The announcement shall include a link and dial-in information to the virtual platform used to conduct the meeting, or if the meeting is in-person, the location of the meeting. All meetings held in person shall adhere to all applicable public health guidelines and shall take place within the Val Verde community. Any presentation, meeting materials, or other media created or shared by Respondent at such community meeting shall be posted to Respondent's Odor Mitigation webpage via hyperlink, including a brief narrative description of the materials.

Other Conditions

30. To ensure that fresh trash odors remain controlled, Respondent shall maintain the following fresh trash-related odor mitigation measures recommended by its landfill operations expert from the Stipulated Order for Abatement in Case No. 6177-1 during Unfavorable Wind Conditions, as defined in the Stipulated Order for Abatement in Case No. 6177-1. Respondent shall maintain the following odor mitigation measures:

- a. Use orchard fans, and tow-and-blow fans as needed, placed and spaced around the working face in accordance with the recommendations of Chiquita's landfill operations expert;
 - b. Use equipment equipped with odor neutralizer misting systems in various portions of CCL to neutralize any fresh trash odors. This equipment shall include, but not be limited to, fans and arm tower misters;
 - c. Identify and appropriately handle odorous loads at the scale and working face as new waste loads enter CCL;
 - d. Haul odorous loads with proper sequencing and cover; and
 - e. Regularly train staff on all aspects of landfill operations, employee safety, and odor control.
31. Respondent shall obtain, install, and maintain an on-site landfill meteorological station to measure wind speed and direction by October 31, 2023. The meteorological station shall be installed at a location appropriate for determining wind speed and direction on the top deck of the landfill in the Reaction Area (as defined in Condition 9(a)) on a 1-hour average basis, with measurements recorded every 5 minutes. The station shall record and preserve all available readings for three years and the readings shall be made available to the South Coast AQMD upon request.
 32. Respondent shall install, maintain in good working order, and operate 1,000 feet or more of Semi-Permanent Vapor Odor Control in the Reaction Area (as defined in Condition 9(a)) within 14 days of the approval of this Order. Respondent shall operate the Semi-Permanent Vapor Odor Control system immediately and continuously.
 33. Respondent shall operate and maintain in good working order a landfill perimeter odor control misting system on permanent fencing on the west and northwest of the property.
 34. The landfill perimeter odor control misting system shall be operated immediately and continuously upon receiving data from the meteorological station, referenced in Condition No. 31 above, that the 1-hour averaged wind direction is blowing in West, Northwest, North, or Northeast directions (270 degrees to 45 degrees). The misting system shall

1 continue to operate until the 1-hour averaged wind direction data demonstrates the wind is
2 no longer blowing in the specified directions. The system shall be operated in such a
3 manner and with sufficient odor neutralizers to mitigate, to the extent possible, transient
4 odors from the landfill into surrounding communities, as determined by the DMS
5 Committee.

6 35. Respondent shall notify the South Coast AQMD (attn: Kathryn Roberts,
7 kroberts@aqmd.gov; Mary Reichert, mreichert@aqmd.gov; Christina Ojeda,
8 cojeda@aqmd.gov) of any substantial operational changes designed to or anticipated to
9 reduce odors, such as an operational change not contemplated by this Order, within seven
10 days of implementing such changes.

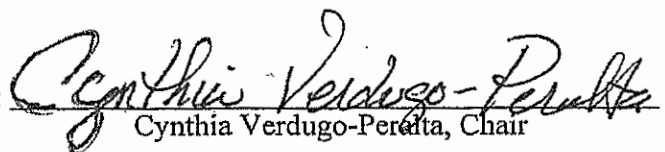
11 36. Equipment and operations at the Facility are subject to the jurisdiction and regulatory
12 requirements of multiple agencies, including but not limited to the District, CalRecycle,
13 Los Angeles County Public Works, Los Angeles County Department of Regional Planning,
14 and Los Angeles County Department of Public Health. The conditions in this Order shall
15 not in any way restrict or expand the scope of jurisdiction of any agency. If any agency that
16 shares jurisdiction over the Facility with the South Coast AQMD requires Respondent to
17 take any action that is inconsistent with this Order, Respondent shall immediately contact
18 the South Coast AQMD by email at [Kathryn Roberts, kroberts@aqmd.gov and Mary
19 Reichert, mreichert@aqmd.gov] and describe the inconsistent provisions, including
20 providing any written directive from any other agency which Respondent considers
21 inconsistent with one or more conditions in this Order. Respondent shall endeavor to
22 resolve the inconsistency with the Executive Officer, while adhering to the Condition(s) in
23 the Order. If the inconsistency is not resolved within 3 working days of the relevant agency,
24 Respondent shall immediately inform the South Coast AQMD and shall petition for a
25 status/modification hearing before the Hearing Board for further proceedings. At such
26 proceeding, only the provision in dispute shall be resolved by the Hearing Board while the
27 other conditions in this Order shall remain in full force and effect.

28 a. If Respondent notifies South Coast AQMD per Condition No. 36 above

1 that the inconsistency with one or more Condition and an order of another
2 agency cannot be resolved, compliance with the applicable Condition(s)
3 of this Order shall be waived until further Order of the Hearing Board.
4 Notwithstanding the above, in no instance shall compliance with
5 Condition No. 36 or Condition No. 36(a) be waived.

- 6 37. Respondent shall return for a status hearing on January 16, 2024, or as soon thereafter as the
7 Hearing Board can schedule the status hearing, to report on the status of implementation of
8 this Stipulated Order, and consider modification or dissolution of this Order, as appropriate.
- 9 38. The Hearing Board may modify this Order for Abatement without the stipulation of the
10 parties upon a showing of good cause therefore, and upon making the findings required by
11 Health and Safety Code Section 42451(a) and District Rule 806(a). Any modification of the
12 Order shall be made only at a public hearing held upon 10 days published notice and
13 appropriate written notice to the Respondent.
- 14 39. The Hearing Board shall retain jurisdiction over this matter until September 6, 2024 and at
15 that time this Order shall no longer be of any force or effect, unless this Order is amended,
16 modified, or dissolved before then.
- 17 40. This Order for Abatement is not intended to be nor does it act as a variance. Respondent is
18 subject to all rules and regulations of the District and to all applicable provisions of
19 California law. Nothing herein shall be deemed or construed to limit the authority of the
20 District to issue Notices of Violation, to seek civil penalties or injunctive relief, or to seek
21 further Orders for Abatement or other administrative or legal relief. The Findings of Fact
22 are based on evidence presented by Petitioner and Respondent as of the date of this Order.

23
24 BOARD MEMBER:


Cynthia Verdugo-Peralta, Chair

25
26
27 DATED: 09/07/23