Action Items Required by the United States Environmental Protection Agency

Unilateral Administrative Order (chart modified on April 1, 2026)

Completed Work

Paragraph #	Key Action	Start Date/Deadline	Status
94	Request a conference with EPA to discuss UAO or notify EPA that Chiquita intends to submit written comments or a statement of position in lieu of requesting a conference.	February 23, 2024	Completed
98	Notify EPA of Chiquita's intent to comply with UAO.	February 26, 2024	Completed
18	Designate a Project Coordinator responsible for administration of Work under UAO.	February 28, 2024; updated September 9, 2025	Completed
6	Provide a copy of UAO to all contractors, subcontractors, laboratories, and consultants that are retained to conduct or monitor any portion of the Work performed pursuant to UAO.	March 4, 2024; October 16, 2024	Completed
25	Develop and submit a Health and Safety Plan.	March 21, 2024	Completed
17	Notify EPA of the names, contact info, and qualifications of the contractors, subcontractors, consultants, and laboratories to be used in carrying out the Work.	March 27, 2024	Completed
76-79	Submit initial cost estimates.	April 26, 2024; revised June 11, 2024 and July 2, 2024	Completed
22(c)(1)	Submit revised Leachate Management Plan (part of Master Work Plan).	May 4, 2024; revised August 2, 2024 and January 10, 2025	Completed
22(c)(6)	Submit revised Air Monitoring Plan (part of Master Work Plan).	May 7, 2024; updated May 17, 2024 and October 7, 2025	Completed
22(c)(2)	Submit revised Soil Reaction Break/Barrier Plan (part of Master Work Plan).	July 8, 2024; submitted additional data to LEA and EPA on January 2, 2025	Completed
22(c)(3)	Submit revised Cover Installation Plan (part of Master Work Plan).	July 9, 2024; revised January 14, 2025	Completed
22(c)(5)	Submit revised Temperature Monitoring Plan (part of Master Work Plan).	July 17, 2024; response to Notice of Conditional Approval of the Temperature Monitoring Plan on March 18, 2025; Revised	Completed

Paragraph #	Key Action	Start Date/Deadline	Status
		Temperature Monitoring Plan and response to Second Notice of Deficiency on September 25, 2025	
30	Submit Data Management Plan.	July 17, 2024	Completed
80-86	Submit proposed financial assurance documents.	July 30, 2024	Completed
82	Submit approved financial assurance mechanisms.	September 19-20, 2024	Completed
22(c)(7)	Submit revised Off-Site Mitigation Prevention Plan.	September 25, 2024; updated March 27, 2025; approved May 1, 2025	Completed
73	Provide EPA with certificates of insurance and a copy of each insurance policy, naming EPA as an additional insured.	October 16, 2024 and October 15, 2025	Completed
73, 75	Certify to EPA that Chiquita's contractors and subcontractors have obtained the required insurance.	October 16, 2024; recertified December 31, 2024	Completed
24	Submit second revised Sampling and Analysis Plan and second revised ETLF QAPP.	January 23, 2025	Completed
90; U.S. EPA July 24, 2025 Letter	Work Plan for Additional Geomembrane Cover Work.	August 29, 2025; extension requested; revised October 3, 2025	Completed
22(c)(3)	Respond to EPA Notice of Deficiency regarding Response to EPA Notice of Deficiency and Update to Draft Removal Action Workplan (RAW): Extension of Covered Area	Meet and confer occurred on January 30, 2026. Updated plan and cost estimate due February 27, 2026	Completed

Ongoing Work

Paragraph #	Key Action	Start Date/Deadline	Status
6	Provide a copy of UAO to all contractors, subcontractors, laboratories, and consultants that are retained to conduct or monitor any portion of the Work performed pursuant to UAO.	Ongoing	As needed; ongoing
6	Condition all contracts and agreements with contractors, subcontractors, laboratories, or consultants in connection with the UAO, on compliance with terms of the UAO. Ensure their compliance with UAO.	Prompt individual discussions with contractors following issuance of UAO; written confirmations sent	As needed; ongoing

Paragraph #	Key Action	Start Date/Deadline	Status
		August 5, 2024; ongoing, as needed	
17	Submit a copy of each proposed contractor's QMP and demonstrate their compliance with ASQ/ANSI E4:2014.	Ongoing; under discussion with EPA	Ongoing
17	Notify EPA of any additional retained contractors or subcontractors.	At least 5 days prior to commencement of Work	As needed; ongoing
22(a)	Immediately store, transport leachate solid and/or hazardous waste in accordance with RCRA, 42 U.S.C. 6900, et seq., and associated regulations. All hazardous waste shall be disposed of at a TSD preapproved by EPA.	February 26, 2024; ongoing	Ongoing
22(b), (c)	Provide a Master Work Plan subject to EPA's approval, including the following plans: -Leachate Management Plan -Soil Reaction Break/Barrier Plan -Cover Installation Plan -Slope Stability Analysis work plan -Collection of temperature data in/around Reaction Area -Air Monitoring Plan -Off-Site Migration Prevention Plan	March 27, 2024; ongoing	Submitted Plan and updates as noted above.
24	Submit a Sampling and Analysis Plan subject to EPA's approval, including a Field Sampling Plan and Quality Assurance Project Plans (QAPP).	March 27, 2024; November 15, 2024; January 23, 2025; ongoing	Response to EPA request for further information provided on June 10, 2025.
28	Prior to shipping hazardous substances, pollutants, or contaminants off site, obtain a prior determination from EPA and comply with RCRA and CERCLA requirements.	Prior to shipping hazardous substances, pollutants, or contaminants off site	As needed; ongoing
28	Provide written notice of out-of-state waste shipments to the appropriate state environmental official and to EPA. Notify state official and EPA of any major changes in shipment plan.	Prior to shipping waste material out of state	As needed; ongoing

Paragraph #	Key Action	Start Date/Deadline	Status
28	Comply with the requirements of Paragraph 28(c) regarding shipment of Investigation Derived Waste off site.	Prior to shipping Investigation Derived Waste off-site	As needed; ongoing
39	Take all appropriate action to minimize emergency/threat.	In the event of an emergency or an action or occurrence that may present an immediate threat to human health and the environment	As needed; ongoing
39	Submit written notification of emergency/threat.	Within 3 days of discovery	As needed; ongoing
39	Submit and implement a plan to mitigate threat.	As needed	As needed; ongoing
40	Provide notification of a release that triggers release notification pursuant to CERCLA Section 103 or EPCRA Section 304 pursuant to Paragraph 40.	In the event of a release that triggers release notification pursuant to CERCLA or EPCRA	As needed; ongoing
41, 42	Use quality assurance, quality control, and other technical activities and chain of custody procedures for all samples. Ensure all laboratories meet the requirements of Paragraph 42 of the UAO.	Ongoing	Ongoing
49	All results of sampling, testing, modeling, or other data generated by Chiquita, or on Chiquita's behalf, must be validated by Chiquita and submitted to EPA promptly upon receipt.	Upon receipt of results	Ongoing
50	Notify EPA in advance of any sample collection activity.	Not less than 7 days prior to any sampling	Ongoing
53	Use best efforts to obtain all necessary access agreements.	As needed	As needed; ongoing
59-62	Preserve all documents/information, including raw data, relating to the Work, or relating to any solid waste or hazardous waste found at the Site, for 5 years following termination of UAO.	February 26, 2024; ongoing	Ongoing
59-62	Acquire and retain copies of all documents that related to the Site that are in possession of Chiquita employees, agents, accountants, contractors, or attorneys.	February 26, 2024; ongoing	Ongoing
73	Secure insurance as required by the UAO. Provide EPA with certificates of such insurance and a copy of each	October 16, 2024; ongoing/prior to	Ongoing

Paragraph #	Key Action	Start Date/Deadline	Status
	insurance policy, naming EPA as an additional insured, prior to commencing Work and annually thereafter on February 26.	commencing Work; annually	
73, 75	Recertify to EPA that Chiquita's contractors and subcontractors have obtained the required insurance.	October 16, 2024; ongoing annually	Recertified at EPA's direction as of December 31, 2024; ongoing
73, 75	Ensure that Chiquita and its contractors and subcontractors satisfy all applicable laws and regulations regarding the provision of employer's liability insurance and worker's compensation insurance for all persons performing Work.	February 26, 2024; ongoing	Ongoing
76-79	Submit revised cost estimates.	Annually and as needed	Ongoing
80-86	Revise financial assurance and financial assurance mechanisms.	As needed	As needed; ongoing
88	Notify EPA Project Coordinators of any delay or anticipated delay in performing any requirement of the UAO.	Within 48 hours after Chiquita first knew or should have known of a delay	As needed; ongoing
88	Provide written notification of delay in accordance with Paragraph 88.	Within 7 days after notifying EPA of delay	As needed; ongoing
22(c)(3)	Deploy geomembrane cover over an additional 100 acres of the Landfill in accordance with January 13, 2026 EPA Notice of Deficiency and March 13, 2026 revised draft RAW for Extension of Covered Area.	December 1, 2026	Ongoing

Future Work

Paragraph #	Key Action	Start Date/Deadline	Status
27	Submit a final report summarizing actions taken to comply with UAO.	Within 15 days after completion of all Work required by UAO	
59-62	Notify EPA that documents and information are available for inspection and provide copies upon request.	After the end of the 5-year retention period and 90 days before any documents or information is destroyed	

Additional Work (West Toe Improvements)

Paragraph #	Key Action	Start Date/Deadline	Status
90	Implement the preemptive and contingency measures.	Upon EPA's approval of the revised West Slope Contingency Plans	Ongoing
90	Submit a Work Plan.	April 1, 2026 (draft)	Ongoing; meet and confer held March 25, 2026. Draft Work Plan to be provided by April 1, 2026, with EPA comments to be incorporated into final
90	Submit a revised written estimate of the cost of hiring a third party to perform the work.	Initial estimate due April 3, 2026; final estimate due upon submittal of final Work Plan	Ongoing
90	Pump any existing stormwater in the south retention basin out of the south retention basin, subject to review of the proposed pumping for compliance with water quality standards by, and approval of, the Los Angeles Regional Water Quality Control Board (RWB).	April 1, 2026 (suspended)	Meet and confer held March 25, 2026. In light of RWB's direction not to discharge the water through the outfall without additional information, the deadline is being reevaluated pending assessment of laboratory options
90	Stage soil sufficient for constructing a soil dam between the Landfill and the western canyon wall to temporarily contain leachate, consistent with the concept for the Soil Dam included in the West Slope Contingency Secondary Containment Plan (September 2024, Revision v.1.2). Such soil stockpile shall be placed further south of the current soil stockpile to allow for the improvements described above and to allow for containment of potential slope failure at the	April 1, 2026	Initial soil staging completed. Potential need for additional soil to be evaluated in conjunction with the design, and presented in the draft work plan

	southmost end of the western toe of the Landfill.		
90	For the duration of the work, maintain the full retention capacity of the south retention basin.	April 1, 2026 (suspended, pending resolution with EPA and RWB)	Ongoing
90	Submit revised versions of the West Slope Contingency Secondary Containment Plan (September 2024, Revision v.1.2) and the West Slope Pre-Emptive Secondary Containment Plan (September 2024, Revision v.1.2) revising the preemptive and contingency measures to be undertaken in the event of a catastrophic slope failure of the west slope to conform to the current conditions of the west slope and the planned improvements.	April 16, 2026	Ongoing
90	Make improvements on the west side of the Landfill, adjacent to the prior West Slope Toe Drain Installation Project.	September 15, 2026	Ongoing
90	Minimize fugitive landfill gas emissions and odors from the west toe area.	Ongoing	Ongoing
90	Conduct air monitoring during any excavation activities at the working face of the excavation and at the downwind property line or other approved locations consistent with the excavation-related air monitoring procedures set forth in the SOFA.	Ongoing	Ongoing
90	Take all necessary action to minimize the disruption to the gas collection system within the reaction area, including to horizontal collectors beneath the existing geomembrane cover, by moving, tying off, or otherwise modifying the existing gas collection system and to ensure continued gas collection to the maximum extent possible.	Ongoing	Ongoing

90	Conduct slope stability monitoring for slope movements, bulging, seepage, or other indications of possible slope movements that could affect the safety of personnel and equipment or that could compromise the integrity of the improvements and/or surrounding areas, and implement a notification system to ensure immediate protective measures will be implemented.	Ongoing	Ongoing
90	Contact EPA if any other agency's directives are inconsistent with the work.	As needed	Ongoing
90	If excavation and disposal of material is involved, propose appropriate disposal locations for the material, including options if the material is hazardous under RCRA, California hazardous, or not RCRA hazardous.	As needed	Ongoing
90	Submit (1) a plan (email acceptable) for conducting representative sampling of the material to be excavated to determine whether such material is RCRA hazardous or RCRA nonhazardous, and (2) conduct each sampling in accordance with an approved sampling plan and provide such results to EPA.	At least ten days prior to any excavation work	Ongoing
90	If the locations of existing perimeter gas probes, soil vapor extraction wells, gas collection wells, or other existing infrastructure installed to monitor or mitigate reaction conditions at the Landfill will be disturbed due to the improvements, reinstall such infrastructure at locations acceptable to EPA.	As needed	Ongoing
90	If the location of the existing concrete stormwater channel will be impacted due to the improvements, reroute the stormwater channel in a manner	As needed	Ongoing

	that ensures stormwater will not discharge from the Landfill site except from named discharge points in accordance with the Landfill's NPDES permit.		
90	Provide a certification of a qualified professional engineer certifying the design of the improvements and a certification of a stormwater engineer for the relocation of the stormwater channel.	As needed	Ongoing. Expected to be provided with final work plan
90	Submit a Health and Safety Plan (or a revision to the ETLF Operations HASP (Version 2.3) October 3, 2025) to address health and safety risks associated with the Additional Work.	April 1, 2026	Ongoing
90	If obtaining access to property outside of the Landfill is required, use best efforts to obtain an access agreement in accordance with the UAO. If access is denied, submit in writing a description of efforts to obtain access.	Within 10 days of submission of the Work Plan, as needed. If access is denied, within 5 days, submit in writing a description of efforts to obtain access	Ongoing. Discussed at March 25, 2026 meet and confer. No access currently anticipated, but will coordinate with EPA as necessary as the design and work plan are developed

Additional Work (Leachate Treatment Improvements)

Paragraph #	Key Action	Start Date/Deadline	Status
90	Modify leachate treatment tanks as necessary to conduct the aeration treatment step and adjust and scale up the aeration treatment step.	Immediately	Ongoing
90	Evaluate and identify any treatment methods, other than aeration treatment, that could supplement or serve as an alternative.	Immediately	Ongoing
90	Submit aeration treatment and testing protocol and analytical results.	March 23, 2026	Completed
90	Submit a Work Plan and a revised written estimate of the cost of hiring a third party to perform the work.	April 1, 2026	Ongoing
90	Complete the initial installation of the aeration treatment step in the leachate treatment train and ensure operational.	April 28, 2026	Ongoing
90	Complete final scale-up of the aeration treatment step in the leachate treatment train and ensure operational.	May 12, 2026	Ongoing

90	Submit a list of facilities contracted for disposal of the treated, nonhazardous leachate subject to aeration and the status of those discussions.	May 12, 2026	Ongoing
90	Any waste gases or vapors generated from the above must be collected and destroyed in the GCCS and not vented to the atmosphere.	Ongoing	Ongoing
90	Contact EPA if any other agency's directives are inconsistent with the work.	As needed	Ongoing
90	Ensure that there is sufficient supplemental fuel for operation of the GCCS so that it is not disrupted or made less efficient (destruction efficiency) due to the quality of any waste gases and vapors from the leachate treatment system.	As needed	Ongoing
90	Submit a plan for supplemental and/or alternative treatment. The plan will be implemented upon EPA's approval.	Within 30 days of EPA's direction	Ongoing