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

4 **In The Matter Of**

5 SOUTH COAST AIR QUALITY  
6 MANAGEMENT DISTRICT,

7 Petitioner,

8 vs.

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

12 Respondent.

**Case No. 6177-4**

**[PROPOSED] FINDINGS AND  
DECISION FOR A MODIFIED  
STIPULATED ORDER FOR  
ABATEMENT**

Health and Safety Code § 41700, and District  
Rules 402, 431.1, 3002, 203,  
1150 \_\_\_\_\_

Hearing Date: January 16, 2024

Time: 9:30 am

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

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14  
15 On September 6, 2023, a hearing on a Stipulated Order for Abatement was held, and,  
16 following a hearing, a Stipulated Order for Abatement was issued. Following petition from the South  
17 Coast AQMD the Hearing Board held a Status/Modification Hearing pursuant to notice in  
18 accordance with the provisions of California Health and Safety Code §§ 40823 and 42451(a) and  
19 District Rule 812 to consider modifications to the Stipulated Order. The following members of the  
20 Hearing Board were present: Cynthia Verdugo-Peralta, Chair; Jerry P. Abraham, MD, MPH, CMQ;  
21 Micah Ali; Mohan Balagopalan; and ~~Adrienne Konigar Macklin, Esq., alternate~~ Robert Pearman,  
22 Esq. Petitioner South Coast Air Quality Management District (“South Coast AQMD”) was  
23 represented by Kathryn Roberts, Senior Deputy District Counsel, Mary Reichert, Senior Deputy  
24 District Counsel and Ryan Mansell, Senior Deputy District Counsel. Respondent Chiquita Canyon,  
25 LLC, was represented by Jacob P. Duginski, attorney at law, ~~and~~ Megan L. Morgan, attorney at law,  
26 Leigh S. Barton, attorney at law, and Julia F. Li, attorney at law, of Beveridge & Diamond, P.C.  
27 South Coast AQMD and Respondent presented a ~~partial~~ stipulation on proposed modifications.  
28

1 ~~South Coast AQMD and Respondent additionally proposed a set of contested modifications in~~  
2 ~~addition to the stipulated modifications.~~ The public was given the opportunity to testify, evidence  
3 was received, and the matter was submitted. The Hearing Board finds and decides as follows:

4 **FINDINGS OF FACT**

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

8 2. Respondent operates a landfill/solid waste disposal facility known as Chiquita  
9 Canyon Landfill (“CCL”) located at 29201 Henry Mayo Dr., Castaic, California, 91384, South Coast  
10 AQMD Facility ID No. 119219. Respondent operates within the South Coast AQMD’s jurisdiction  
11 and is subject to the South Coast AQMD’s rules. The landfill/solid waste disposal site has a footprint  
12 of approximately 400 acres pursuant to a Conditional Use Permit issued by the County of Los  
13 Angeles. Chiquita was most recently granted a renewed Conditional Use Permit in 2017 to allow  
14 continued operations. Under its current use permit, CCL is allowed to accept an average of 6,616  
15 tons per day (“TPD”) of solid waste between the hours of 4:00am to 5:00pm Monday through  
16 Saturday. CCL may also accept green waste and beneficial reuse materials. CCL may accept a  
17 maximum of 2,800,000 tons per year of solid waste and beneficial reuse material 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 (“H<sub>2</sub>S”) 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.       **South Coast AQMD Rule 1150(b)(2)** requires all persons to obtain an Excavation  
8 Management Plan approved by the South Coast AQMD prior to initiating excavation of an active or  
9 inactive landfill unless the activity which exposes buried waste to the atmosphere is a normal part  
10 of the daily operation of an active landfill or is exempted by South Coast AQMD Rule 1150(c),  
11 which includes exemption for the maintenance of gas or leachate collection systems and emergency  
12 excavations performed by, under the jurisdiction of, or pursuant to the requirements of, an authorized  
13 Health Officer, Agricultural Commissioner, or Fire Protection Officer and whenever possible, the  
14 Executive Officer shall be notified prior to commencing such excavation.

15       9.       **CCL’s Facility-Wide Permit, Condition No. 3** prohibits CCL from using landfill  
16 gas that contains sulfur compounds in excess of 150 ppmv calculated as H<sub>2</sub>S averaged daily.

17       10.      **South Coast AQMD Permit No. G55163, Condition No. 11** requires CCL to have  
18 no more than 150 ppmv of total sulfur compounds (calculated as H<sub>2</sub>S averaged daily) in its landfill  
19 gas.

20       11.      **South Coast AQMD Permit No. G73696, Condition No. 16** limits CCL’s Flare No.  
21 1 to a maximum of 2.5 lbs/hour of sulfur oxides (“SO<sub>x</sub>”) as SO<sub>2</sub>.

22       12.      **South Coast AQMD Permit No. G73696, Condition No. 17** limits CCL’s Flare No.  
23 2 to a maximum of 2.5 lbs/hour of SO<sub>x</sub> as SO<sub>2</sub>.

24       13.      **South Coast AQMD Permit No. A/N 624296, Condition No. 31** limits CCL’s Flare  
25 No. 3 to a maximum of 124.08 lbs/day and 2,175.60 lbs/month of SO<sub>x</sub> as SO<sub>2</sub>. Flare No. 3 is also  
26 limited by its permit to a daily average in the inlet of 85 ppmv sulfur as H<sub>2</sub>S, and monthly average  
27 of 60 ppmv sulfur as H<sub>2</sub>S, and a daily average in the inlet of 150 ppm sulfur as H<sub>2</sub>S

28       14.      Respondent’s operation at CCL also includes a landfill gas collection and control

1 system that includes vertical and horizontal gas collection wells and associated piping and trenches,  
2 multiple collection headers and blowers for venting landfill gas, a landfill gas treatment system, a  
3 condensate/leachate collection system and two flares which combust landfill gas. CCL also has an  
4 active permit application for an additional third flare which, if permitted, would be incorporated into  
5 its landfill gas collection and control system.

6 15. South Coast AQMD alleges Respondent is inadequately containing landfill gas,  
7 leachate, and associated surface emissions at CCL, which cause odor and other unlawful emissions  
8 from the landfill.

9 16. From January to September 2023, South Coast AQMD received more than 2,100  
10 complaints of an odor nuisance from the public, with CCL as the alleged source. Complaints include  
11 odor descriptions of both trash and landfill gas, but Petitioner and Respondent believe that all odors  
12 complained of related to landfill gas, leachate, and associated surface emissions rather than trash or  
13 the working face.

14 17. CCL is currently experiencing a subsurface reaction or elevated temperature landfill  
15 event over an inactive portion of the landfill that is causing increased temperatures, increased  
16 production of landfill gas, and increased production of leachate, as well as fugitive emissions of  
17 landfill gas from the surface of the landfill. The area of the landfill affected by the reaction is located  
18 approximately 1000 feet from the nearest resident. South Coast AQMD alleges that the ongoing  
19 subsurface reaction is the source of the odor complaints received from the public, and the root cause  
20 of an ongoing public nuisance.

21 18. South Coast AQMD Inspectors investigated the complaints and traced some of them  
22 back to CCL and confirmed CCL as the source of the odors on numerous occasions, and have  
23 consistently traced odors back to the area of the landfill affected by the reaction rather than the  
24 working face. Between May and September 5, 2023, South Coast AQMD issued 58 Notices of  
25 Violation (“NOVs”) against Respondent for violating South Coast AQMD Rule 402 and H&S Code  
26 § 41700.

27 19. On September 6, 2023, the Hearing Board held a hearing on South Coast AQMD’s  
28 Petition for an Order for Abatement. At the conclusion of the hearing, the Hearing Board issued a

1 Stipulated Order for Abatement (“Stipulated Order”).

2 20. [PARTIES TO SUBMIT STIPULATED PROPOSED FINDINGS OF FACTS RE:  
3 STATUS/MODIFICATION HEARING WITHIN ONE WEEK OF ADOPTION]

4 **CONCLUSIONS**

5 1. The Stipulated Order for Abatement set forth hereinafter is likely to mitigate  
6 conditions that could contribute to potential odors and potential nuisance.

7 2. The issuance of a Stipulated Order for Abatement upon a fully noticed hearing would  
8 not constitute a taking of property without due process of law.

9 ~~1.3.~~ There is good cause for adopting the modifications of the Order ~~that areas~~ stipulated  
10 to by the Parties ~~and imposing the contested modifications as sought by the South Coast AQMD.~~

11 ~~2.4.~~ This Order for Abatement is not intended to be nor does it act as a variance.

12 **ORDER**

13 THEREFORE, subject to the aforesaid statements and good cause appearing, the Hearing  
14 Board hereby orders Respondent to comply with California Health and Safety Code Section 41700,  
15 South Coast AQMD Rules 402, 203, 431.1, and 3002, and all conditions of Respondents Permits.  
16 The Hearing Board further hereby orders Respondent to comply with the following conditions and  
17 increments of progress:

18 **Odor Surveillance**

- 19 1. Respondent shall conduct odor surveillance in the communities surrounding CCL as  
20 follows:
- 21 a. Respondent shall contract with a trained third party to conduct odor surveillance  
22 each operating day within thirty (30) days after the issuance of the September 6,  
23 2023 Order (the “Initial Order”). Respondent shall conduct odor surveillance each  
24 operating day until the trained third party has been contracted. Respondent, or  
25 Respondent’s contractor, as applicable, shall conduct community odor surveillance  
26 at least twice each operating day, once between the hours of 7:00 a.m. and 11:00  
27 a.m. and once between the hours of 8:00 p.m. and 12:00 a.m. If a three-week period  
28 passes without Respondent receiving a Rule 402 NOV from the South Coast

1 AQMD, or detecting odors at above an intensity of 2 at more than 2 stops during a  
 2 single surveillance, then Respondent, or Respondent's contractor, as applicable,  
 3 may stop conducting the odor surveillances. If Respondent, or Respondent's  
 4 contractor, as applicable, has stopped conducting the odor surveillances pursuant to  
 5 this condition and Respondent subsequently receives a Rule 402 NOV from the  
 6 South Coast AQMD, then Respondent, or Respondent's contractor, as applicable,  
 7 must resume conducting the odor surveillances until another three-week period  
 8 passes with no Rule 402 NOVs issued by the South Coast AQMD, or without  
 9 Respondent or Respondent's contractor, as applicable, detecting odors at above an  
 10 intensity of 2 at more than 2 stops in a single surveillance.

- 11 b. Respondent, or Respondent's contractor, as applicable, shall conduct an odor  
 12 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

Stop	Description
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
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” before the end of the work day. The Odor Surveillance Log shall contain, but not be limited to: (1) the date and time; (2) stop number; (3) the name of the person performing the surveillance and written acknowledgement that they did not visit the working face or other on-site areas where exposed trash or landfill odors such as, but not limited to landfill gas odors, refuse or refuse contaminated material odors, or landfill liquids/landfill leachate

1 odors exist within a four hours prior to conducting an odor surveillance, (4) the wind  
2 speed and direction; (5) a narrative description of any odor detected (including the  
3 type of odor, such as trash, landfill gas, chemical, odor neutralizer, as applicable);  
4 (6) current weather conditions; and (7) an assessment of the strength of any odor  
5 detected using the scale below:

6 0	No odor detected
7 1	Very light odor detected
8 2	Light odor detected
9 3	Moderate odor
4 4	Strong odor
5 5	Very strong odor

10 f. If Respondent, or Respondent’s contractor, as applicable, conducting the odor  
11 surveillance detects odors at three or more stops that are determined to be of a  
12 strength of 3 or higher on the scale above during any surveillance occurring during  
13 Respondent’s operating hours (between the hours of 4:00am and 5:00pm),  
14 Respondent, or Respondent’s contractor, as applicable, shall immediately notify  
15 landfill operating staff. Respondent shall designate an employee able to receive and  
16 direct action related to such notifications promptly. Upon receiving such  
17 notification, Respondent shall, within 30 minutes of receipt, review and initiate  
18 modifications, as appropriate, to fan placement, and conduct a visual inspection of  
19 the Reaction Area (as defined in Condition 9(a)) to assess, and address as needed,  
20 any cracks in the surface of the area.

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

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

26 3. Respondent shall expedite, to the maximum extent feasible, replacement of granular  
27 activated carbon media in the Landfill Gas Treatment System (under Permit G55163, A/N  
28 603249), including the execution of contracts, as well as the delivery, replacement, startup,



1 and testing of any operation necessary to replenish and/or replace spent granular activated  
2 carbon media in the Landfill Gas Treatment System. Respondent shall ensure adequate  
3 stock of all odor control products and supplies are maintained on site.

4 a. Respondent shall monitor and record the landfill gas temperature at least daily at  
5 the inlet of the Landfill Gas Treatment System. The temperature of the landfill gas  
6 shall not exceed 145 F.

7 4. Respondent shall prioritize and maximize the use and operation of landfill gas flares No. 2  
8 (under Permit G73696, A/N 645450) and No. 3 (under A/N 624296) over landfill gas flare  
9 No. 1 (under Permit G73696, A/N 645450) to the maximum extent feasible when  
10 combusting landfill gas at the facility (FID 119219). Once Respondent receives the  
11 necessary permits and puts the new landfill gas flare discussed in Condition 20 (“landfill  
12 gas flare No. 4”) into operation, Respondent shall prioritize and maximize the use and  
13 operation of landfill gas flares Nos. 3 and 4 over landfill gas flares No. 1 and No. 2 (under  
14 Permit G73696, A/N 645450) and prioritize and maximize the use and operation of landfill  
15 gas flare No. 2 over landfill gas flare No. 1 to the maximum extent feasible when  
16 combusting landfill gas at the facility (FID 119219).

17 5. Respondent shall sample, analyze, and record the landfill gas sulfur compounds combusted  
18 in each flare (as measured at sampling location FL-150 that is representative of the gas  
19 combusted in the flares under Permit G73696, A/N 45450; A/N 624296) at least once each  
20 week using colorimetric tests for H<sub>2</sub>S and at least once each week sample for analysis for  
21 total sulfur compounds as H<sub>2</sub>S using South Coast AQMD Method 307-91. Additionally,  
22 Respondent shall sample, analyze, and record the landfill gas sulfur compounds found in  
23 the raw, pre-treatment and pre-control, landfill gas collected from the Reaction Area (as  
24 defined in Condition 9(a)) at least once each calendar month for total sulfur compounds as  
25 H<sub>2</sub>S using South Coast AQMD Method 307-91.

26 a. Respondent shall record South Coast AQMD Method 307-91 analysis upon receipt  
27 of laboratory analysis report. Each recorded measurement or result shall be  
28 documented with the time and date when the measurement or sample collection was

1 conducted, and initialed by the personnel that conducted the measurement or sample  
2 collection.

3 b. Sulfur compound readings and analysis shall be reported to South Coast AQMD  
4 pursuant to Condition No. 8.

5 i. Tedlar bags used for Method 307-91 sampling and analysis shall not contain  
6 droplets or debris.

7 ii. Colorimetric tube readings shall be conducted by taking a reading from a  
8 Tedlar bag sample using an appropriate colorimetric tube sample collection  
9 pump. All sampling shall be performed in accordance with the operational  
10 manual for the colorimetric tube sample collection pump.

11 iii. Colorimetric tube readings shall use colorimetric tubes of appropriate  
12 concentration range and shall be reported as follows:

13 1. Respondent shall first use the estimated appropriately ranged colorimetric  
14 tube.

15 2. If the resulting reading reaches the upper concentration of the colorimetric  
16 tube concentration range, subsequent reading(s) shall be taken using a  
17 colorimetric tube with a concentration range that has a larger upper  
18 concentration threshold until the result is not the upper concentration  
19 threshold of the concentration range. Report the tube concentration range  
20 and tube concentration result for each reading.

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

26 a. A reading that is within the concentration range of the tube,

27 b. A reading is the lower concentration of the colorimetric tube  
28 concentration range, or

- 1 c. The colorimetric tube does not register a result.
- 2 4. When the result is the lower concentration of the colorimetric tube
- 3 concentration range or does not register a result, the lower concentration
- 4 of the colorimetric tube concentration shall be considered the
- 5 concentration result. Report the tube concentration range and tube
- 6 concentration result for each reading. If a lower range colorimetric tube is
- 7 not used and the tube concentration result is below the lower range of the
- 8 colorimetric tube used, Respondent shall report the result as “less than” or
- 9 “<” the lower range value of the tube. Notwithstanding the forgoing,
- 10 Respondent shall ensure that the colorimetric tube result is below the upper
- 11 range of the colorimetric tube used and shall report the precise result of all
- 12 results above the lowest range of the colorimetric tube used.
- 13 6. Respondent shall maintain adequate stock of appropriately ranged colorimetric tubes.
- 14 7. Respondent shall maintain a record of the following information, and provide such records
- 15 to the South Coast AQMD pursuant to Condition No. 8:
- 16 a. The hourly and daily flow of landfill gas combusted, in standard cubic feet, in each
- 17 flare (flares No. 1 & No. 2 under Permit G73696, A/N 645450; flare No. 3 under
- 18 A/N 624296), the thermal oxidizer (under Envent Corporation A/N 645484), the
- 19 second thermal oxidizer/flare (under Zeeco A/N 648539), and any other equipment
- 20 used to combust or control landfill gas at the facility, and the total amount of landfill
- 21 gas combusted at the facility;
- 22 b. The daily flow of landfill gas not flared, in standard cubic feet, if applicable; and
- 23 c. The results of the sulfur readings, sampling, and analyses, calculated as H<sub>2</sub>S with
- 24 the time and date when each measurement or sample collection was conducted.
- 25 8. Respondent shall submit a monthly written report on the landfill operation, progress of the
- 26 status of the Landfill Gas Flares (flares No. 1 and No. 2 under Permit G73696, A/N 645450;
- 27 flare No. 3 under A/N 624296), Landfill Gas Treatment System (under Permit G55163,
- 28 A/N 603249), and efforts to resolve the total sulfur concentration in the landfill gas

1 exceeding 150 ppmv calculated as H<sub>2</sub>S. Monthly reports shall be submitted to Respondent  
2 on the third Monday of each subsequent month (except for this first month as described  
3 below) not later than 5:00pm via email to Baitong Chen, Air Quality Engineer,  
4 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),  
5 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov). The first report for August  
6 2023 shall be due on September 30, 2023. Each monthly report shall contain at a minimum  
7 the following information:

- 8 a. The landfill gas sulfur compounds measurements and laboratory analysis with the  
9 time and date of each measurement or sample collection, as identified in Condition  
10 No. 5.
- 11 b. The landfill gas records and calculations identified in Condition No. 7, in a  
12 Microsoft Excel spreadsheet format.
- 13 c. The integrated landfill surface sample analysis and landfill surface monitoring  
14 readings identified in Condition Nos. 9 and 10, in a Microsoft Excel spreadsheet  
15 format.
- 16 d. Estimated schedule for any replacement or refurbishment of granular activated  
17 carbon media in the Landfill Gas Treatment System (under Permit G55163, A/N  
18 603249) identified in Condition No. 3. The landfill gas temperature at inlet of the  
19 Landfill Gas Treatment System (under Permit G55163, A/N 603249) identified in  
20 Condition No. 3(a).
- 21 e. Description of any problems or delays, if any, encountered or projected to occur  
22 pertinent to the execution of contracts, as well as the delivery, replacement, startup,  
23 and testing of any operation necessary to replenish and/or replace spent granular  
24 activated carbon media in the Landfill Gas Treatment System (under Permit  
25 G55163, A/N 603249). Respondent shall submit copies of documents or other  
26 records to support any problems or delays noted pursuant to this Condition No. 8(e)  
27 along with such description.

- 1 f. Specifications of the equipment and materials used for the weekly colorimetric tests  
2 (only if there is a change from the previously provided specifications of the  
3 colorimetric instrumentation or method used).
- 4 g. All wellhead temperature and CO concentration readings, lab analysis, and Draeger  
5 tube readings for landfill gas from the past month in a Microsoft Excel spreadsheet  
6 format.
- 7 h. A graphic map showing location of each well with temperature exceedances (above  
8 145 degrees Fahrenheit), each well with CO exceedances (above 1,000 ppmv and  
9 below 1,500 ppmv, and above 1,500 ppmv), and stratification of temperature ranges  
10 during that month, which includes a description of any remedial measures taken to  
11 address or lower gas well temperatures.
- 12 i. All vertical liquid impacted landfill gas wells, per Condition No. 17, 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. 30.
- 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. 18.
- 27 o. Updates on the procurement and installation of the geosynthetic cover(s), pursuant  
28 to Condition No. 31.

1 p. ~~[CONTESTED CONDITION]~~ Each monthly report shall contain at a minimum  
2 the following information: Updates on landfill excavation work subject to Rule  
3 1150, including excavation location(s) (that are identified on graphic map(s) of the  
4 landfill), and excavated/exposed waste characteristics (saturated, semi-dry, dry,  
5 odor type and intensity, etc.) Excavation work occurring pursuant to an exemption  
6 as listed in South Coast AQMD Rule 1150(c)(3), or Rule 1150(c)(2) that is  
7 performed in the Reaction Area, must also be included in these updates. -

8 q. Updates regarding leachate including:

- 9 i. Leachate temperature recordings pursuant to Condition No. 27(a);
- 10 ii. Daily log of inspection findings and containment activities
- 11 pursuant to Condition 27(b);
- 12 iii. Weekly record of leachate seepage and pooling pursuant to
- 13 Condition 27(c); and
- 14 iv. Quantity of leachate measured, and associated company name and
- 15 physical address of the off-site disposal/treatment facility(ies) that
- 16 receive leachate generated by the landfill, pursuant to Condition
- 17 27(d).

18 9. Respondent shall collect integrated landfill surface samples for analysis across the Reaction  
19 Area (as defined in Condition 9(a)) at least every two weeks as specified in Rule 1150.1  
20 Attachment A 2.0. In the event Respondent is unable to sample specific landfill surface  
21 area(s) or grid(s) due to inaccessibility or dangerous conditions for a technician,  
22 Respondent shall document the date and the conditions that do not allow the sampling of  
23 the specific area(s) or grid(s). Documentation shall be sufficient to show the inaccessibility  
24 or dangerous conditions and may include weather forecasts and actual rainfall  
25 measurements, or photographs and/or videos that depict the site conditions, that prevent  
26 such sampling activities for each specific area or grid affected.

- 27 a. The “Reaction Area” shall be defined initially by the boundary of Cells
- 28 1/2A, 2B/3, 4, and Module 2B/3/4 P2. The boundary of the Reaction Area

1 shall be modified to include the associated landfill surface area of the cells  
2 and modules that experience well temperatures of at least 170 degrees  
3 Fahrenheit, settlement, cracks in the landfill cover, presence and quantity  
4 of liquids, and the presence of hydrogen in the landfill gas. The Reaction  
5 Committee (defined in Condition No. 12), shall transmit to the South Coast  
6 AQMD [attn: Baitong Chen, [bchen@aqmd.gov](mailto:bchen@aqmd.gov); Nathaniel Dickel,  
7 [ndickel@aqmd.gov](mailto:ndickel@aqmd.gov); Christina Ojeda, [cojeda@aqmd.gov](mailto:cojeda@aqmd.gov)]: 1) the revised  
8 map which clearly displays the proposed boundary change(s) and depicts  
9 the new Reaction Area; 2) a narrative summary explaining the rationale  
10 behind the proposed changes, including memorializing any dissenting  
11 view of any member of the Reaction Committee; and 3) any supporting  
12 data relied upon in the decision to revise the Reaction Area.

13 b. The Reaction Committee shall review applicable data and shall consider  
14 revision to the Reaction Area as frequently as appropriate but shall make  
15 a determination about whether to revise the Reaction Area map at least  
16 once per month, with the determination and revised Reaction Area map (if  
17 applicable) submitted to the South Coast AQMD [attn: Baitong Chen,  
18 [bchen@aqmd.gov](mailto:bchen@aqmd.gov); Nathaniel Dickel, [ndickel@aqmd.gov](mailto:ndickel@aqmd.gov); Christina  
19 Ojeda, [cojeda@aqmd.gov](mailto:cojeda@aqmd.gov)] no later 7 days following the end of the month.

- 20 10. Respondent shall conduct instantaneous landfill surface monitoring across the Reaction  
21 Area (as defined in Condition 9(a)) at least every two weeks as specified in Rule 1150.1,  
22 Attachment A 3.0, beginning no later than seven (7) days after the issuance of this Order.  
23 In the event Respondent is unable to monitor specific landfill surface area(s) or grid(s) due  
24 to inaccessibility or dangerous conditions for a technician, Respondent shall document the  
25 date and the conditions that do not allow the monitoring of the specific area(s) or grid(s).
- 26 11. Respondent shall continue operating its flares and landfill gas treatment system even if the  
27 emitted landfill gas exceeds the limits on total reduced sulfur and SO<sub>x</sub> laid out in CCL's  
28 permits (Permit G55163, Condition Nos. 11 and 16 and CCL's Facility-Wide Permit,

1 Condition No. 3) and South Coast AQMD Rules 431.1(c)(2), 3002(c)(1), and 203(b).  
2 Respondent shall include deviation reporting associated with exceedances of these  
3 emissions limits in its semi-annual Title V reports and in accordance with the requirements  
4 of Respondent's Title V permit.

### 5 **Investigation of Underlying Reaction and Odor Impacts**

6 12. Respondent shall organize a committee (the "Reaction Committee") consisting of subject  
7 matter experts to aid in the investigation, impact assessment, and remediation of the  
8 ongoing landfill reaction and resultant odors as specified below. Respondent shall, through  
9 retention of one or more consultants and/or designation of one or more new or existing  
10 employees, complete the formation of the Reaction Committee within thirty (30) days of  
11 the issuance of this Order. Respondent shall, within thirty (30) days of the issuance of this  
12 Order, or within ten (10) days of their appointment, if appointment occurs after October 6,  
13 2023, provide to the South Coast AQMD [Baitong Chen, Air Quality Engineer,  
14 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),  
15 and Christina Ojeda, Air Quality Inspector (cojeda@aqmd.gov)] the names of all persons  
16 included in the Reaction Committee along with a Curriculum Vitae, or other description of  
17 the individual's credentials, experience, and/or expertise in the applicable subject matter.

18 a. The Reaction Committee shall include, at a minimum, at least one person with  
19 subject matter expertise in each of the following areas:

- 20 i. Landfill design and operational best management practices;
- 21 ii. Landfill gas collection/extraction systems, landfill gas  
22 condensate/leachate collection systems, and landfill gas control;
- 23 iii. Chemical reaction(s) within landfills leading to formation of and  
24 elevated levels of dimethyl sulfide ("DMS") and non-methane  
25 organic compounds ("NMOC");
- 26 iv. Public health relating to air quality and exposure to air  
27 contaminants including DMS. The public health member shall, at

28 a minimum, apply CAAQS and OEHHA reference exposure levels



1 in performing analyses of potential health impacts or effects and in  
2 reaching conclusions. The public health member shall also include  
3 in any human health screening evaluation an odor assessment  
4 evaluating the potential health impact of exposure to odorants in  
5 addition to cancer and non-cancer risk determination.

6 b. ~~\_\_\_\_\_ [CONTESTED CONDITION].~~ Reaction Committee members shall be subject to  
7 ongoing oversight by the South Coast AQMD. If in the South Coast AQMD's  
8 determination one or more members appointed by Respondent to the Reaction  
9 Committee is not serving in this capacity satisfactorily, as defined herein, South  
10 Coast AQMD may provide written notice to Respondent through Counsel that the  
11 applicable person(s) is no longer serving satisfactorily. If Respondent receives  
12 such notice from South Coast AQMD, Respondent may respond in writing within  
13 ten (10) days to contest South Coast AQMD's conclusion that a member of the  
14 Reaction Committee is not serving satisfactorily and explain why how the member  
15 will remedy the cited unsatisfactory conduct, why such conduct does not affect the  
16 member's ability to serve in a satisfactory capacity on the Reaction Committee in  
17 the future, and why Respondent believes that member will serve in a satisfactory  
18 capacity in the future. Failure to serve in a satisfactory capacity is defined as:

- 19 i. Failure of a Reaction Committee member to attend regularly  
20 scheduled meetings of the Reaction Committee and South Coast  
21 AQMD technical staff without prior notice;
- 22 ii. Failure of a Reaction Committee member to meet deadlines  
23 imposed on the Reaction Committee for deliverables set forth in  
24 this Order;
- 25 iii. Failure of the Public Health member to include the analyses  
26 required by Condition 12(a)(iv); or
- 27 iv. Failure of a Reaction Committee member to respond in a timely  
28 and substantive manner to recommendations provided by South  
Coast AQMD technical staff, as required by Condition 12(fe)(iv)

1 c. If Respondent receives such notice from South Coast AQMD, Respondent may  
2 respond in writing within ten (10) days to contest South Coast AQMD’s  
3 conclusion and explain why how the member will remedy the cited unsatisfactory  
4 conduct and why such conduct does not affect the member’s ability to serve in a  
5 satisfactory capacity on the Reaction Committee in the future.

6 —If South Coast AQMD receives such a response, South Coast AQMD shall have  
7 ten (10) days to determine whether a member of the Reaction Committee may  
8 continue to serve on the Reaction Committee by doing the following: If South  
9 Coast AQMD determines that Respondent’s written response does not address the  
10 alleged unsatisfactory performance, then South Coast AQMD may petition for a  
11 status/modification hearing before the Hearing Board, and the Hearing Board  
12 shall determine if a member of the Reaction Committee should be removed.

13 —If South Coast AQMD determines that Respondent’s written response addresses  
14 the alleged unsatisfactory performance, then South Coast AQMD will respond in  
15 writing to Respondent stating that the Reaction Committee member may continue  
16 to serve on the Reaction Committee;

17 d. If South Coast AQMD determines that Respondent’s written response does not  
18 address the alleged unsatisfactory performance, then South Coast AQMD may  
19 petition for a status/modification hearing before the Hearing Board and the  
20 Hearing Board shall determine if a member of the Reaction Committee should be  
21 removed.

22 b.e. While awaiting a decision from the Hearing Board, a member of the Reaction  
23 Committee may continue to serve on the Reaction Committee. If the Hearing  
24 Board determines that a member of the Reaction Committee’s performance has  
25 not been satisfactory, then it may issue an Order directing Respondent to remove  
26 and replace that member of the Reaction Committee. Respondent shall remove the  
27 applicable person from any further work or service on the Reaction Committee  
28 within ten (10) days of receipt of the Order. Respondent shall identify and appoint  
a replacement member of the Reaction Committee, pursuant to Condition No.  
12(a) above, within thirty (30) days of receipt of the Order.

e.f. Beginning in March 2024, Respondent shall host a monthly virtual meeting with all  
members of the Reaction Committee and South Coast AQMD technical staff. The

1 purpose of the monthly meeting shall be to allow Reaction Committee members to  
2 provide an update on progress of ongoing and future planned work performed/to be  
3 performed pursuant to this Order which is directly related to the subsurface reaction  
4 at the Landfill, and allow South Coast AQMD to provide recommendations and/or  
5 feedback on such progress.

6 i. To facilitate each meeting, Respondent shall provide South Coast  
7 AQMD (attn: Baitong Chen, [bchen@aqmd.gov](mailto:bchen@aqmd.gov); Nathaniel Dickel,  
8 [ndickel@aqmd.gov](mailto:ndickel@aqmd.gov); Christina Ojeda, [cojeda@aqmd.gov](mailto:cojeda@aqmd.gov); Payam  
9 Pakbin, [ppakbin@aqmd.gov](mailto:ppakbin@aqmd.gov); Kathryn Roberts,  
10 [kroberts@aqmd.gov](mailto:kroberts@aqmd.gov); Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov)) a  
11 proposed agenda listing the topics to be discussed, and the  
12 presenter, not later than ten (10) calendar days prior to the meeting.  
13 South Coast AQMD shall have the option to expand the agenda to  
14 include additional topics within the purview of the Reaction  
15 Committee. If South Coast AQMD elects to expand the agenda, it  
16 shall provide notice to Respondent not later than four (4) calendar  
17 days prior to the meeting.

18 ii. Respondent shall ensure that all members of the Reaction  
19 Committee with responsibility for any topic included on the  
20 agenda shall attend that month's meeting. At Respondent's  
21 election, additional staff or consultants may also attend. At South  
22 Coast AQMD's sole discretion, it may invite any staff or consultant  
23 of any regulatory agency with jurisdiction over Respondent,  
24 including jurisdiction predicated on the subsurface reaction at the  
25 Landfill, to participate in and provide recommendations or  
26 feedback on any agenda topics.

27 iii. South Coast AQMD, and any personnel invited pursuant to the  
28 clause above, may provide feedback or recommendations on any

1 topic on the agenda. Comments noted as “recommendations” shall  
2 include suggestions to revise, change, expand, or otherwise alter  
3 any aspect of the topic discussed on the agenda. All other  
4 comments shall be considered feedback.

5 iv. Following each monthly meeting, Respondent shall prepare a  
6 summary of the meeting, including the topics discussed and all  
7 recommendations received. Respondent shall include in the  
8 summary a response from the Reaction Committee to all  
9 recommendations and, as applicable, any changes made as a result.  
10 Respondent, at its election, may also include a summary of and  
11 response to any feedback received. Respondent shall post the  
12 summary of the meeting to the webpage created pursuant to  
13 Condition No. 39, not later than twenty (20) days following the  
14 meeting.

15 ~~d.g.~~ Respondent, through the Reaction Committee, shall conduct investigations and  
16 studies into the cause of the landfill reaction, the impact of air emissions, interim  
17 measures to limit odor transport, and corrective measures to reduce or abate the  
18 landfill reaction. Such investigations shall include, at a minimum:

19 i. A study into known and possible methods for effective treatment  
20 of DMS and preventative mechanisms for DMS formation in  
21 landfill gas, including assessment of other landfills and review of  
22 scientific studies. By no later than April 30, 2024, Respondent shall  
23 provide a report detailing the findings of this Landfill Gas DMS  
24 Treatment Study and the proposals for implementation of the  
25 treatment methods. This report shall be submitted to South Coast  
26 AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
27 Nathaniel Dickel, Senior Air Quality Engineer,  
28 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,

1 (cojeda@aqmd.gov)]. Respondent shall submit any required  
2 permit applications, with information included, for equipment  
3 installations or modifications necessary for implementation of the  
4 remedy strategies and/or treatment methods;

5 ii. An investigation and report on 1) the cause of the alleged chemical  
6 reaction(s) resulting in the elevated well temperatures, elevated  
7 levels of DMS formation in the landfill gas, and elevated levels of  
8 NMOG formation in the landfill gas and 2) solutions to slow and  
9 stop the reaction(s) in the landfill. Investigation into the cause of  
10 the alleged chemical reaction(s) shall include, but not be limited  
11 to, waste characterization study of waste disposed within the  
12 Reaction Area, to the extent records of such waste are within  
13 Respondent's possession, including (but not limited to) analysis of  
14 chemical and physical characteristics, BTU, moisture content,  
15 biological methane potential. Respondent shall also conduct drill  
16 core sampling in the Reaction Area (as defined in Condition 9(a))  
17 to assess waste characterization in areas not affected by elevated  
18 temperatures at the time of drilling. Respondent shall submit a  
19 report on the findings of the investigation by no later than  
20 December 8, 2023 to South Coast AQMD [Baitong Chen, Air  
21 Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior  
22 Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda,  
23 Air Quality Inspector, (cojeda@aqmd.gov)];

24 iii. An investigation and report on the feasibility and availability of a  
25 continuous community emission monitoring system to conduct  
26 continuous monitoring and provide estimates of DMS  
27 concentrations at the facility fenceline and within the affected  
28 community. By no later than December 1, 2023, Respondent shall

1 submit to the South Coast AQMD [Baitong Chen, Air Quality  
2 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
3 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air  
4 Quality Inspector, (cojeda@aqmd.gov)], the feasibility and  
5 availability findings of this fenceline and community DMS  
6 monitoring program. The findings shall identify all companies,  
7 vendors, contractors, and consultants that were inquired regarding  
8 the feasibility and availability and the results for each inquiry,  
9 including an ultimate decision if monitoring is feasible. If the  
10 Reaction Committee deems monitoring under this provision  
11 feasible, Respondent shall prepare and submit to the South Coast  
12 AQMD [Baitong Chen, Air Quality Engineer,  
13 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality  
14 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
15 Inspector, (cojeda@aqmd.gov)] a workplan for the installation of  
16 and operation of the required monitoring equipment and related  
17 installations within thirty (30) days of the Reaction Committee's  
18 decision. This workplan will include a timeline for procurement  
19 of monitoring equipment and for the commencement of  
20 monitoring. It will also include a timeline for reporting out on the  
21 collected data, including a proposal relating to the real-time  
22 posting of monitoring data on Respondent's website or other  
23 regular report-outs on the data;

- 24 iv. A study and report on landfill best management practices and  
25 alternative methods to minimize the release of fugitive surface gas  
26 and minimize odors from fugitive surface gas, including cover  
27 practices at the Reaction Area (as defined in Condition 9(a)) and  
28 working face, and how best to address related odorous emissions,

1 such as through the use of misting systems, fans, odor neutralizer,  
2 or other means. By no later than November 6, 2023, Respondent  
3 shall submit a report detailing the findings of this Fugitive Landfill  
4 Gas Odor Mitigation Study and the proposals for the minimization  
5 of landfill gas release and odors. This report shall be submitted to  
6 South Coast AQMD [Baitong Chen, Air Quality Engineer,  
7 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality  
8 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
9 Inspector, (cojeda@aqmd.gov)];

10 v. A report on the known health risks from acute and long-term  
11 exposure to DMS, including any action levels from other public  
12 health or government entities, and including a summary of  
13 recommended actions for persons exposed to DMS for acute and  
14 long-term durations. By no later than January 15, 2024,  
15 Respondent shall submit this report to South Coast AQMD  
16 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
17 Nathaniel Dickel, Senior Air Quality Engineer,  
18 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
19 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))]; and

20 vi. A report of the health impacts from ongoing and long-term (e.g.  
21 greater than one year) exposure to hydrogen sulfide (H<sub>2</sub>S), or other  
22 speciated sulfur compounds, and any other hazardous air pollutants  
23 (HAPs), as defined in the federal Clean Air Act, 42 U.S.C. § 7412.  
24 The HAPs evaluated in the report shall include those which are  
25 detected: (1) in landfill gas over the past twelve months at the  
26 Chiquita Canyon Landfill as documented in the initial or additional  
27 flux chamber study (per Condition No. 12(f)) or detected in stack  
28 emissions testing; (2) in the liquids and leachate samples collected

1 and analyzed (per Condition No. 378); (3) in air sampling  
2 performed to determine emissions from exposed liquids/leachate;  
3 and (4) in the community pursuant to the enhanced community air  
4 monitoring program in exceedance of recommended toxicity  
5 screening values published by the US EPA or other applicable  
6 screening values where US EPA toxicity screening values are  
7 unavailable. The report shall include, but not be limited to,  
8 assessment and analysis of any action levels from other public  
9 health or government entities in the United States for any such  
10 constituents, recommended actions for persons exposed to such  
11 constituents, and recommendations on how to limit any anticipated  
12 adverse health impacts. Such report shall also include a summary  
13 of all findings, health impacts and recommendations in an easy-to-  
14 read format designed for distribution to and use by the public. By  
15 no later than August 1, 2024, Respondent shall submit this report  
16 to South Coast AQMD [Baitong Chen, Air Quality Engineer,  
17 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality  
18 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
19 Inspector, (cojeda@aqmd.gov)].

20 e.h. Respondent shall make public all reports resulting from investigations and studies  
21 done pursuant to this Condition through a link preceded by a brief narrative  
22 description on the webpage created pursuant to Condition No. 39.

23 f.i. Respondent has conducted an initial flux chamber study pursuant to the direction of  
24 the Los Angeles County Department of Public Health. Respondent shall submit a  
25 report documenting the findings of the initial study no later than October 31, 2023  
26 to South Coast AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
27 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina  
28 Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)]. Respondent shall conduct an



1 additional landfill gas flux study for methane, non-methane organic compounds  
2 (“NMOOC”), toxic air contaminants (TAC), total reduced sulfur (“TRS”), and  
3 speciated sulfur compounds to determine the surface flux throughout the landfill.  
4 The study shall be conducted through the use of dynamic flux chambers oriented at  
5 various locations throughout the landfill site. Respondent shall prepare a proposed  
6 protocol for the study based on the results of the initial study and shall submit the  
7 protocol to South Coast AQMD [Baitong Chen, Air Quality Engineer,  
8 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
9 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
10 (cojeda@aqmd.gov)] for review and approval by December 31, 2023. A report  
11 documenting the differences in the findings between the initial study and the  
12 additional study shall be submitted by no later than 90 days after South Coast  
13 AQMD approves the protocol to South Coast AQMD [Baitong Chen, Air Quality  
14 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
15 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
16 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))].

17 **Landfill Gas Collection and Leachate/Landfill Gas Condensate Collection and Storage Systems**

18 13. Respondent shall expand its gas well system. Respondent shall continue to operate the  
19 installed five deep trench collectors in the Reaction Area (as defined in Condition 9(a)) and  
20 six leachate extraction pumps along the west slope. Respondent has installed 18 vertical  
21 dual extraction wells, and these 18 vertical dual extraction wells shall be connected to the  
22 landfill gas system by September 15, 2023 unless the circumstances outlined in Condition  
23 13(a) apply.

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

1 the South Coast AQMD with an updated date of completion for the  
2 required work.

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

9 a. Consistent with Respondent's Title V permit and all applicable rules and  
10 regulations, Respondent shall ensure the operation of the landfill gas  
11 collection system equipment does not result in the release of raw landfill  
12 gas or condensate into the atmosphere.

13 b. Any breakdown or malfunction of the landfill gas collection system  
14 resulting in the emission of raw landfill gas as described in Condition  
15 14(a) shall be reported to the South Coast AQMD by phone (1-800-  
16 CUT-SMOG) or other District-approved method within one hour after  
17 occurrence or within one hour of the time said person knew or  
18 reasonably should have known of its occurrence and immediate remedial  
19 measures shall be undertaken to correct the problem and prevent further  
20 emissions into the atmosphere.

21 15. Respondent shall continue to evaluate and install, as needed, vertical dual extraction wells  
22 to collect both landfill gas and leachate. Respondent shall continue to expand the well-field  
23 as needed, and notify South Coast AQMD by October 31, 2023 of the number of wells  
24 added, attention to Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel  
25 Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air  
26 Quality Inspector, (cojeda@aqmd.gov). Any subsequent additions to the well-field shall be  
27 documented in the monthly reports pursuant to Condition No. 8. In installing any additional  
28 wells, Respondent shall ensure it complies with all conditions in Respondent's currently

1           operative landfill gas collection system permit. In installing any additional wells pursuant  
2 to this Condition, Respondent shall additionally take the following measures:

- 3           a. By January 31, 2024, Respondent shall provide to the South Coast  
4           AQMD [attn: Baitong Chen, Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov));  
5           Nathaniel Dickel, Senior Air Quality Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)),  
6           and Christina Ojeda, Air Quality Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] the  
7           design and installation schedule for a minimum of an additional seventy  
8           (70) wells and their associated piping. The proposed well locations and  
9           connecting piping shall be identified on a drawing which shows the  
10          entire gas collection system and shall be described in writing. Estimated  
11          gas collection volume, well depths, pipe lengths, diameters and layouts  
12          shall be supplied to the South Coast AQMD in this advance notification.  
13          Updates to the design and schedule shall be provided in the monthly  
14          report pursuant to Condition No. [8\(m\)](#);
- 15          b. Within 14 days of completion of the installation of the wells identified in  
16          the plan submitted under Condition 15(a), if Respondent decides that  
17          more wells are imminently necessary, Respondent shall submit to South  
18          Coast AQMD [attn: Baitong Chen, Air Quality Engineer,  
19          ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel, Senior Air Quality Engineer,  
20          ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air Quality Inspector,  
21          ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] the design and installation schedule of the  
22          additional wells and their associated piping that Respondent will plan to  
23          install. The information required by Condition 15(a) shall be included in  
24          the submission. Updates to the design and schedule shall be provided in  
25          the monthly report pursuant to Condition No. [8\(m\)](#);
- 26          c. While installing wells pursuant to Conditions 15(a) and 15(b),  
27          Respondent shall notify the South Coast AQMD [attn: Baitong Chen, Air  
28          Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel, Senior Air

1 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
2 Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] in writing, by Friday of each week,  
3 which wells are scheduled to be installed the following week;

- 4 d. Following installation of all wells pursuant to Conditions 15(a) and  
5 15(b), Respondent shall notify the South Coast AQMD in writing [attn:  
6 Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel  
7 Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina  
8 Ojeda, Air Quality Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] at least one (1) week  
9 in advance when an additional well or set of wells and their associated  
10 piping will be installed. The information required by Condition 15(a)  
11 shall be included in the notification. Updates to the design and schedule  
12 shall be provided in the monthly report pursuant to Condition No. 8(m);
- 13 e. During any well drilling a landfill gas control box shall be used to  
14 prevent the emissions of landfill gas into the atmosphere, and this control  
15 box shall be vented to an approved emissions control system;
- 16 f. ~~[CONTESTED CONDITION]~~ Each well shall be completed and capped  
17 the same day its construction commences, unless the well hole is  
18 completely covered (using a minimum 8'x 8' at least 0.25" thick steel  
19 plate, and 12 inches depth of clean dirt), or the subsequently installed  
20 pipe is capped;
- 21 g. Each horizontal gas collection well shall be connected to an operating  
22 landfill gas header or the ends of the well shall be sealed with blind  
23 flanges, glued or fused caps, or other types of seals approved by the  
24 South Coast AQMD as soon as the well is installed;
- 25 h. All openings and connections of the landfill gas collection system shall  
26 be properly covered and sealed to prevent leaks in accordance with  
27 Respondent's Title V Permit and in accordance with all applicable rules  
28 and regulations;

1 ~~i.~~ Respondent shall install additional stainless steel, carbon steel, or  
2 chlorinated polyvinyl chloride (CPVC) wells in the Reaction Area per  
3 recommendation of the Reaction Committee. Stainless steel or carbon  
4 steel shall be installed for any well which has gas temperatures  
5 exceeding 170 degrees Fahrenheit;

6 i.

7 j. ~~[CONTESTED CONDITION].~~ Following the installation of additional  
8 wells per Conditions 15(a) and 15(b), Respondent shall replace any wells  
9 in the Reaction Area which are damaged, blocked, pinched, or which  
10 have gas temperatures exceeding 145 degrees Fahrenheit with CPVC  
11 wells, carbon steel, and/or stainless steel wells, or add new wells that  
12 replace the landfill gas extraction capacity. Within 7 days of discovery  
13 of any such well, Respondent shall notify South Coast AQMD in writing  
14 [attn: Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
15 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),  
16 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)] of a  
17 proposed installation schedule. Installation shall take place within 7 days  
18 of the notification, whenever feasible, but the schedule shall take into  
19 account availability of drilling equipment, replacement materials, and  
20 weather and safety conditions.; Following initial notification, Respondent  
21 shall update South Coast AQMD in writing every 7 days until the well  
22 installation is complete, with evidence substantiating the delay, and  
23 additionally shall provide an updated installation schedule.

24 ~~j.~~ Following the installation of additional wells per Conditions 15(a) and  
25 15(b), Respondent shall replace any wells in the Reaction Area which are  
26 damaged, blocked, pinched, or which have gas temperatures exceeding  
27 145 degrees Fahrenheit with CVPC wells, carbon steel, and/or stainless  
28 steel wells, or add new wells that replace the landfill gas extraction

1 ~~capacity. Within 7 days of discovery of any such well, Respondent shall~~  
2 ~~notify South Coast AQMD in writing [attn: Baitong Chen, Air Quality~~  
3 ~~Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality~~  
4 ~~Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality~~  
5 ~~Inspector, (cojeda@aqmd.gov)] of a proposed installation schedule.~~  
6 ~~Installation shall take place within 7 days of the notification, whenever~~  
7 ~~feasible, but the schedule shall take into account availability of drilling~~  
8 ~~equipment, replacement materials, and weather and safety conditions.~~  
9 ~~Respondent shall notify South Coast AQMD in writing of any delays~~  
10 ~~preventing installation within 7 days of the prior notification, with~~  
11 ~~evidence substantiating the delay, and additionally shall provide an~~  
12 ~~updated installation schedule;~~

- 13 k. Respondent shall, once additional/adequate gas extraction capacity is  
14 installed, operate gas extraction wells with less than 3 percent oxygen  
15 where feasible, and follow landfill best management practices to keep the  
16 oxygen below 5 percent in interior wells;
- 17 l. Respondent shall install well boots seals on all wells in the Reaction  
18 Area in accordance with the installation schedule for the geosynthetic  
19 cover that is being installed pursuant to Condition No. 32 and consistent  
20 with requirements of the Local Enforcement Agency;
- 21 m. Respondent shall submit semi-annual as-built drawings in duplicate to  
22 the South Coast AQMD [attn: Baitong Chen, Air Quality Engineer,  
23 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
24 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
25 (cojeda@aqmd.gov)]. As-built drawings shall depict all wells  
26 constructed to date.

- 27 16. Respondent shall submit, by October 6, 2023, a complete permit modification application  
28 for the Landfill Gas Collection System (under Permit G43917, A/N 578102) to increase the

1 number of permitted wells in the well field. The submittal shall be accompanied with a  
2 complete Title V Revision application and shall be submitted with an expedited permit  
3 processing request and associated required fees, forms, and information.

4 17. Respondent shall expeditiously dewater wells being impacted by liquids, and shall take  
5 proactive measures to remove additional liquids in the Reaction Area to limit the reaction  
6 severity and spread. This shall be accomplished through the installation of dewatering  
7 sumps/pumps at at least 60 percent of the landfill gas vertical extraction wells in the  
8 Reaction Area (as defined in Condition 9(a)) that are capable of extracting liquids by March  
9 15, 2024 unless otherwise determined infeasible per Condition No. 17(a). below.  
10 Respondent shall provide updates in the monthly reports pursuant to Condition No. 8.

11 a. In the event Respondent determines that the installation of dewatering  
12 sump/pumps at at least 60 percent of the landfill gas vertical extraction  
13 wells that are capable of extracting liquids to be infeasible, Respondent  
14 shall provide detailed rationale and reasoning in the monthly report  
15 submitted pursuant to Condition No. 8 and shall continue with  
16 implementation of the dewatering guidelines pursuant to Condition No. 18  
17 to remove liquids to the maximum extent possible.

18 18. Respondent shall, in addition to the installation of dewatering sumps/pumps specified in  
19 Condition No. 17 above, within ninety (90) days of the issuance of the Initial Order, provide  
20 proposed Reaction Area dewatering guidelines and implementation procedures for the  
21 landfill to South Coast AQMD (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
22 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov)) that include but are  
23 not limited to the following:

24 a. Proposed methodologies and monitoring procedures that determine the level of  
25 dewatering within the Reaction Area (as defined in Condition 9(a)) wells impacted  
26 by liquid. Methods may include the measurement of the gas flow at each landfill  
27 gas collection well impacted by liquids;  
28

- b. Use of dewatering pumps or other methods to remove liquids from Reaction Area (as defined in Condition 9(a)) wells impacted by liquids;
- c. An implementation plan for the use of dewatering pumps or other methods to remove liquids from the Reaction Area wells impacted by liquids. The plan shall include a list of wells in the Reaction Area and depth where liquids are expected to impact landfill gas collection efficacy or be a concern, the proposed action to remove the liquids, and the schedule for liquid removal. The implementation plan shall also include pro-active measures, such as additional dewatering pumps, to be installed at landfill gas collection wells where liquid impaction issues have not yet occurred, but may be expected to occur.
- d. Upgrades to the site leachate collection system as needed, including through the addition of increased air compressor and/or drain line infrastructure;
- e. Protocols for the pumping and monitoring of dewatering pumps and other such methods to remove water from Reaction Area (as defined in Condition 9(a)) wells impacted by liquids;
- f. Well field liquid sounding in the Reaction Area (as defined in Condition 9(a)), and a proposed schedule for conducting liquid sounding on a consistent basis;
- g. A timeline for appropriate reporting on impacted wells;
- h. The feasibility of integrity testing of all vertical gas wells in the Reaction Area (as 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



1 G66132, A/N 613131) to increase the landfill's liquid storage capacity. The submittal  
2 shall be accompanied with a complete Title V Revision application and shall be submitted  
3 with an expedited permit processing request and associated required fees, forms, and  
4 information.

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

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

19 21. Respondent shall submit, by October 31, 2023, a complete permit application for the new  
20 construction of a Landfill Gas Flare (Flare No. 4) to increase the landfill gas control  
21 capacity. The submittal shall be accompanied with a complete Title V Revision application  
22 and shall be submitted with an expedited permit processing request and associated required  
23 fees, forms, and information.

24 22. Respondent shall continue to use one or multiple portable thermal oxidizer(s)/flare(s) that  
25 operate under a permit to operate or temporary permit to operate for additional landfill gas  
26 control capacity until the Reaction Committee concludes that such portable thermal  
27 oxidizer(s)/flare(s) are no longer needed. Respondent shall notify the South Coast AQMD  
28 as to the Reaction Committee's recommendation within 48 hours of when the Reaction

1 Committee's recommendation was determined (Baitong Chen, Air Quality Engineer,  
2 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),  
3 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

4 23. Respondent shall continue to use both 4,000 scfm flares (under Permit No. G73696, A/N  
5 645450) when the Reaction Committee determines that such use is necessary due to  
6 insufficient flaring capacity or other such necessity-based situations, until the second new  
7 6,000 scfm ultra-low emissions flare (Flare No. 4) referenced in Condition No. 21 is  
8 permitted and operational.

9 24. ~~[CONTESTED CONDITION]~~Respondent shall operate and maintain the landfill so as to  
10 prevent standing leachate and the pooling or ponding of leachate exposed to atmosphere  
11 throughout the facility. If pooling or ponding of liquid/leachate is occurring, safety  
12 permitting, the liquid/leachate shall be immediately collected and contained in a sealed  
13 tanker truck or leachate tank that minimizes emissions, or repairs promptly performed to  
14 redirect leachate into the leachate collection system.-

15 25. Respondent shall, when encountering landfill leachate geysers or other discharges of  
16 pressurized leachate as a result of drilling/maintenance/other operations, perform actions to  
17 mitigate odors and the dispersion and exposure of leachate into the atmosphere, to the  
18 maximum extent possible. Upon the equalization of pressure or diminished flow/end of the  
19 landfill leachate geysers or other discharges of pressurized leachate, Respondent shall  
20 remove soil saturated with leachate or add sufficient dry soil cover to the soil saturated with  
21 the leachate, to mitigate the potential for odors from the saturated soil.

22 26. Respondent shall investigate and report on the feasibility of temporary containment  
23 measures for the purposes of controlling leachate and possible discharges of pressurized  
24 leachate when drilling additional holes for wells, liquid pumps, temperature devices, or  
25 other purposes. This Discharge of Pressurized Leachate Containment Feasibility Study  
26 shall include an analysis on the feasibility of a temporary tenting, containment  
27 vessel(s)/dome(s), other enclosure(s), or partial enclosure system designed to collect and  
28 contain the leachate flow while limiting the escape of odors produced from drilling/

1 discharges of pressurized leachate, to allow for additional well drilling in the Reaction Area.  
2 By no later than March 12, 2024, Respondent shall submit to South Coast AQMD [Baitong  
3 Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality  
4 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
5 (cojeda@aqmd.gov)], a report on the findings of this feasibility study.

6 27. Respondent shall conduct the following actions and report them to South Coast AQMD  
7 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
8 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
9 (cojeda@aqmd.gov)] in each monthly report submitted pursuant to Condition No. 8  
10 beginning with the report due on February 19, 2024:

11 a. Measure and record the leachate temperature within the four (4) 6-inch  
12 inch leachate pipes feeding into the onsite frac tanks, and at the piping  
13 leading into the tanks at the bottom of the hill;

14 b. Respondent shall have dedicated staff or a contractor conduct and  
15 document inspections twice each calendar day, once in the morning,  
16 completing the inspection prior to 10 am, and once in the afternoon,  
17 starting the inspection at 1 pm at the earliest. The inspections shall begin  
18 with the surface of the Western and Northern slopes of the Reaction Area  
19 for liquid/leachate seepage and pooling and shall additionally consist of  
20 inspecting the facility's stormwater channel(s), and the facility's  
21 stormwater basin(s). Respondent shall maintain records from each  
22 inspection that include the details of any leachate seepage and pooling,  
23 including location(s) (identified on graphic map(s) of the landfill), time  
24 discovered, estimated duration of presence of leachate at such locations,  
25 the characteristics of the leachate (estimated quantity, extent of area  
26 impacted, odor type and intensity), the leachate saturation level of  
27 surrounding soils (standing free liquid, saturated, semi-dry, dry), and  
28 additional containment systems or measures deployed to route, collect,

1 and contain the exposed leachate and prevent further leachate  
2 exposure~~[CONTESTED CONDITION]~~;

3 i. In the event that two weeks of twice daily inspections show no  
4 exposed liquid/leachate seepage or pooling, Respondent may  
5 reduce the inspection frequency to once daily. If after another two  
6 weeks of daily inspections, no exposed liquid/leachate seepage or  
7 pooling is observed, Respondent may reduce the inspection  
8 frequency to once every other day during the operating week (i.e.,  
9 three times each operating week). If at any point inspections  
10 show exposed liquid/leachate seepage or pooling, inspection  
11 frequency shall return to twice daily inspections.

12 c. On a weekly basis, compile and report the details of the inspection logs  
13 from that calendar week required under Condition 27(b). Respondent  
14 shall additionally report on any ongoing leachate seepage and pooling at  
15 the landfill, found to have occurred at a location more than once within  
16 the calendar week, including location(s) (identified on graphic map(s) of  
17 the landfill), estimated duration of presence of leachate at such locations,  
18 characteristics of leachate (estimated quantity, extent of area impacted,  
19 odor type and intensity), leachate saturation of surrounding soils  
20 (standing free liquid, saturated, semi-dry, dry), and containment systems  
21 or measures deployed to route, collect, and contain the exposed leachate  
22 and prevent further leachate exposure. By no later than January 23, 2024,  
23 Respondent shall submit to South Coast AQMD [Baitong Chen, Air  
24 Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
25 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
26 Inspector, (cojeda@aqmd.gov)], the first weekly report, and shall submit  
27 an additional weekly report every 7 calendar days thereafter;  
28

1 d. Measure and record quantities of leachate sent off-site for  
2 disposal/treatment during the previous week for so long as all leachate is  
3 transported offsite for disposal. Records shall include the associated  
4 company name and physical address of the off-site disposal/treatment  
5 facility(ies) that receive leachate generated by the landfill. If Respondent  
6 begins onsite treatment, it shall also record on a weekly basis quantities  
7 of leachate collected and leachate treated onsite. Respondent shall report  
8 this information in the monthly reports pursuant to Condition 8(c).  
9 Respondent shall submit copies of the manifests to South Coast AQMD  
10 within three weeks of request.

11 28. Respondent shall operate and maintain the landfill gas collection and control system, and  
12 condensate/leachate collection system with materials capable of handling gases and/or  
13 liquids at the temperatures recorded at landfill gas wells and/or the leachate temperatures  
14 measured pursuant to Condition No. 27(a). This shall include, but is not limited to,  
15 landfill gas extraction wells, liquid/leachate extraction wells, sumps, pumps, piping,  
16 French drain system(s), landfill gas treatment and control equipment, and  
17 condensate/leachate storage equipment. Respondent shall utilize casing materials for  
18 wells with elevated temperatures as agreed upon with the LEA. Information pertaining to  
19 the installed equipment and its specifications, including material/temperature threshold  
20 specifications, shall be provided to South Coast AQMD personnel within 48 hours of  
21 request. If Respondent is not in possession of this information, it shall be requested from  
22 the manufacturer within 24 hours of request by South Coast AQMD personnel and  
23 provided to South Coast AQMD personnel within 24 hours of receipt from the  
24 manufacturer.

25 29. Respondent shall ensure it has proper capacity to dispose of collected liquids/leachate at  
26 an appropriate facility or facilities.

27 **Landfill Cover**

28

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

9 31. Respondent shall install a geosynthetic cover over western portions of Module 2B/3/4 Phase  
10 2, Module 2B/3, and Module 4 to limit the migration of landfill gas from the site.  
11 Respondent shall submit the completed design for the cover, which will provide greater  
12 definition to the cover location, including associated landfill gas extraction infrastructure  
13 to be installed underneath the cover, to the South Coast AQMD by September 12, 2023  
14 (Baitong Chen, Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel, Senior Air  
15 Quality Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air Quality Inspector,  
16 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))). Respondent shall then obtain and install the geosynthetic cover  
17 material of at least 30 mil thickness. Respondent shall notify South Coast AQMD by  
18 October 31, 2023 (Baitong Chen, Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel  
19 Dickel, Senior Air Quality Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air  
20 Quality Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))) on the progress of procuring and installing the  
21 geosynthetic cover. Respondent shall include updates on the procurement and installation  
22 of the geosynthetic cover in the monthly reports pursuant to Condition No. 8.

### 23 **Ambient Air, Leachate & Emissions Monitoring**

24 32. The Reaction Committee shall review air dispersion modeling, smoke release studies, and  
25 computational fluid dynamics (“CFD”) modeling that have previously been completed for  
26 the landfill to assess odor and emissions transport into the nearby community. The Reaction  
27 Committee shall use the previous models updated with current datapoints to undertake a  
28 study to determine odor and emission transport of odors from the landfill and to identify

1 effective techniques that may be used to remedy potential odor impacts on the nearby  
2 community. The study shall include an evaluation of the efficacy of odor control measures,  
3 including but not limited to perimeter misting equipment, wind barriers, wind cutter fans,  
4 and odor dispersion/misting fans, for purposes of minimizing odors in the surrounding  
5 community. The study shall be based on both the landfill's current and projected closure  
6 in 2047, topography and configuration. The study shall include, but not be limited to,  
7 identifying transport trajectories and quantifying odor gas concentrations within the  
8 surrounding community. Upon completion of the study, a written report documenting the  
9 study and the findings, shall be submitted to South Coast AQMD by December 1, 2023.  
10 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
11 Quality Engineer, (ndickel@aqmd.gov); Christina Ojeda, Air Quality Inspector,  
12 (cojeda@aqmd.gov)].

13 a. The report shall include a recommendation on whether additional modeling is  
14 recommended to fully address the current odor circumstances at the landfill and  
15 potential odor impacts on the nearby community.

16 b. If such additional modeling is recommended by the Reaction Committee, the  
17 Reaction Committee shall, within 45 days of providing the report and  
18 recommendation, provide a proposal to the South Coast AQMD that shall, at a  
19 minimum, include the following:

20 i. The identification and qualifications of the primary personnel  
21 and/or firms proposed to conduct the study, as well as the specific  
22 techniques and location(s) where the study will be conducted;

23 ii. A timeline for completion of the study and submittal of the final  
24 written reports to South Coast AQMD no later than 150 days after  
25 South Coast AQMD approval of the study proposal.

26 33. Respondent shall follow the direction of DPH to expand and enhance its current ambient  
27 air monitoring program to include DMS and other constituents of landfill gas, sampling at  
28 residential locals where recent odor complaints have been reported and at on-site locations

1 where odors are most pronounced, and to conduct a flux chamber study (the “initial” flux  
2 chamber study discussed in Condition No. 12(d)). Any reports submitted to DPH related to  
3 these studies shall also be submitted to the South Coast AQMD (Baitong Chen, Air Quality  
4 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
5 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

6 34. By January 19, 2024, Respondent shall provide South Coast AQMD with access to all real-  
7 time continuous monitoring data for PM2.5, PM10, and H2S recorded at all monitoring  
8 stations (MS-01 through MS-12, and any subsequent additional monitoring stations).  
9 Respondent shall by January 19, 2024 or within ~~53~~ calendar days after enhanced monitors  
10 are brought online, provide South Coast AQMD with access to all real-time continuous  
11 monitoring data for total reduced sulfur (TRS) and toxic air contaminants (TAC) recorded  
12 by the enhanced monitors (MS-04, MS-12, and any additional enhanced monitors  
13 thereafter, including additional monitors as required by Condition No. 36.).

14 a. Within 30 days of this issuance of this Order, Respondent shall ensure that live, real-  
15 time H2S concentration data from all monitors within the Val Verde and surrounding  
16 community are posted to and accessible at the webpage created pursuant to Condition  
17 39 for public access, displayed in a format which is simple to review and understand.  
18 The display shall allow the public to determine the real-time H2S concentration, and  
19 the geographic location where the concentration is monitored. The display shall  
20 additionally reference and display the acute 1-hour Reference Exposure Level (REL)  
21 for H2S established by California Office of Environmental Health Hazard Assessment  
22 (OEHHA), which is the same as the state-level standard for this compound (30 ppb).

23 i. Real-time data shall include, but not be limited to, chronological one-hour  
24 average H2S concentrations as time series at each monitoring location. Wind  
25 speed and direction shall also be included, if currently monitored by  
26 Respondent.

27 ii. The website shall include a map which clearly marks the location of each air  
28 monitoring station.



1 b. Within 30 days of this issuance of this Order, weekly data (from Saturday at 12:00  
2 am to Friday at 11:59 pm) collected by these monitors shall be made available on the  
3 webpage created pursuant to Condition No. 39, in a manner which allows for user  
4 defined data download, no later than the following Monday at 5:30 pm. Data from  
5 these monitors shall be kept on file and made available to South Coast AQMD  
6 personnel upon request.

7 i. In the event of unexpected downtime of a monitor, Respondent shall document  
8 those dates and/or times during which the monitors did not collect data. This  
9 documentation shall be kept on file and posted publicly to the website created  
10 pursuant to Condition No. ~~34(a)~~39.

11 35. Respondent shall, by January 19, 2024, provide all standard operating procedures (SOPs)  
12 and any other Quality Control and Quality Assurance (QA/QC) documents describing the  
13 operation and maintenance of all instruments used at the air monitoring stations and/or  
14 enhanced monitoring stations specified in Condition No. 34. These QA/QC documents shall  
15 include detailed information on the calibration, and maintenance of the monitoring  
16 equipment and associated instrumentation, and procedures used for data handling,  
17 validation, and analysis. They shall additionally include the frequency/schedule of these  
18 actions. Respondent shall provide these QA/QC documents to South Coast AQMD  
19 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
20 Quality Engineer, (ndickel@aqmd.gov); Christina Ojeda, Air Quality Inspector, Payam  
21 Pakbin, Atmospheric Measurements Manager, ppakbin@aqmd.gov)]. Respondent shall  
22 provide updates to these QA/QC documents (if any) and a log for calibration, and  
23 maintenance activities performed on the monitors in the monthly reports pursuant to  
24 Condition No. 8.

25 a. Respondent shall provide South Coast AQMD with the same access that Respondent  
26 has to on-site and off-site monitoring equipment. With respect to on-site monitoring  
27 equipment, Respondent may require all visitors, including South Coast AQMD staff,  
28 to don appropriate personal protective equipment. Upon request by South Coast

1 AQMD, Respondent shall, within 24 hours, provide a list of all personal protective  
2 equipment that Respondent deems appropriate for accessing the monitoring  
3 equipment. Respondent shall not prohibit South Coast AQMD staff from access to  
4 Respondent's facility, including the monitoring equipment, if South Coast AQMD  
5 staff don all personal protective equipment included on a list issued by Respondent  
6 pursuant to this condition. With respect to off-site monitoring equipment, South Coast  
7 AQMD shall arrange permission from third-party property owners for access, if  
8 necessary, and Respondent shall provide access to equipment and accompany South  
9 Coast AQMD personnel.

- 10 36. Respondent shall, within 75 days of the issuance of this Order, install and maintain  
11 instrumentation within the nearby residential community, at sites MS-10 and MS-12, as  
12 defined in Respondent's existing Community Air Monitoring Program. These instruments  
13 shall be capable of measuring hourly concentrations of benzene, toluene, ethylbenzene,  
14 xylene, and other relevant volatile organic compounds (VOC) with site surface emissions  
15 greater than 1 ton/year, as indicated in Table 5.5 of the Chiquita Canyon Landfill  
16 Assessment of Air Emissions from Landfill Surfaces Report dated October 2023.  
17 Respondent shall develop a monitoring plan that utilizes reliable and field-proven  
18 instrumentation, such as a micro gas chromatograph (MicroGC) with pre-concentration,  
19 and seek approval from South Coast AQMD. If measurement of any target compounds is  
20 not able to be practically achieved, Respondent shall inform and seek approval from South  
21 Coast AQMD. Respondent shall request and pay for expedited processing of all permits  
22 and procurement of the instruments, if available. To ensure Respondent is on schedule to  
23 complete installation within the 75 days, Respondent shall provide the South Coast AQMD  
24 (attn: Kathryn Roberts, kroberts@aqmd.gov; Mary Reichert, mreichert@aqmd.gov) an  
25 update at intervals of 30 days and 60 days from the issuance of the Order. Respondent shall  
26 specifically address whether it believes an extension is necessary and provide supporting  
27

1 documentation if it is seeking such extension. The AQMD may grant an extension of up to  
2 60 days as appropriate based on the evidence submitted. ~~[CONTESTED CONDITION]~~.

3 a. Upon installation, data from these instruments shall be made available to  
4 the public via the publicly accessible webpage detailed in Condition No.  
5 34. The display shall additionally reference and display the acute 1-hour  
6 Reference Exposure Levels (RELs) for any compounds with established  
7 acute exposure limits by California Office of Environmental Health  
8 Hazard Assessment (OEHHA).

9 ~~a.b.~~ Until installation of the additional instrumentation is complete,  
10 Respondent shall increase the number of 24-hour time integrated canister  
11 sampling and analysis taken and analyzed for VOCs at MS-10 and MS-12  
12 to three times per week.

13 37. Respondent shall, by March 5, 2024, take at least ten liquid samples from wells with pumps  
14 located in the Reaction Area, including wells with the highest average temperatures to the  
15 extent feasible. Respondent shall submit the liquid samples to a laboratory for analysis.  
16 Sampling and analysis shall be performed per U.S. EPA Method 624.1. Respondent shall,  
17 within 1 week of receipt from the contract laboratory, submit the results to South Coast  
18 AQMD (Baitong Chen, Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel,  
19 Senior Air Quality Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air Quality  
20 Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))). With the results, Respondent shall also submit laboratory  
21 analysis from samples taken on October 20, 2023 from leachate seeps on the western slope  
22 of the Reaction Area.

23 38. Respondent shall take at least one representative monthly sample of liquids from the  
24 Reaction Area of the Landfill and at least one representative monthly sample of leachate  
25 from the bottom tanks where liquids/leachate from the entire Landfill collect and analyze  
26 them per U.S. EPA Method 624.1 for the presence of volatile organic compounds (VOCs)  
27 and toxic air contaminants (TACs). In the event that Respondent demonstrates, to the  
28 satisfaction of South Coast AQMD, that generated liquid/leachate is sufficiently collected

1 with no remaining seepage or potential for discharges of pressurized leachate, then the  
2 leachate sampling and analysis shall be reduced to a quarterly schedule. If further leachate  
3 seepage or discharges of pressurized leachate are found to occur, resulting in the exposure  
4 of the liquid/leachate to atmosphere, then the sampling and analysis shall return to a  
5 monthly schedule. Respondent shall, within 1 week of receipt from the contract laboratory,  
6 post the analytical results on Respondent’s website, and provide to South Coast AQMD  
7 along with a detailed description and depiction of the sampling locations (Baitong Chen,  
8 Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
9 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

10 **Community Outreach**

11 39. Respondent shall continue to maintain and update regularly (on a weekly basis) a dedicated  
12 page of its website with a highly visible link on its homepage (the “odor mitigation section”)  
13 for presenting information discussing odor mitigation at CCL. Such webpage shall include  
14 all information in English and Spanish within 30 days of the issuance of this Order and  
15 meet the following requirements:

- 16 a. The odor mitigation webpage shall be accessible via a direct hyperlink included on  
17 the homepage of CCL’s website (<https://chiquitacanyon.com>), via a clickable link  
18 with text stating “Odor Mitigation;”
- 19 b. The odor mitigation webpage shall display prominently at the top of the page a  
20 notification that complaints of any odors believed to be caused by CCL can be made  
21 to CCL (24-Hour Hotline) at (661) 253-5155;
- 22 c. The odor mitigation webpage shall display prominently at the top of the page a  
23 notification that complaints may also be submitted to the South Coast Air Quality  
24 Management District via telephone at 1 (800) CUT-SMOG or 1 (800) 288-7664 or  
25 online on South Coast AQMD’s website (which shall hyperlink to the following:  
26 <http://www3.aqmd.gov/webappl/complaintsystemonline/NewComplaint.aspx>);  
27  
28

- 1 d. The odor mitigation webpage shall include a “Recent Updates” section which shall  
2 provide a narrative description of Respondent’s understanding of the reaction and  
3 DMS;
- 4 e. The odor mitigation webpage shall include an “Odor Mitigation Efforts” section  
5 which shall describe the efforts Respondent is taking to mitigate potential odors;
- 6 f. The odor mitigation webpage shall include an “Odor and Maintenance Logs”  
7 section which shall include via hyperlink any logs created pursuant to this Order,  
8 preceded by a brief narrative description;
- 9 g. The odor mitigation webpage shall include a “Reports, Permits, and Other  
10 Documents” section which shall include via hyperlink, preceded by a brief narrative  
11 description:
- 12 i. This Order;
- 13 ii. Safety Data Sheets for odor neutralizer used at the facility and compounds  
14 used in the Semi-Permanent Vapor Odor Control system referenced in  
15 Condition No. ~~453~~;
- 16 iii. A copy of Respondent’s current Conditional Use Permit (No. 2004-00052-  
17 (5));
- 18 iv. Any reports relating to odor or odor mitigation required by Respondent’s  
19 Conditional Use Permit (No. 2004-00052-(5)) to be submitted to any  
20 government agency, including any responses or discussion of remedial actions  
21 to odor violations or complaints required by any government agency; and
- 22 v. All reports created by the Reaction Committee pursuant to this Order.
- 23 vi. Any other reports or correspondence requested by the County of Los Angeles  
24 agencies related to the reaction, odor, and Respondent’s mitigation efforts.
- 25 h. The odor mitigation webpage shall include an “Air Monitoring and Health Impacts  
26 Section” which shall include a brief narrative describing the current status of air  
27 quality monitoring required under Condition 68 of Respondent’s Conditional Use  
28

1 Permit (No. 2004-00052-(5)). The “Air Monitoring and Health Impacts Section”  
2 shall also include, via hyperlink, preceded by a brief narrative description:

3 i. Any consultant reports submitted to the Community Advisory Committee  
4 (“CAC”), TAC, or any government agency under Condition 68 of  
5 Respondent’s Conditional Use Permit (No. 2004-00052-(5)).

6 ii. Any quarterly or annual reports submitted to the Los Angeles County  
7 Department of Public Health or South Coast AQMD under Condition 68 of  
8 Respondent’s Conditional Use Permit (No. 2004-00052-(5)).

9 i. The odor mitigation webpage shall include an “Upcoming Public Meetings”  
10 Section, which shall display the title/subject, date, time, location and/or virtual  
11 access information (including videoconference link or teleconference number as  
12 applicable), and a note of whether public comment will be received for the following  
13 meetings:

14 i. Any noticed hearing of the South Coast AQMD Hearing Board in Case No.  
15 6177-4;

16 ii. Any meeting of the CAC where odor mitigation and/or violations are included  
17 as an agenda item or anticipated to be discussed;

18 iii. Any meeting of the TAC where odor mitigation and/or violations are included  
19 as an agenda item or anticipated to be discussed; and

20 iv. Any other meeting open to the public at which CCL is a scheduled host and/or  
21 participant where odor mitigation and/or violation are included as an agenda  
22 item or anticipated to be discussed.

23 40. Respondent shall host a public one-hour community meeting once each calendar month  
24 following a month in which Respondent receives three or more Rule 402 NOV’s from the  
25 South Coast AQMD. If Respondent does not receive three or more Rule 402 NOV’s from  
26 the South Coast AQMD in a calendar month, Respondent does not need to host a  
27 community meeting during the following month. During each meeting, Respondent shall  
28 provide updates with regards to implementation of this Order and make time available for

1 public comment on matters related to CCL. The meeting date and time and format (in-  
2 person or virtual) shall be announced via Respondent’s website and shall also be sent via  
3 email to everyone who has signed up for email notifications on Respondent’s website. The  
4 announcement shall include a link and dial-in information to the virtual platform used to  
5 conduct the meeting, or if the meeting is in-person, the location of the meeting. All meetings  
6 held in person shall adhere to all applicable public health guidelines and shall take place  
7 within the Val Verde community. Any presentation, meeting materials, or other media  
8 created or shared by Respondent at such community meeting shall be posted to  
9 Respondent’s Odor Mitigation webpage via hyperlink, including a brief narrative  
10 description of the materials.

11 **Rule 1150 Landfill Excavation**

12 41. Respondent shall submit, by January 30, 2024, a complete plan application for a Rule  
13 1150 Landfill Excavation Plan. The submittal shall be accompanied with a complete Title  
14 V Revision application and shall be submitted with an expedited processing request and  
15 associated required fees, forms, and information. A generic Rule 1150 plan application  
16 and Title V Revision application shall include the following:

- 17 a. A signed and completed Form 400-A.
- 18 b. A signed and completed Form 400-CEQA.
- 19 c. Reason for excavation.
- 20 d. A site summary indicating the site history.
- 21 e. A list of materials buried or suspected materials buried in the site based on  
22 available records.
- 23 f. Results of any boring tests done to characterize the disposal site.
- 24 g. Results of recent landfill gas analysis or soil vapor phase analysis including the  
25 concentrations of methane, sulfur compounds, and speciated non-methane  
26 hydrocarbons.
- 27 h. A plot plan indicating the location of the excavation, staging areas, vehicle  
28 route(s), vehicle cleaning area, and any nearby buildings, roadways, or other site

1 identifying features, and including any schools, residential area or other sensitive  
2 receptors such as hospitals or locations where children or elderly people live or  
3 work up to 2,500 feet away.

- 4 i. Operating schedule for excavation and removal (hours/day, days/week,  
5 weeks/year, or equivalent).
- 6 j. Scheduled excavation starting and completion dates, and number of working days  
7 required for the excavation.
- 8 k. Description of how the excavation will be conducted, including excavation  
9 equipment and vehicles hauling the excavated material.
- 10 l. Description of mitigation measures for dust, odors, and hydrocarbons.
- 11 m. Description of monitoring to be conducted, including monitoring equipment and  
12 techniques.
- 13 n. Total amount of material to be excavated in cubic yards under this project.
- 14 o. Description of disposal of the material (re-burial on-site or sent off site for  
15 disposal, if off-site provide name of landfill where material will be disposed).
- 16 p. Maximum surface area of excavation workface.
- 17 q. Maximum surface area of refuse or contaminated material to be exposed to  
18 atmosphere at any one time.
- 19 r. Fees in the amount \$1,090.43 (for Title V facilities, fee schedule FY 23-24).
- 20 s. A Title V Permit Revision application shall be submitted with associated  
21 application fees in the amount of \$1,820.84 (fee schedule FY 23-24) and required  
22 forms (Form 400-A, Form 500-A2, Form 500-C1).
- 23 t. A signed Form 400-XPP and additional 50% more fees from the plan fees listed  
24 above (\$545.22).

25 42. Respondent shall comply with the following requirements in the interim period, starting  
26 upon issuance of this Order and until the final approval of the Rule 1150 landfill  
27 excavation plan under the application specified in Condition No. 41 above, for all  
28



1 excavation, as defined in Rule 1150(a)(5), unless excavation is occurring pursuant to one  
2 or more exemption as listed in South Coast AQMD Rule 1150(c):

3 a. The South Coast AQMD shall be notified at least two (2) days prior to each  
4 excavation commencement and within five (5) days after its completion. The  
5 notification shall be made by email [Christina Ojeda, Air Quality Inspector,  
6 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov)); Gerardo Vergara, Air Quality Inspector,  
7 ([gvergara@aqmd.gov](mailto:gvergara@aqmd.gov)); and Rule1150notifications@aqmd.gov]. The subject line of  
8 the email shall contain “Rule 1150 Notification.” The body of the email shall  
9 contain the following information:

10 i. Company Name and Company ID

11 ii. Site Address

12 iii. Notification Type (2 days prior or 5 days after)

13 iv. Estimated Excavation Start Date and Completion Date

14 v. A Map of the Facility with Excavation Location Indicated

15 b. Excavation shall not be conducted between the hours of 6:00 p.m. and 6:00 a.m. or  
16 on weekends and legal holidays unless excavation is occurring to comply with  
17 Condition 24, or otherwise approved in writing by the South Coast  
18 AQMD.~~[CONTESTED CONDITION]Excavation shall not be conducted between~~  
19 ~~the hours of 6:00 p.m. and 6:00 a.m. or on weekends and legal holidays unless~~  
20 ~~otherwise approved in writing by the South Coast AQMD.~~

21 c. Excavation shall not be conducted on days when South Coast AQMD forecasts  
22 first, second, or third stage episodes for area number 13 or when South Coast  
23 AQMD requires companies in area number 13 to implement their first, second or  
24 third stage episode plans. Episode forecasts for the following day can be obtained  
25 by calling (800) 288-7664.

26 d. During excavation, continuous monitoring and recording of the wind speed and  
27 directions shall be conducted at an appropriate site or, through the meteorological  
28 station if present at the site.

- 1 e. Excavation shall not be conducted, except in the Reaction Area, when the wind  
2 speed is greater than 15 mph (averaged over 15 minutes) or the wind speed  
3 instantaneously exceeds 25 mph. If Respondent receives either any NOV for  
4 violation of Section 41700 / Rule 402 or any complaints for dust, Respondent shall  
5 stop excavation in the Reaction Area during such wind conditions. ~~CONTESTED~~  
6 CONDITION.
- 7 f. During excavation, all working excavation areas, excavated material and unpaved  
8 roadways shall be watered down until the surface is moist and then maintained in a  
9 moist condition to minimize dust and emissions without creating a safety hazard  
10 condition.
- 11 g. VOC contaminated soil (as defined by Rule 1166) shall not be spread onsite or  
12 offsite, nor stockpiled, if it results in uncontrolled evaporation of VOC to the  
13 atmosphere. VOC contaminated soil shall not be used for landfill cover.
- 14 h. During excavation, monitoring for Total Organic Compounds as methane using an  
15 Organic Vapor Analyzer (OVA) or other monitor approved by the South Coast  
16 AQMD shall be conducted continuously at the working face of the excavation and  
17 at the downwind property line or other approved locations. The maximum sustained  
18 readings (greater than 15 seconds) shall be recorded every 15 minutes. The OVA  
19 or other approved monitor shall be calibrated each day in accordance with  
20 manufacturers' specifications.
- 21 i. If the OVA or other approved organic monitor shows a sustained reading (greater  
22 than 15 seconds) of 2,000 ppmv Total Organic Compounds as methane or greater  
23 at the working face of the excavation, the excavation shall cease and the area  
24 generating the emissions shall immediately be completely covered with a minimum  
25 of 6 inches of clean dirt, plastic sheet, or other South Coast AQMD approved cover.  
26 Excavation shall not resume until the readings return to the pre-excavation  
27 level. ~~CONTESTED CONDITION.~~
- 28

- 1 i. ~~If the OVA or other approved organic monitor shows a sustained reading (greater~~  
2 ~~than 15 seconds) of 2,000 ppmv Total Organic Compounds as methane or greater~~  
3 ~~at the working face of the excavation, the excavation shall cease and the area~~  
4 ~~generating the emissions shall immediately be completely covered with a minimum~~  
5 ~~of 6 inches of clean dirt, plastic sheet, or other South Coast AQMD approved cover.~~  
6 ~~Excavation shall not resume until the readings return to the background level.~~
- 7 j. [CONTESTED CONDITION] If the OVA or other approved organic monitor  
8 shows a sustained reading (greater than 15 seconds) of 200 ppmv Total Organic  
9 Compounds as methane or greater downwind from the site at the property line (or  
10 other approved locations), the excavation shall cease and the area generating the  
11 emissions shall immediately be completely covered with a minimum of 6 inches of  
12 clean dirt, plastic sheet, or other South Coast AQMD approved cover. Excavation  
13 shall not resume until the readings return to the pre-excavation level.-
- 14 k. Excavated landfill material and refuse shall be immediately relocated for burial  
15 onsite or immediately deposited into trucks/trailers for off-site transport and  
16 completely covered with automated vinyl tarps, with such covers tied down, except  
17 for during active loading/unloading of refuse.[CONTESTED CONDITION].
- 18 l. [CONTESTED CONDITION]When refuse loading is completed and during  
19 transport, no material shall extend above the sides or rear of the truck or trailer  
20 which will haul the excavated material. Excavated material shall be completely  
21 covered with an automated vinyl tarps, with the cover tied down.-
- 22 m. Respondent shall ensure that there is no track-out from the excavation area.  
23 Respondent shall ensure that all trucks used for excavation in Reaction Area go  
24 through a rumble strip before exiting the excavation area, and Respondent shall  
25 ensure that all trucks shall, following the conclusion of excavation, but not less than  
26 once per day, be free of excavation materials.[CONTESTED CONDITION].
- 27 n. Landfill materials and refuse which have been exposed to the atmosphere as a result  
28 of the excavation, which have not been excavated and relocated for burial or

1 transported off site, shall be immediately covered (with a minimum of 6 inches of  
2 clean soil, ~~with~~ secured plastic sheeting that is at least 10 mil, or other South Coast  
3 AQMD approved cover) whenever excavation is not actively in progress, and at the  
4 end of each working day so that no portion of landfill material and refuse is exposed  
5 to the atmosphere. Foam by itself shall not be used as a night cover if it is raining  
6 or rain is predicted by the National Weather Service prior to the next scheduled day  
7 of excavation.

- 8 o. Daily inspections shall be conducted of any covered excavation area (per  
9 Conditions 41(i), 41(j), and 41(n) above) to ensure the integrity of the cover(s) is  
10 maintained and secured so that no portion of the soil is exposed to atmosphere. If  
11 the cover material is not completely covering the landfill materials and refuse  
12 generating emissions, or if the integrity of the cover has been compromised,  
13 immediate corrective action shall be taken to add and secure a new cover, or  
14 additional cover, on the area requiring corrective action. An inspection log shall be  
15 maintained to record the time of the inspections and any corrective action  
16 performed.
- 17 p. All materials that are listed as hazardous by a federal or state agency shall be  
18 considered “hazardous materials” for the purpose of this Order.
- 19 i. All excavated hazardous material shall be transported in such a manner as to  
20 prevent any emissions of hazardous materials.
- 21 ii. All hazardous materials shall be transported in containers clearly marked as to the  
22 type of material contained and what procedures should be followed in case of  
23 accidental spills.
- 24 iii. Excavated liquid hazardous materials with the potential to cause air emissions shall  
25 be encapsulated or enclosed in containers with sealed lids before loading into the  
26 transport vehicles.
- 27 q. Excavation, handling and stockpiling activities shall comply with the applicable  
28 requirements of Rule 403.

1 r. All records required to demonstrate compliance with Condition No. 42 shall be kept  
2 and maintained for at least 5 years.

3 s. Landfill excavation mitigation measures, other than those listed in this Condition  
4 No. 42, which South Coast AQMD personnel determine are necessary to protect  
5 the health and safety of the public, shall be implemented upon  
6 request~~CONTESTED CONDITION~~.

7 **Other Conditions**

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

- 13 a. Use orchard fans, and tow-and-blow fans as needed, placed and spaced around the  
14 working face in accordance with the recommendations of Chiquita's landfill  
15 operations expert;
- 16 b. Use equipment equipped with odor neutralizer misting systems in various portions  
17 of CCL to neutralize any fresh trash odors. This equipment shall include, but not be  
18 limited to, fans and arm tower misters;
- 19 c. Identify and appropriately handle odorous loads at the scale and working face as  
20 new waste loads enter CCL;
- 21 d. Haul odorous loads with proper sequencing and cover; and
- 22 e. Regularly train staff on all aspects of landfill operations, employee safety, and odor  
23 control.

24 44. Respondent shall obtain, install, and maintain an on-site landfill meteorological station to  
25 measure wind speed and direction by October 31, 2023. The meteorological station shall  
26 be installed at a location appropriate for determining wind speed and direction on the top  
27 deck of the landfill in the Reaction Area (as defined in Condition 9(a)) on a 1-hour  
28 average basis, with measurements recorded every 5 minutes. The station shall record and

1 preserve all available readings for three years and the readings shall be made available to  
2 the South Coast AQMD upon request.

3 45. Respondent shall install, maintain in good working order, and operate 1,000 feet or more  
4 of Semi-Permanent Vapor Odor Control in the Reaction Area (as defined in Condition 9(a))  
5 within 14 days of the approval of this Order. Respondent shall operate the Semi-Permanent  
6 Vapor Odor Control system immediately and continuously.

7 46. Respondent shall operate and maintain in good working order a landfill perimeter odor  
8 control misting system on permanent fencing on the west and northwest of the property.

9 47. The landfill perimeter odor control misting system shall be operated immediately and  
10 continuously upon receiving data from the meteorological station, referenced in Condition  
11 No. 44~~3~~ above, that the 1-hour averaged wind direction is blowing in West, Northwest,  
12 North, or Northeast directions (270 degrees to 45 degrees). The misting system shall  
13 continue to operate until the 1-hour averaged wind direction data demonstrates the wind is  
14 no longer blowing in the specified directions. The system shall be operated in such a  
15 manner and with sufficient odor neutralizers to mitigate, to the extent possible, transient  
16 odors from the landfill into surrounding communities, as determined by the Reaction  
17 Committee.

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

23 49. Equipment and operations at the Facility are subject to the jurisdiction and regulatory  
24 requirements of multiple agencies, including but not limited to the District, CalRecycle,  
25 Los Angeles County Public Works, Los Angeles County Department of Regional Planning,  
26 and Los Angeles County Department of Public Health. The conditions in this Order shall  
27 not in any way restrict or expand the scope of jurisdiction of any agency. If any agency that  
28 shares jurisdiction over the Facility with the South Coast AQMD requires Respondent to

1 take any action that is inconsistent with this Order, Respondent shall immediately contact  
2 the South Coast AQMD by email at [Kathryn Roberts, kroberts@aqmd.gov and Mary  
3 Reichert, mreichert@aqmd.gov] and describe the inconsistent provisions, including  
4 providing any written directive from any other agency which Respondent considers  
5 inconsistent with one or more conditions in this Order. Respondent shall endeavor to  
6 resolve the inconsistency with the Executive Officer, while adhering to the Condition(s) in  
7 the Order. If the inconsistency is not resolved within 3 working days of the relevant agency,  
8 Respondent shall immediately inform the South Coast AQMD and shall petition for a  
9 status/modification hearing before the Hearing Board for further proceedings. At such  
10 proceeding, only the provision in dispute shall be resolved by the Hearing Board while the  
11 other conditions in this Order shall remain in full force and effect.

- 12 a. If Respondent notifies South Coast AQMD per Condition No. 49 above  
13 that the inconsistency with one or more Condition and an order of another  
14 agency cannot be resolved, compliance with the applicable Condition(s)  
15 of this Order shall be waived until further Order of the Hearing Board.  
16 Notwithstanding the above, in no instance shall compliance with  
17 Condition No. 49 or Condition No. 49(a) be waived.

18 ~~50.~~ Respondent shall provide a workplan which lists the actions that Respondent plans to take  
19 in order to address the subsurface reaction and return all aspects of the CCL to good and  
20 compliant working order, including liquid/leachate seepage and discharges of pressurized  
21 leachate, methane surface exceedances, fugitive emissions of landfill gas, well  
22 temperature exceedances, and non-compliant composition of landfill gas. This workplan  
23 shall include a timeline of the proposed work, and shall include both short-term and long-  
24 term solutions planned to mitigate impacts to the surrounding communities and return the  
25 facility into compliance. Respondent shall submit the complete workplan to South Coast  
26 AQMD by March 13, 2024 (Baitong Chen, Air Quality Engineer, (bchen@agmd.gov);  
27 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@agmd.gov), and Christina  
28 Ojeda, Air Quality Inspector, ([cojeda@agmd.gov](mailto:cojeda@agmd.gov)). Respondent shall provide quarterly

1 updates on the workplan, by the 13<sup>th</sup> day of every third month, starting June 13, 2024,  
2 specifying any updates to the plan or associated work timelines.

3 50.

4 51. Respondent shall permit South Coast AQMD personnel to conduct all inspections deemed  
5 necessary by South Coast AQMD Compliance staff, including, but not limited to,  
6 collection of samples. If Respondent denies South Coast AQMD staff access to collect  
7 sample(s) of any liquid observed onsite and exposed to ambient air, such liquid shall be  
8 deemed to be leachate for the purpose of enforcing this Order, any applicable South Coast  
9 AQMD Rule, and/or any permit condition applicable to Respondent. Notwithstanding the  
10 preceding, Respondent may require all visitors, including South Coast AQMD staff, to  
11 don appropriate personal protective equipment prior to visiting the Reaction Area. Upon  
12 request by South Coast AQMD, Respondent shall, within 24 hours, provide a list of all  
13 personal protective equipment that Respondent deems appropriate for visiting the  
14 Reaction Area. Respondent shall not prohibit South Coast AQMD staff from access to  
15 Respondent's facility, including the Reaction Area, if South Coast AQMD staff don all  
16 personal protective equipment included on a list issued by Respondent pursuant to this  
17 condition.

18 ~~51. [CONTESTED CONDITION]~~

19 52. Respondent shall reserve 30 minutes biweekly to host a virtual meeting between South  
20 Coast AQMD technical staff and Respondent / Respondent's technical consultants to  
21 discuss key updates on Respondent's implementation of this Order and any changes to  
22 Landfill conditions or operations. Any instance of the biweekly meeting may be cancelled  
23 at South Coast AQMD's sole discretion.

24 53. Respondent shall return for a status hearing on **April 24 and 25, 2024**, or as soon thereafter as  
25 the Hearing Board can schedule the status hearing, to report on the status of implementation  
26 of this Stipulated Order, and consider modification or dissolution of this Order, as  
27 appropriate.

28 54. The Hearing Board may modify this Order for Abatement without the stipulation of the



1 parties upon a showing of good cause therefore, and upon making the findings required by  
2 Health and Safety Code Section 42451(a) and District Rule 806(a). Any modification of the  
3 Order shall be made only at a public hearing held upon 10 days published notice and  
4 appropriate written notice to the Respondent.

5 55. The Hearing Board shall retain jurisdiction over this matter until **September 6, 2024** and at  
6 that time this Order shall no longer be of any force or effect, unless this Order is amended,  
7 modified, or dissolved before then.

8 56. This Order for Abatement is not intended to be nor does it act as a variance. Respondent is  
9 subject to all rules and regulations of the District and to all applicable provisions of  
10 California law. Nothing herein shall be deemed or construed to limit the authority of the  
11 District to issue Notices of Violation, to seek civil penalties or injunctive relief, or to seek  
12 further Orders for Abatement or other administrative or legal relief. The Findings of Fact  
13 are based on evidence presented by Petitioner and Respondent as of the date of this Order.  
14

15  
16 BOARD MEMBER: \_\_\_\_\_

17  
18 DATED: \_\_\_\_\_

19  
20 **SO STIPULATED:**

21  
22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 *Kathryn Roberts, Esq.*  
25 *Senior Deputy District Counsel*  
26 *Attorney for Petitioner South Coast AQMD*

27  
28 **SO STIPULATED:**

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Jacob P. Duginski, Esq.  
Beveridge & Diamond P.C.  
Attorney for Respondent Chiquita Canyon, LLC