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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: April 24, 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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15 On ~~March 21~~April 24 and 25, 2024, ~~following petition from Respondent,~~ a hearing to  
16 consider modifications to the Stipulated Order for Abatement was held pursuant to notice in  
17 accordance with the provisions of California Health and Safety Code §§ 40823 and 42451(a) and  
18 District Rule 812. The following members of the Hearing Board were present: Cynthia Verdugo-  
19 Peralta, Chair; Jerry P. Abraham, MD, MPH, CMQ; Micah Ali; Mohan Balagopalan; and Robert  
20 Pearman, Esq. Petitioner South Coast Air Quality Management District (“South Coast AQMD”)  
21 was represented by Kathryn Roberts, Senior Deputy District Counsel, Mary Reichert, Senior  
22 Deputy District Counsel and Ryan Mansell, Senior Deputy District Counsel. Respondent Chiquita  
23 Canyon, LLC, was represented by Jacob P. Duginski, attorney at law, Megan L. Morgan, attorney  
24 at law, and Leigh S. Barton, attorney at law, of Beveridge & Diamond, P.C. South Coast AQMD  
25 and Respondent presented a stipulation on proposed modifications. ~~The declarations of Srividhya~~  
26 ~~Viswanathan and Patrick Sullivan, BCES, CPP, REPA, were received as evidence from Respondent.~~  
27 ~~Exhibits marked as Nos. 43 through 51 were received as evidence from South Coast AQMD. Written~~  
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1 ~~materials submitted by the public were received as evidence. Ms. Viswanathan and Mr. Sullivan~~  
2 ~~testified for the Respondent. Mr. Baitong Chen, Air Quality Engineer I, and Ms. Christina Ojeda,~~  
3 ~~Air Quality Inspector I, testified for the South Coast AQMD.~~ The public was given the opportunity  
4 to testify, evidence was received, and the matter was submitted. The Hearing Board finds and decides  
5 as follows:

6 **FINDINGS OF FACT**

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

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

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

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

1 any combination thereof.”

2           5.       **South Coast AQMD Rule 431.1(c)(2)** prohibits burning, in any equipment requiring  
3 a permit to operate, landfill gas with sulfur compounds of greater than 150 parts per million by  
4 volume (“ppmv”) calculated as hydrogen sulfide (“H<sub>2</sub>S”) averaged daily.

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

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

9           8.       **South Coast AQMD Rule 1150(b)(2)** requires all persons to obtain an Excavation  
10 Management Plan approved by the South Coast AQMD prior to initiating excavation of an active or  
11 inactive landfill unless the activity which exposes buried waste to the atmosphere is a normal part  
12 of the daily operation of an active landfill or is exempted by South Coast AQMD Rule 1150(c),  
13 which includes exemption for the maintenance of gas or leachate collection systems and emergency  
14 excavations performed by, under the jurisdiction of, or pursuant to the requirements of, an authorized  
15 Health Officer, Agricultural Commissioner, or Fire Protection Officer and whenever possible, the  
16 Executive Officer shall be notified prior to commencing such excavation.

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

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

22           11.       **South Coast AQMD Permit No. G73696, Condition No. 16** limits CCL’s Flare No.  
23 1 to a maximum of 2.5 lbs/hour of sulfur oxides (“SO<sub>x</sub>”) as SO<sub>2</sub>.

24           12.       **South Coast AQMD Permit No. G73696, Condition No. 17** limits CCL’s Flare No.  
25 2 to a maximum of 2.5 lbs/hour of SO<sub>x</sub> as SO<sub>2</sub>.

26           13.       **South Coast AQMD Permit No. A/N 624296, Condition No. 31** limits CCL’s Flare  
27 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  
28 limited by its permit to a daily average in the inlet of 85 ppmv sulfur as H<sub>2</sub>S, and monthly average

1 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

2 14. Respondent's operation at CCL also includes a landfill gas collection and control  
3 system that includes vertical and horizontal gas collection wells and associated piping and trenches,  
4 multiple collection headers and blowers for venting landfill gas, a landfill gas treatment system, a  
5 condensate/leachate collection system and three flares which combust landfill gas. CCL also has an  
6 active permit application for an additional fourth flare which, if permitted, would be incorporated  
7 into its landfill gas collection and control system.

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

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

16 17. CCL is currently experiencing a subsurface reaction or elevated temperature landfill  
17 event over an inactive portion of the landfill that is causing increased temperatures, increased  
18 production of landfill gas, and increased production of leachate, as well as fugitive emissions of  
19 landfill gas from the surface of the landfill. The area of the landfill affected by the reaction is located  
20 in the northwest corner of the Landfill between approximately 1000 feet and 1500 feet from the  
21 nearest resident. South Coast AQMD alleges that the ongoing subsurface reaction is the source of  
22 the odor complaints received from the public, and the root cause of an ongoing public nuisance.

23 18. South Coast AQMD Inspectors investigated the complaints and traced some of them  
24 back to CCL and confirmed CCL as the source of the odors on numerous occasions, and have  
25 consistently traced odors back to the area of the landfill affected by the reaction rather than the  
26 working face. Between May and September 5, 2023, South Coast AQMD issued 58 Notices of  
27 Violation ("NOVs") against Respondent for violating South Coast AQMD Rule 402 and H&S Code  
28 § 41700.

1           19.     On September 6, 2023, the Hearing Board held a hearing on South Coast AQMD’s  
2 Petition for an Order for Abatement. At the conclusion of the hearing, the Hearing Board issued a  
3 Stipulated Order for Abatement (“Stipulated Order”).

4           20.     Following adoption of the Stipulated Order, South Coast AQMD learned that CCL  
5 was experiencing leachate seeps, where leachate would be exposed at the landfill surface and to the  
6 ambient air rather than being collected subsurface via Respondent’s leachate collection system. To  
7 address this and related issues which were not covered in the Stipulated Order, South Coast AQMD  
8 petitioned for a status modification hearing on November 3, 2023. A hearing was initially set on  
9 December 12, 2023. The hearing was continued to January 9, 2024. The Parties later stipulated to  
10 combine the continued modification hearing with the pre-set status hearing on January 16, 2024.

11           21.     Following the adoption of the Stipulated Order, Respondent worked to implement the  
12 Order’s conditions. Respondent presented summaries of its implementation of these conditions in  
13 declarations submitted on December 1, 2023, January 9, 2024, and January 11, 2024.

14           22.     Between September 6, 2023 and January 11, 2024, South Coast AQMD received a  
15 total of 4860 complaints alleging CCL as the source of odors. South Coast AQMD consistently  
16 responds to and investigates complaints, including verifying the existence of complained-of odors  
17 and the source as CCL. Over this time period, Respondent received 47 NOVs for alleged violations  
18 of South Coast AQMD Rule 402 and H&S Code § 41700. The total number of NOVs issued for  
19 alleged violations of South Coast AQMD Rule 402 and H&S Code § 41700 related to this incident  
20 is 107 as of January 17, 2024.

21           23.     Prior to the close of the hearing on January 17, 2024, the Parties jointly submitted a  
22 set of stipulated proposed modifications to the Stipulated Order. At the close of the hearing on  
23 January 17, 2024, the Hearing Board issued a modified Stipulated Order.

24           24.     On February 15, 2024, pursuant to Condition 49 of the Stipulated Order, Respondent  
25 notified South Coast AQMD of a potential conflict between various provisions of the Stipulated  
26 Order related to dewatering and requirements of the Department of Toxic Substances Control. More  
27 specifically, recent samples of Respondent’s leachate exceeded regulatory thresholds for benzene  
28 and/or other potentially hazardous constituents. As a result of these elevated constituents,

1 Respondent could not send this material to its traditional disposal outlets because those outlets were  
2 not authorized to accept it. Respondent was forced to shut off some of its leachate collection pumps  
3 that would otherwise direct this material to the onsite leachate accumulation tanks because those  
4 tanks were running out of capacity. This situation presented a potential conflict with various  
5 conditions of the Stipulated Order that require Respondent to remove and dispose of its leachate.  
6 Because Respondent could not bring all of its leachate collection pumps back online, or dispose of  
7 all of the accumulated leachate, within the three working days allotted by Condition 49 to resolve  
8 this conflict, Respondent petitioned for a modification hearing on February 21, 2024. A hearing was  
9 set for March 21, 2024. Respondent submitted two declarations in support of its proposed  
10 modifications on March 19, 2024.

11 25. The parties jointly submitted a set of stipulated proposed modifications ahead of the  
12 March 21, 2024 hearing to address dewatering and other requirements in the Stipulated Order in  
13 light of potentially conflicting requirements from another regulatory agency and the accumulation  
14 and management of leachate at the Chiquita Canyon Landfill.

15 25-26. [PARTIES TO SUBMIT STIPULATED PROPOSED FINDINGS OF FACT RE:  
16 STATUS/MODIFICATION HEARING WITHIN TWO WEEKS OF ADOPTION]

### 17 CONCLUSIONS

- 18 1. The Modified Stipulated Order for Abatement set forth hereinafter is likely to  
19 mitigate conditions that could contribute to potential odors and potential nuisance.
- 20 2. The issuance of this Modified Stipulated Order for Abatement upon a fully noticed  
21 hearing would not constitute a taking of property without due process of law.
- 22 3. There is good cause for adopting the modifications of the Order as stipulated to by  
23 the Parties.
- 24 4. This Modified Stipulated Order for Abatement is not intended to be nor does it act as  
25 a variance.

### 26 ORDER

27 THEREFORE, subject to the aforesaid statements and good cause appearing, the Hearing  
28 Board hereby orders Respondent to comply with California Health and Safety Code Section 41700,

1 South Coast AQMD Rules 402, 203, 431.1, and 3002, and all conditions of Respondents Permits.  
2 The Hearing Board further hereby orders Respondent to comply with the following conditions and  
3 increments of progress:

4 **Odor Surveillance**

5 1. Respondent shall conduct odor surveillance in the communities surrounding CCL as  
6 follows:

7 a. Respondent shall contract with a trained third party to conduct odor surveillance  
8 each operating day within thirty (30) days after the issuance of the September 6,  
9 2023 Order (the “Initial Order”). Respondent shall conduct odor surveillance each  
10 operating day until the trained third party has been contracted. Respondent, or  
11 Respondent’s contractor, as applicable, shall conduct community odor surveillance  
12 at least twice each operating day, once between the hours of 7:00 a.m. and 11:00  
13 a.m. and once between the hours of 8:00 p.m. and 12:00 a.m. If a three-week period  
14 passes without Respondent receiving a Rule 402 NOV from the South Coast  
15 AQMD, or detecting odors at above an intensity of 2 at more than 2 stops during a  
16 single surveillance, then Respondent, or Respondent’s contractor, as applicable,  
17 may stop conducting the odor surveillances. If Respondent, or Respondent’s  
18 contractor, as applicable, has stopped conducting the odor surveillances pursuant to  
19 this condition and Respondent subsequently receives a Rule 402 NOV from the  
20 South Coast AQMD, then Respondent, or Respondent’s contractor, as applicable,  
21 must resume conducting the odor surveillances until another three-week period  
22 passes with no Rule 402 NOVs issued by the South Coast AQMD, or without  
23 Respondent or Respondent’s contractor, as applicable, detecting odors at above an  
24 intensity of 2 at more than 2 stops in a single surveillance.

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



1 c. Respondent, or Respondent’s contractor, as applicable, conducting the odor  
2 surveillance shall not have visited the Reaction Area (as defined in Condition 9(a)),  
3 working face, or other areas where exposed trash or landfill gas odors exist at CCL  
4 within four hours prior to conducting an odor surveillance.

5 d. Odor surveillance shall be conducted by proceeding to each Surveillance Location  
6 and making an assessment of each parameter listed in Condition No. 1(e).  
7 Assessment of each parameter shall be made while standing in ambient air and shall  
8 not be made from within a vehicle.

9 e. Respondent, or Respondent’s contractor, as applicable, shall record odor  
10 surveillance results in an “Odor Surveillance Log” before the end of the work day.  
11 The Odor Surveillance Log shall contain, but not be limited to: (1) the date and time;  
12 (2) stop number; (3) the name of the person performing the surveillance and written  
13 acknowledgement that they did not visit the working face or other on-site areas  
14 where exposed trash or landfill odors such as, but not limited to landfill gas odors,  
15 refuse or refuse contaminated material odors, or landfill liquids/landfill leachate  
16 odors exist within a four hours prior to conducting an odor surveillance, (4) the wind  
17 speed and direction; (5) a narrative description of any odor detected (including the  
18 type of odor, such as trash, landfill gas, chemical, odor neutralizer, as applicable);  
19 (6) current weather conditions; and (7) an assessment of the strength of any odor  
20 detected using the scale below:

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

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25 f. If Respondent, or Respondent’s contractor, as applicable, conducting the odor  
26 surveillance detects odors at three or more stops that are determined to be of a  
27 strength of 3 or higher on the scale above during any surveillance occurring during  
28 Respondent’s operating hours (between the hours of 4:00am and 5:00pm), that are

1 described as chemical, leachate, landfill gas, or similar non-trash landfill odors,  
2 Respondent, or Respondent's contractor, as applicable, shall immediately notify  
3 landfill operating staff responsible for the Reaction Area. If such odors are  
4 described as trash, Respondent, or Respondent's contractor, shall immediately  
5 notify landfill operating staff responsible for the Working Face Area. Respondent  
6 shall designate an employee in each of the Reaction Area and the Working Face  
7 Area able to receive and direct action related to such notifications promptly. Upon  
8 receiving such notification for the Reaction Area, Respondent shall, within 30  
9 minutes of receipt, review and initiate modifications, as appropriate, to fan  
10 placement, and conduct a visual inspection of the Reaction Area (as defined in  
11 Condition 9(a)) to assess, and address as needed, any cracks in the surface of the  
12 area. Upon receiving such notification for the Working Face Area, Respondent shall  
13 employ all appropriate trash odor mitigation strategies, including taking action  
14 pursuant to Condition No. 43. Respondent shall have trained employee(s) or trained  
15 contractor(s) re-perform odor surveillance following deployment of additional  
16 mitigation to assess if trash odors have dissipated, and, as applicable, take additional  
17 remedial steps pursuant to Condition No. 43(f).

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

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

- 23 3. Respondent shall expedite, to the maximum extent feasible, replacement of granular  
24 activated carbon media in the Landfill Gas Treatment System (under Permit G55163, A/N  
25 603249), including the execution of contracts, as well as the delivery, replacement, startup,  
26 and testing of any operation necessary to replenish and/or replace spent granular activated  
27 carbon media in the Landfill Gas Treatment System. Respondent shall ensure adequate  
28 stock of all odor control products and supplies are maintained on site.

- 1 a. Respondent shall monitor and record the landfill gas temperature at least daily at  
2 the inlet of the Landfill Gas Treatment System. The temperature of the landfill gas  
3 shall not exceed 145 F.
- 4 4. Respondent shall maximize landfill gas combustion utilizing all operational flares  
5 (excepting periods of maintenance, breakdowns, or automatic shutdown) to limit release of  
6 raw landfill gas. Respondent shall prioritize and maximize the use and operation of landfill  
7 gas flares No. 2 (under Permit G73696, A/N 645450) and No. 3 (under A/N 624296) over  
8 landfill gas flare No. 1 (under Permit G73696, A/N 645450) to the maximum extent feasible  
9 when combusting landfill gas at the facility (FID 119219). Once Respondent receives the  
10 necessary permits and puts the new landfill gas flare discussed in Condition 21 (“landfill  
11 gas flare No. 4”) into operation, Respondent shall prioritize and maximize the use and  
12 operation of landfill gas flares Nos. 3 and 4 over landfill gas flares No. 1 and No. 2 (under  
13 Permit G73696, A/N 645450) and prioritize and maximize the use and operation of landfill  
14 gas flare No. 2 over landfill gas flare No. 1 to the maximum extent feasible when  
15 combusting landfill gas at the facility (FID 119219).
- 16 5. Respondent shall sample, analyze, and record the landfill gas sulfur compounds combusted  
17 in each flare (as measured at sampling location FL-150 that is representative of the gas  
18 combusted in the flares under Permit G73696, A/N 45450; A/N 624296), in the thermal  
19 oxidizer/flare, and in any other landfill gas control equipment operating on site at least once  
20 each week using colorimetric tests for H<sub>2</sub>S and at least once each day sample for analysis  
21 for 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 and  
23 speciated organic compounds found in the raw, pre-treatment and pre-control, landfill gas  
24 collected from the Reaction Area (as defined in Condition 9(a)) at least once each calendar  
25 month for total sulfur compounds as H<sub>2</sub>S using South Coast AQMD Method 307-91 and  
26 for speciated organic compounds using U.S. Environmental Protection Agency (EPA)  
27 Method TO-15.
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- a. Respondent shall record South Coast AQMD Method 307-91 analysis upon receipt of laboratory analysis report. Each recorded measurement or result shall be documented with the time and date when the measurement or sample collection was conducted, and initialed by the personnel that conducted the measurement or sample collection.
  
- b. Sulfur compound readings and analysis shall be reported to South Coast AQMD pursuant to Condition No. 8.
  - i. Tedlar bags used for Method 307-91 sampling and analysis shall not contain droplets or debris.
  
  - ii. Colorimetric tube readings shall be conducted by taking a reading from a Tedlar bag sample using an appropriate colorimetric tube sample collection pump. All sampling shall be performed in accordance with the operational manual for the colorimetric tube sample collection pump.
  
  - iii. Colorimetric tube readings shall use colorimetric tubes of appropriate concentration range and shall be reported as follows:
    - 1. Respondent shall first use the estimated appropriately ranged colorimetric tube.
  
    - 2. If the resulting reading reaches the upper concentration of the colorimetric tube concentration range, subsequent reading(s) shall be taken using a colorimetric tube with a concentration range that has a larger upper concentration threshold until the result is not the upper concentration threshold of the concentration range. Report the tube concentration range and tube concentration result for each reading.
  
    - 3. If the reading results in the lower concentration of the colorimetric tube concentration range or does not register a result, subsequent reading(s) shall be taken using a colorimetric tube with a concentration range that has a smaller lower concentration threshold, if available, until the colorimetric tubes available to the facility result in:

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- a. A reading that is within the concentration range of the tube,
  - b. A reading is the lower concentration of the colorimetric tube concentration range, or
  - c. The colorimetric tube does not register a result.
4. When the result is the lower concentration of the colorimetric tube concentration range or does not register a result, the lower concentration of the colorimetric tube concentration shall be considered the concentration result. Report the tube concentration range and tube concentration result for each reading. If a lower range colorimetric tube is not used and the tube concentration result is below the lower range of the colorimetric tube used, Respondent shall report the result as “less than” or “<” the lower range value of the tube. Notwithstanding the forgoing, Respondent shall ensure that the colorimetric tube result is below the upper range of the colorimetric tube used and shall report the precise result of all results above the lowest range of the colorimetric tube used.

- 6. Respondent shall maintain adequate stock of appropriately ranged colorimetric tubes.
- 7. Respondent shall maintain a record of the following information, and provide such records to the South Coast AQMD pursuant to Condition No. 8:
  - a. The hourly and daily flow of landfill gas combusted, in standard cubic feet, in each flare (flares No. 1 & No. 2 under Permit G73696, A/N 645450; flare No. 3 under A/N 624296), the thermal oxidizer (under Envent Corporation A/N 645484), the second thermal oxidizer/flare (under Zeeco A/N 648539), and any other equipment used to combust or control landfill gas at the facility, and the total amount of landfill gas combusted at the facility;
  - b. The daily flow of landfill gas not flared, in standard cubic feet, if applicable; and
  - c. The results of the sulfur readings, sampling, and analyses, calculated as H<sub>2</sub>S with the time and date when each measurement or sample collection was conducted.

1 8. Respondent shall submit a monthly written report on the landfill operation, progress of the  
2 status of the Landfill Gas Flares (flares No. 1 and No. 2 under Permit G73696, A/N 645450;  
3 flare No. 3 under A/N 624296), Landfill Gas Treatment System (under Permit G55163,  
4 A/N 603249), and efforts to resolve the total sulfur concentration in the landfill gas  
5 exceeding 150 ppmv calculated as H<sub>2</sub>S. As of March 21, 2024, monthly reports shall be  
6 submitted to South Coast AQMD on the 20<sup>th</sup> of each subsequent month, or the following  
7 business day, not later than 5:00pm via email to Baitong Chen, Air Quality Engineer,  
8 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),  
9 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov). Each monthly report shall  
10 contain at a minimum the following information:

- 11 a. The landfill gas sulfur compounds measurements and laboratory analysis with the  
12 time and date of each measurement or sample collection, as identified in Condition  
13 No. 5.
- 14 b. The landfill gas records and calculations identified in Condition No. 7, in a  
15 Microsoft Excel spreadsheet format. If the landfill gas records show any landfill gas  
16 combustion/control equipment (flares or thermal oxidizers) are offline for a period  
17 exceeding 7 consecutive calendar days, or offline for more than 15 calendar days in  
18 any one calendar month, Respondent shall report a detailed description of the  
19 reason(s) the equipment was offline (equipment breakdown, maintenance,  
20 construction, whether there was sufficient landfill gas control redundancy to control  
21 the collected landfill gas, etc.).
- 22 c. The integrated landfill surface sample analysis and landfill surface monitoring  
23 readings identified in Condition Nos. 9 and 10, in a Microsoft Excel spreadsheet  
24 format.
- 25 d. Estimated schedule for any replacement or refurbishment of granular activated  
26 carbon media in the Landfill Gas Treatment System (under Permit G55163, A/N  
27 603249) identified in Condition No. 3. The landfill gas temperature at inlet of the  
28

1 Landfill Gas Treatment System (under Permit G55163, A/N 603249) identified in  
2 Condition No. 3(a).

3 e. Description of any problems or delays, if any, encountered or projected to occur  
4 pertinent to the execution of contracts, as well as the delivery, replacement, startup,  
5 and testing of any operation necessary to replenish and/or replace spent granular  
6 activated carbon media in the Landfill Gas Treatment System (under Permit  
7 G55163, A/N 603249). Respondent shall submit copies of documents or other  
8 records to support any problems or delays noted pursuant to this Condition No. 8(e)  
9 along with such description.

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

13 g. All wellhead temperature, temperature probe, and CO concentration readings, lab  
14 analysis, and Draeger tube readings for landfill gas from the past month in a  
15 Microsoft Excel spreadsheet format.

16 h. A graphic map showing location of each well with temperature exceedances (above  
17 145 degrees Fahrenheit), each well with CO exceedances (above 1,000 ppmv and  
18 below 1,500 ppmv, and above 1,500 ppmv), and stratification of temperature ranges  
19 during that month, which includes a description of any remedial measures taken to  
20 address or lower gas well temperatures.

21 i. All vertical liquid impacted landfill gas wells, per Condition No. 17, including a  
22 description of any remedial measures taken to address or reduce liquids in landfill  
23 gas wells.

24 j. Updates on the investigation into the availability, viability, and utilization, including  
25 pilot testing if needed, of an alternative sulfur compound treatment system that  
26 controls, treats, or removes dimethyl sulfide (“DMS”) and other sulfur compounds,  
27 if any.

28

- 1 k. A summary report on SCS's Respondent's implemented improvements to the  
2 landfill gas collection system beyond the additions to the landfill gas collection  
3 system required pursuant to Condition No. 15 and 8(m).
- 4 l. An inspection log for landfill cover and geosynthetic cover inspections, pursuant to  
5 Condition No. 30.
- 6 m. Any subsequent additions to the landfill gas collection system, pursuant to  
7 Condition No. 15; an updated vertical extraction well map detailing all existing fully  
8 functional working vertical extraction wells and the vertical extraction well  
9 additions completed within the month; a map showing an overlay of fully  
10 operational working wells, landfill surface monitoring grids, and outlines of the two  
11 defined areas pursuant to Condition 15(b); and copies of as-built well logs  
12 (regarding well depth installations and updates) for vertical extraction wells  
13 completed within the month.
- 14 n. Any subsequent additions to the landfill gas condensate or leachate collection  
15 system, such as dewatering sumps/pumps, or other dewatering work performed per  
16 the dewatering guidelines and implementation plan pursuant to Condition No. 18.
- 17 o. Updates on the procurement and installation of the geosynthetic cover(s), pursuant  
18 to Condition No. 31, and including changes required or approved by the Local  
19 Enforcement Agency.
- 20 p. Updates on landfill excavation work subject to Rule 1150, including excavation  
21 location(s) (that are identified on graphic map(s) of the landfill), and  
22 excavated/exposed waste characteristics (saturated, semi-dry, dry, odor type and  
23 intensity, etc.) Excavation work occurring pursuant to an exemption as listed in  
24 South Coast AQMD Rule 1150(c)(3), or Rule 1150(c)(2) that is performed in the  
25 Reaction Area, must also be included in these updates.
- 26 q. Updates regarding leachate including:  
27 i. Leachate temperature recordings pursuant to Condition No. 27(a);  
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- ii. Daily log of inspection findings and containment activities pursuant to Condition 27(b);
- iii. Weekly record of leachate seepage and pooling pursuant to Condition 27(c);
- iv. Quantity of leachate measured, and associated company name and physical address of the off-site disposal/treatment facility(ies) that receive leachate generated by the landfill, pursuant to Condition 27(d); and
- v. A list of all hazardous and non-hazardous liquid storage and treatment facilities that have been contacted and current status of each facility including available, contracted, and utilized capacity to receive hazardous and non-hazardous landfill liquids.

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

- a. The “Reaction Area” shall be defined initially by the boundary of Cells 1/2A, 2B/3, 4, and Module 2B/3/4 P2. The boundary of the Reaction Area shall be modified to include the associated landfill surface area of the cells and modules that experience well temperatures of at least 170 degrees Fahrenheit, settlement, cracks in the landfill cover, presence and quantity of liquids, the presence of hydrogen in the landfill gas, and readings of temperature probes (once data is available). The Reaction Committee

1 (defined in Condition No. 12), shall transmit to the South Coast AQMD  
2 [attn: Baitong Chen, [bchen@aqmd.gov](mailto:bchen@aqmd.gov); Nathaniel Dickel,  
3 [ndickel@aqmd.gov](mailto:ndickel@aqmd.gov); Christina Ojeda, [cojeda@aqmd.gov](mailto:cojeda@aqmd.gov)]: 1) the revised  
4 map which clearly displays the proposed boundary change(s) and depicts  
5 the new Reaction Area; 2) a narrative summary explaining the rationale  
6 behind the proposed changes, including memorializing any dissenting  
7 view of any member of the Reaction Committee; 3) any supporting data  
8 relied upon in the decision to revise the Reaction Area; and 4) locations of  
9 each temperature probe, clearly distinguished from the landfill gas wells  
10 on the map.

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

19 10. Respondent shall conduct instantaneous landfill surface monitoring across the Reaction  
20 Area (as defined in Condition 9(a)) at least every two weeks as specified in Rule 1150.1,  
21 Attachment A 3.0, beginning no later than seven (7) days after the issuance of this Order.  
22 In the event Respondent is unable to monitor specific landfill surface area(s) or grid(s) due  
23 to inaccessibility or dangerous conditions for a technician, Respondent shall document the  
24 date and the conditions that do not allow the monitoring of the specific area(s) or grid(s).

25 11. Respondent shall continue operating its flares and landfill gas treatment system even if the  
26 emitted landfill gas exceeds the limits on total reduced sulfur and SO<sub>x</sub> laid out in CCL's  
27 permits (Permit G55163, Condition Nos. 11 and 16 and CCL's Facility-Wide Permit,  
28 Condition No. 3) and South Coast AQMD Rules 431.1(c)(2), 3002(c)(1), and 203(b).

1 Respondent shall include deviation reporting associated with exceedances of these  
2 emissions limits in its semi-annual Title V reports and in accordance with the requirements  
3 of Respondent's Title V permit.

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

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

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

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

1 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. Reaction Committee members shall be subject to ongoing oversight by the South  
7 Coast AQMD. If in the South Coast AQMD's determination one or more members  
8 appointed by Respondent to the Reaction Committee is not serving in this capacity  
9 satisfactorily, as defined herein, South Coast AQMD may provide written notice to  
10 Respondent through Counsel that the applicable person(s) is no longer serving  
11 satisfactorily. Failure to serve in a satisfactory capacity is defined as:

12 i. Failure of a Reaction Committee member to attend regularly  
13 scheduled meetings of the Reaction Committee and South Coast  
14 AQMD technical staff without prior notice;

15 ii. Failure of a Reaction Committee member to meet deadlines  
16 imposed on the Reaction Committee for deliverables set forth in  
17 this Order;

18 iii. Failure of the Public Health member to include the analyses  
19 required by Condition 12(a)(iv); or

20 iv. Failure of a Reaction Committee member to respond in a timely  
21 and substantive manner to recommendations provided by South  
22 Coast AQMD technical staff, as required by Condition 12(f)(iv)

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

28 d. If South Coast AQMD receives such a response, South Coast AQMD shall have  
ten (10) days to determine whether a member of the Reaction Committee may  
continue to serve on the Reaction Committee. If South Coast AQMD determines

1 that Respondent's written response does not address the alleged unsatisfactory  
2 performance, then South Coast AQMD may petition for a status/modification  
3 hearing before the Hearing Board, and the Hearing Board shall determine if a  
4 member of the Reaction Committee should be removed.

5 e. While awaiting a decision from the Hearing Board, a member of the Reaction  
6 Committee may continue to serve on the Reaction Committee. If the Hearing Board  
7 determines that a member of the Reaction Committee's performance has not been  
8 satisfactory, then it may issue an Order directing Respondent to remove and replace  
9 that member of the Reaction Committee. Respondent shall remove the applicable  
10 person from any further work or service on the Reaction Committee within ten (10)  
11 days of receipt of the Order. Respondent shall identify and appoint a replacement  
12 member of the Reaction Committee, pursuant to Condition No. 12(a) above, within  
13 thirty (30) days of receipt of the Order.

14 f. Beginning in March 2024, Respondent shall host a monthly virtual meeting with all  
15 members of the Reaction Committee and South Coast AQMD technical staff. The  
16 purpose of the monthly meeting shall be to allow Reaction Committee members to  
17 provide an update on progress of ongoing and future planned work performed/to be  
18 performed pursuant to this Order which is directly related to the subsurface reaction  
19 at the Landfill, and allow South Coast AQMD to provide recommendations and/or  
20 feedback on such progress.

21 i. To facilitate each meeting, Respondent shall provide South Coast  
22 AQMD (attn: Baitong Chen, [bchen@aqmd.gov](mailto:bchen@aqmd.gov); Nathaniel Dickel,  
23 [ndickel@aqmd.gov](mailto:ndickel@aqmd.gov); Christina Ojeda, [cojeda@aqmd.gov](mailto:cojeda@aqmd.gov); Payam  
24 Pakbin, [ppakbin@aqmd.gov](mailto:ppakbin@aqmd.gov); Kathryn Roberts,  
25 [kroberts@aqmd.gov](mailto:kroberts@aqmd.gov); Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov)) a  
26 proposed agenda listing the topics to be discussed, and the  
27 presenter, not later than ten (10) calendar days prior to the meeting.  
28 South Coast AQMD shall have the option to expand the agenda to  
include additional topics within the purview of the Reaction  
Committee. If South Coast AQMD elects to expand the agenda, it

1 shall provide notice to Respondent not later than four (4) calendar  
2 days prior to the meeting.

3 ii. Respondent shall ensure that all members of the Reaction  
4 Committee with responsibility for any topic included on the  
5 agenda shall attend that month's meeting. At Respondent's  
6 election, additional staff or consultants may also attend. At South  
7 Coast AQMD's sole discretion, it may invite any staff or consultant  
8 of any regulatory agency with jurisdiction over Respondent,  
9 including jurisdiction predicated on the subsurface reaction at the  
10 Landfill, to participate in and provide recommendations or  
11 feedback on any agenda topics.

12 iii. South Coast AQMD, and any personnel invited pursuant to the  
13 clause above, may provide feedback or recommendations on any  
14 topic on the agenda. Comments noted as "recommendations" shall  
15 include suggestions to revise, change, expand, or otherwise alter  
16 any aspect of the topic discussed on the agenda. All other  
17 comments shall be considered feedback.

18 iv. Following each monthly meeting, Respondent shall prepare a  
19 summary of the meeting, including the topics discussed and all  
20 recommendations received. Respondent shall include in the  
21 summary a response from the Reaction Committee to all  
22 recommendations and, as applicable, any changes made as a result.  
23 Respondent, at its election, may also include a summary of and  
24 response to any feedback received. Respondent shall post the  
25 summary of the meeting to the webpage created pursuant to  
26 Condition No. 39, not later than twenty (20) days following the  
27 meeting.  
28

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

5 i. A study into known and possible methods for effective treatment  
6 of DMS and preventative mechanisms for DMS formation in  
7 landfill gas, including assessment of other landfills and review of  
8 scientific studies. By no later than April 30, 2024, Respondent shall  
9 provide a report detailing the findings of this Landfill Gas DMS  
10 Treatment Study and the proposals for implementation of the  
11 treatment methods. This report shall be submitted to South Coast  
12 AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
13 Nathaniel Dickel, Senior Air Quality Engineer,  
14 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
15 (cojeda@aqmd.gov)]. Respondent shall submit any required  
16 permit applications, with information included, for equipment  
17 installations or modifications necessary for implementation of the  
18 remedy strategies and/or treatment methods;

19 ii. An investigation and report on 1) the cause of the alleged chemical  
20 reaction(s) resulting in the elevated well temperatures, elevated  
21 levels of DMS formation in the landfill gas, and elevated levels of  
22 NMOG formation in the landfill gas and 2) solutions to slow and  
23 stop the reaction(s) in the landfill. Investigation into the cause of  
24 the alleged chemical reaction(s) shall include, but not be limited  
25 to, waste characterization study of waste disposed within the  
26 Reaction Area, to the extent records of such waste are within  
27 Respondent's possession, including (but not limited to) analysis of  
28 chemical and physical characteristics, BTU, moisture content,

1 biological methane potential. Respondent shall also conduct drill  
2 core sampling in the Reaction Area (as defined in Condition 9(a))  
3 to assess waste characterization in areas not affected by elevated  
4 temperatures at the time of drilling. Respondent shall submit a  
5 report on the findings of the investigation by no later than  
6 December 8, 2023 to South Coast AQMD [Baitong Chen, Air  
7 Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior  
8 Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda,  
9 Air Quality Inspector, (cojeda@aqmd.gov)];

- 10 iii. An investigation and report on the feasibility and availability of a  
11 continuous community emission monitoring system to conduct  
12 continuous monitoring and provide estimates of DMS  
13 concentrations at the facility fenceline and within the affected  
14 community. By no later than December 1, 2023, Respondent shall  
15 submit to the South Coast AQMD [Baitong Chen, Air Quality  
16 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
17 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air  
18 Quality Inspector, (cojeda@aqmd.gov)], the feasibility and  
19 availability findings of this fenceline and community DMS  
20 monitoring program. The findings shall identify all companies,  
21 vendors, contractors, and consultants that were inquired regarding  
22 the feasibility and availability and the results for each inquiry,  
23 including an ultimate decision if monitoring is feasible. If the  
24 Reaction Committee deems monitoring under this provision  
25 feasible, Respondent shall prepare and submit to the 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)] a workplan for the installation of and  
2 operation of the required monitoring equipment and related  
3 installations within thirty (30) days of the Reaction Committee's  
4 decision. This workplan will include a timeline for procurement of  
5 monitoring equipment and for the commencement of monitoring.  
6 It will also include a timeline for reporting out on the collected  
7 data, including a proposal relating to the real-time posting of  
8 monitoring data on Respondent's website or other regular report-  
9 outs on the data;

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

24 v. A report on the known health risks from acute and long-term  
25 exposure to DMS, including any action levels from other public  
26 health or government entities, and including a summary of  
27 recommended actions for persons exposed to DMS for acute and  
28 long-term durations. By no later than January 15, 2024,

1 Respondent shall submit this report to South Coast AQMD  
2 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
3 Nathaniel Dickel, Senior Air Quality Engineer,  
4 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
5 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))];

- 6 vi. A report of the health impacts from ongoing and long-term (e.g.  
7 greater than one year) exposure to hydrogen sulfide (H<sub>2</sub>S), or other  
8 speciated sulfur compounds, and any other hazardous air pollutants  
9 (HAPs), as defined in the federal Clean Air Act, 42 U.S.C. § 7412.  
10 The HAPs evaluated in the report shall include those which are  
11 detected: (1) in landfill gas over the past twelve months at the  
12 Chiquita Canyon Landfill as documented in the initial or additional  
13 flux chamber study (per Condition No. 12(f)) or detected in stack  
14 emissions testing; (2) in the liquids and leachate samples collected  
15 and analyzed (per Condition No. 37); (3) in air sampling performed  
16 to determine emissions from exposed liquids/leachate; and (4) in  
17 the community pursuant to the enhanced community air  
18 monitoring program in exceedance of recommended toxicity  
19 screening values published by the US EPA or other applicable  
20 screening values where US EPA toxicity screening values are  
21 unavailable. The report shall include, but not be limited to,  
22 assessment and analysis of any action levels from other public  
23 health or government entities in the United States for any such  
24 constituents, recommended actions for persons exposed to such  
25 constituents, and recommendations on how to limit any anticipated  
26 adverse health impacts. Such report shall also include a summary  
27 of all findings, health impacts and recommendations in an easy-to-  
28 read format designed for distribution to and use by the public. By

1 no later than August 1, 2024, Respondent shall submit this report  
2 to South Coast AQMD [Baitong Chen, Air Quality Engineer,  
3 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality  
4 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
5 Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))]; and

6 vii. The development of a model to estimate the rate of liquid  
7 generation ~~quantity of liquid left~~ in the landfill, and total quantity  
8 of liquid existing within the landfill waste mass at any given time  
9 (including supporting assumptions, references, and calculations).  
10 By no later than ~~May 21~~June 25, 2024, Respondent shall submit to  
11 South Coast AQMD a report summarizing the model and results of  
12 modeling.

13 viii. The Reaction Committee, on behalf of Respondent, shall conduct  
14 an investigation into the existing landfill gas collection and  
15 conveyance piping materials (e.g. high-density polyethylene  
16 (HDPE)), alternative landfill gas collection and conveyance piping  
17 materials, and current landfill conditions to determine whether the  
18 existing HDPE piping is appropriate for the current and expected  
19 future temperature conditions at the landfill, and to determine  
20 whether viable alternative landfill gas collection/conveyance  
21 piping materials exist, which shall include investigation results of  
22 materials used by other landfills that have experienced high  
23 temperature events. The investigation shall include a study of the  
24 material properties, specifications, and ratings and manufacturer's  
25 operating properties of piping (e.g. HDPE) within a landfill,  
26 including but not limited to, short term maximum manufacturer's  
27 temperature rating, long-term manufacturer's maximum  
28 temperature rating, effects and associated timeline of effects from

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operating above manufacturer rated temperatures or specifications, effects and associated timeline effects from consistent exposure of piping to sunlight, ability to convey landfill gas with minimal fugitive vapor leaks, and pliability for integrity of the system during landfill settlement or other common landfill operations or occurrences. These properties shall then be compared with several landfill gas conveyance piping material alternatives. Respondent shall submit a report on this investigation which includes the details of the material and manufacturer operating properties and specifications of piping (e.g. HDPE) and alternative piping as specified above. It shall additionally detail existing and future expected landfill gas temperatures within the landfill gas conveyance piping, including expected temperatures within the piping leaving the landfill gas extraction wells and within the larger conveyance header within the Reaction Area. If applicable, it shall additionally include an analysis on existing landfill gas conveyance piping and future planned piping, and associated piping lengths and diameters, which conveys or will convey landfill gas above the existing HDPE piping’s manufacturer rated temperature threshold. Finally, the report shall include a recommendation of the appropriate piping material to use moving forward and when existing piping materials shall be replaced with more robust materials or replaced with existing materials at higher frequencies, at the landfill while the landfill is experiencing elevated temperatures. This report shall be submitted by June 21, 2024 to South Coast AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality

1 [Engineer, \(ndickel@aqmd.gov\)](mailto:ndickel@aqmd.gov), and [Christina Ojeda, Air Quality](mailto:cojeda@aqmd.gov)  
2 [Inspector, \(cojeda@aqmd.gov\)\]](mailto:cojeda@aqmd.gov).

- 3 h. Respondent shall make public all reports resulting from investigations and studies  
4 done pursuant to this Condition through a link preceded by a brief narrative  
5 description on the webpage created pursuant to Condition No. 39.
- 6 i. Respondent has conducted an initial flux chamber study pursuant to the direction of  
7 the Los Angeles County Department of Public Health. Respondent shall submit a  
8 report documenting the findings of the initial study no later than October 31, 2023  
9 to South Coast AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
10 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina  
11 Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)]. Respondent shall conduct an  
12 additional landfill gas flux study for methane, non-methane organic compounds  
13 (“NMOC”), toxic air contaminants (TAC), total reduced sulfur (“TRS”), and  
14 speciated sulfur compounds to determine the surface flux throughout the landfill.  
15 The study shall be conducted through the use of dynamic flux chambers oriented at  
16 various locations throughout the landfill site. Respondent shall prepare a proposed  
17 protocol for the study based on the results of the initial study and shall submit the  
18 protocol to South Coast AQMD [Baitong Chen, Air Quality Engineer,  
19 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
20 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
21 (cojeda@aqmd.gov)] for review and approval by December 31, 2023. A report  
22 documenting the differences in the findings between the initial study and the  
23 additional study shall be submitted by no later than 90 days after South Coast  
24 AQMD approves the protocol to South Coast AQMD [Baitong Chen, Air Quality  
25 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
26 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
27 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))]. A report documenting the differences in the findings between  
28 the initial study and the additional study shall be submitted by June 3, 2024~~no later~~

1 ~~than 90 days after South Coast AQMD approves the protocol~~ to South Coast  
2 AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel  
3 Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda,  
4 Air Quality Inspector, (cojeda@aqmd.gov)].

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

6 13. Respondent shall expand its gas well system. Respondent shall continue to operate the two  
7 sumps with pumps along the west slope until final design is implemented. Additional  
8 landfill gas collection equipment shall be operated as construction is completed.  
9 Respondent has installed 18 vertical dual extraction wells, and these 18 vertical dual  
10 extraction wells shall be connected to the landfill gas system by September 15, 2023 unless  
11 the circumstances outlined in Condition 13(a) apply.

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

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

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

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

9   15.   Respondent shall continue to evaluate and install, as needed, vertical dual extraction wells  
10       to collect both landfill gas and leachate. Respondent shall continue to expand the well-field  
11       as needed, and notify South Coast AQMD by October 31, 2023 of the number of wells  
12       added, attention to Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel  
13       Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air  
14       Quality Inspector, (cojeda@aqmd.gov). Any subsequent additions to the well-field shall be  
15       documented in the monthly reports pursuant to Condition No. 8. In installing any additional  
16       wells, Respondent shall ensure it complies with all conditions in Respondent’s currently  
17       operative landfill gas collection system permit. In installing any additional wells pursuant  
18       to this Condition, Respondent shall additionally take the following measures:

19               a. By January 31, 2024, Respondent shall provide to the South Coast AQMD  
20               [attn: Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel  
21               Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina  
22               Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)] the design and  
23               installation schedule for a minimum of an additional seventy (70) wells  
24               and their associated piping The proposed well locations and connecting  
25               piping shall be identified on a drawing which shows the entire gas  
26               collection system and shall be described in writing. Estimated gas  
27               collection volume, well depths, pipe lengths, diameters and layouts shall  
28               be supplied to the South Coast AQMD in this advance notification.

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Updates to the design and schedule shall be provided in the monthly report pursuant to Condition No. 8(m);

b. By January 6, 2025, unless otherwise approved in writing by the South Coast AQMD, Respondent shall install vertical landfill gas extraction wells in the initial Reaction Area (including the boundary of Cells 1/2A, 2B/3, 4, and Module 2B/3/4 P2 as defined in Condition 9(a)). These wells shall be fully operational, working wells with the ability to extract landfill gas within the depths of the landfill waste mass and deliver it to the gas control system(s). Respondent shall achieve a vertical gas extraction well density of, at a minimum, an average of three (3) wells per acre within the initial Reaction Area stated above, and within the estimated extent of elevated temperature landfill conditions as depicted by the Reaction Committee in their monthly determinations submitted in accordance with Condition 9(a). The wells shall be installed with even dispersion, achieving a well density of at least two (2) vertical extraction wells per acre, except for the areas demarcated in the attached Exhibit A to this Modified Stipulated Order. The following interim deadlines shall apply to this Condition 15(b):

- i. By July 1, 2024, installation of 50% of wells necessary to achieve the well installation density; and
- ii. By October 1, 2024, installation of 75% of wells necessary to achieve the well installation density.

~~e. Respondent shall expedite the installation of additional vertical landfill gas extraction wells in the Reaction Area, and shall achieve a vertical gas extraction well density of, at a minimum, an average of three (3) wells per acre within the estimated extent of elevated temperature landfill conditions as depicted by the Reaction Committee in their monthly determinations submitted in accordance with Condition 9(a). These wells shall be fully~~



1 operational, working wells with the ability to extract landfill gas within  
2 the depths of the landfill waste mass and deliver it to the gas control  
3 system(s). The wells shall be installed with even dispersion, where each  
4 of the landfill's surface monitoring grids achieves a well density of at least  
5 two (2) vertical extraction wells per acre within any individual grid. This  
6 well installation goal shall be achieved by January 6, 2025, or otherwise  
7 approved by South Coast AQMD.

8 i. ~~By April 18, 2024, Respondent shall provide to the South Coast~~  
9 ~~AQMD [attn: Baitong Chen, Air Quality Engineer,~~  
10 ~~(bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality~~  
11 ~~Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality~~  
12 ~~Inspector, (cojeda@aqmd.gov)] an updated design and installation~~  
13 ~~schedule incorporating the wells under Condition 15(a) and the~~  
14 ~~additional wells under Condition 15(b) and their associated piping.~~  
15 ~~The information required by Condition 15(a) shall be included in~~  
16 ~~the submission. Updates to the design and schedule shall be~~  
17 ~~provided in the monthly report pursuant to Condition No. 8(m);~~

18 d.c. While installing wells pursuant to Conditions 15(a) and 15(b), Respondent  
19 shall notify the South Coast AQMD [attn: Baitong Chen, Air Quality  
20 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality  
21 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
22 Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] in writing, by Friday of each week, which  
23 wells are scheduled to be installed the following week;

24 e.d. Following installation of all wells pursuant to Conditions 15(a) and 15(b),  
25 Respondent shall notify the South Coast AQMD in writing [attn: Baitong  
26 Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel,  
27 Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda,  
28 Air Quality Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] at least one (1) week in

1 advance when an additional well or set of wells and their associated piping  
2 will be installed. The information required by Condition 15(a) shall be  
3 included in the notification. Updates to the design and schedule shall be  
4 provided in the monthly report pursuant to Condition No. 8(m);

5 f.e. During any well drilling a landfill gas control box shall be used to prevent  
6 the emissions of landfill gas into the atmosphere, and this control box shall  
7 be vented to an approved emissions control system;

8 g.f. Each well shall be completed and capped the same day its construction  
9 commences, unless the well hole is completely covered (using a minimum  
10 8'x 8' at least 0.25" thick steel plate, and 12 inches depth of clean dirt), or  
11 the subsequently installed pipe is capped;

12 h.g. Each ~~horizontal~~ gas collection well shall be connected to an operating  
13 landfill gas header or the ends of the well shall be sealed with blind  
14 flanges, glued or fused caps, or other types of seals approved by the South  
15 Coast AQMD as soon as the well is installed;

16 i.h. All openings and connections of the landfill gas collection system shall be  
17 properly covered and sealed to prevent leaks in accordance with  
18 Respondent's Title V Permit and in accordance with all applicable rules  
19 and regulations;

20 j.i. Respondent shall install additional stainless steel, carbon steel, or  
21 chlorinated polyvinyl chloride (CPVC) wells in the Reaction Area per  
22 recommendation of the Reaction Committee. Stainless steel or carbon  
23 steel shall be installed for any well which has gas temperatures exceeding  
24 170 degrees Fahrenheit;

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

1 steel wells, or add new wells that replace the landfill gas extraction  
2 capacity. Within 7 days of discovery of any such well, Respondent shall  
3 notify South Coast AQMD in writing [attn: Baitong Chen, Air Quality  
4 Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel, Senior Air Quality  
5 Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air Quality  
6 Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] of a proposed installation schedule.  
7 Installation shall take place within 7 days of the notification, whenever  
8 feasible, but the schedule shall take into account availability of drilling  
9 equipment, replacement materials, and weather and safety conditions.  
10 Following initial notification, Respondent shall update South Coast  
11 AQMD in writing every 7 days until the well installation is complete, with  
12 evidence substantiating the delay, and additionally shall provide an  
13 updated installation schedule.

14 k. Respondent shall, once additional/adequate gas extraction capacity is  
15 installed, operate gas extraction wells with less than 3 percent oxygen  
16 where feasible, and follow landfill best management practices to keep the  
17 oxygen below 5 percent in interior wells;

18 l. Respondent shall install well boots seals on all wells in the Reaction  
19 Area in accordance with the installation schedule for the geosynthetic  
20 cover that is being installed pursuant to Condition No. 32 and consistent  
21 with requirements of the Local Enforcement Agency;

22 m. Respondent shall submit semi-annual as-built drawings in duplicate to  
23 the South Coast AQMD [attn: Baitong Chen, Air Quality Engineer,  
24 ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel, Senior Air Quality Engineer,  
25 ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air Quality Inspector,  
26 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))]. As-built drawings shall depict all wells constructed  
27 to date.  
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1 en. As of April 25, 2024, all new vertical extraction wells installed within the  
2 Reaction Area (as defined in Condition 9(a)) shall be dual extraction wells  
3 with the ability to extract both landfill gas and liquid/leachate within the  
4 well, to maximize landfill gas collection and prevent liquid/leachate build-  
5 up within wells and within the landfill. Dewatering pumps and associated  
6 infrastructure (pneumatic supply piping, liquid forcemain piping, etc.)  
7 shall be installed, allowing the pump at each well to be capable of  
8 operation. For 75% of wells, installation of all associated infrastructure  
9 shall be completed within 30 days of completion of the vertical extraction  
10 well drilling operation. For the remaining 25% of wells, installation of all  
11 associated infrastructure shall be completed within 60 days of completion  
12 of the vertical extraction well drilling operation. This sub-condition shall  
13 supersede the specific language listed in Condition No. 15 allowing  
14 Respondent to evaluate and install vertical dual extraction wells as needed.

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

20 17. Respondent shall expeditiously dewater wells being impacted by liquids to the maximum  
21 extent feasible, and shall take proactive measures to remove additional liquids in the  
22 Reaction Area to limit the reaction severity and spread. This shall be accomplished through  
23 the installation of dewatering sumps/pumps of at least 60 percent of the landfill gas vertical  
24 extraction wells in the Reaction Area (as defined in Condition 9(a)) that are capable of  
25 extracting liquids by March 15, 2024 unless otherwise determined infeasible per Condition  
26 No. 17(a). below. Respondent shall provide updates in the monthly reports pursuant to  
27 Condition No. 8.  
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1 a. In the event Respondent determines that the installation of dewatering  
2 sump/pumps of at least 60 percent of the landfill gas vertical extraction  
3 wells that are capable of extracting liquids to be infeasible, Respondent  
4 shall provide detailed rationale and reasoning in the monthly report  
5 submitted pursuant to Condition No. 8 and shall continue with  
6 implementation of the dewatering guidelines pursuant to Condition No. 18  
7 to remove liquids to the maximum extent possible.

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

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

18 b. Use of dewatering pumps or other methods to remove liquids from Reaction Area  
19 (as defined in Condition 9(a)) wells impacted by liquids;

20 c. An implementation plan for the use of dewatering pumps or other methods to  
21 remove liquids from the Reaction Area wells impacted by liquids. The plan shall  
22 include a list of wells in the Reaction Area and depth where liquids are expected to  
23 impact landfill gas collection efficacy or be a concern, the proposed action to  
24 remove the liquids, and the schedule for liquid removal. The implementation plan  
25 shall also include pro-active measures, such as additional dewatering pumps, to be  
26 installed at landfill gas collection wells where liquid impaction issues have not yet  
27 occurred, but may be expected to occur.  
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- 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.

Respondent shall, within 14 calendar days of approval of this Order, revise the dewatering guidelines according to the comments received by email on March 13, 2024, and re-submit the revised dewatering guidelines to South Coast AQMD for final written approval. The proposed Reaction Area dewatering guidelines and implementation procedures shall be implemented within seven (7) days of South Coast AQMD approval, and shall be implemented to the maximum extent feasible if Respondent's facility is encountering leachate tank capacity shortages. If any conflict exists between any condition or requirement of this Order and any part of the South Coast AQMD approved Dewatering Guidelines, this Order shall take precedence over the approved Dewatering Guidelines and Respondent shall submit revised Dewatering Guidelines that resolve such a conflict to South Coast AQMD for final written approval.

19. Respondent shall submit, by October 6, 2023, a complete permit modification application to the Landfill Gas Condensate and Leachate Collection/Storage System (under Permit G66132, A/N 613131) to increase the landfill's liquid storage capacity. The submittal shall

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

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

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

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

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

(bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

23. Respondent shall continue to use both 4,000 scfm flares (under Permit No. G73696, A/N 645450) when the Reaction Committee determines that such use is necessary due to insufficient flaring capacity or other such necessity-based situations, until the second new 6,000 scfm ultra-low emissions flare (Flare No. 4) referenced in Condition No. 21 is permitted and operational.
24. Respondent shall operate and maintain the landfill so as to prevent standing leachate and the pooling or ponding of leachate exposed to atmosphere throughout the facility. If pooling or ponding of liquid/leachate is occurring, safety permitting, the liquid/leachate shall be immediately collected and contained in a sealed tanker truck or leachate tank that minimizes emissions, or repairs promptly performed to redirect leachate into the leachate collection system.
25. Respondent shall, when encountering landfill leachate geysers or other discharges of pressurized leachate as a result of drilling/maintenance/other operations, perform actions to mitigate odors and the dispersion and exposure of leachate into the atmosphere, to the maximum extent possible. Upon the equalization of pressure or diminished flow/end of the landfill leachate geysers or other discharges of pressurized leachate, Respondent shall remove soil saturated with leachate or add sufficient dry soil cover to the soil saturated with the leachate, to mitigate the potential for odors from the saturated soil.
26. Respondent shall investigate and report on the feasibility of temporary containment measures for the purposes of controlling leachate and possible discharges of pressurized leachate when drilling additional holes for wells, liquid pumps, temperature devices, or other purposes. This Discharge of Pressurized Leachate Containment Feasibility Study shall include an analysis on the feasibility of a temporary tenting, containment vessel(s)/dome(s), other enclosure(s), or partial enclosure system designed to collect and contain the leachate flow while limiting the escape of odors produced from drilling/ discharges of pressurized leachate, to allow for additional well drilling in the Reaction Area.



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

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

10 a. Measure and record the leachate temperature within all the ~~four (4)~~ 6-inch  
11 ~~inch~~ leachate pipes feeding into the onsite frac tanks, and at the piping  
12 leading into the tanks at ~~all tank farms~~ the bottom of the hill. The  
13 temperature measurements reported shall include a map clearly indicating  
14 temperature monitoring location(s), and the reported results shall clearly  
15 state which tank(s) or tank farm(s) are downstream of the monitoring  
16 location, receiving the measured leachate;

17 b. Respondent shall have dedicated staff or a contractor conduct and  
18 document inspections twice each calendar day, once in the morning,  
19 completing the inspection prior to 10 am, and once in the afternoon,  
20 starting the inspection at 1 pm at the earliest. The inspections shall begin  
21 with the surface of the Western and Northern slopes of the Reaction Area  
22 for liquid/leachate seepage and pooling and shall additionally consist of  
23 inspecting the facility's stormwater channel(s), and the facility's  
24 stormwater basin(s). Respondent shall maintain records from each  
25 inspection that include the details of any leachate seepage and pooling,  
26 including location(s) (identified on graphic map(s) of the landfill, with the  
27 subject landfill surface grid, and GPS coordinates), time discovered,  
28 estimated duration of presence of leachate at such locations, the

1 characteristics of the leachate (estimated quantity in gallons, extent of area  
2 impacted in square footage, odor type and intensity), the leachate  
3 saturation level of surrounding soils (standing free liquid, saturated, semi-  
4 dry, dry), and additional containment systems or measures deployed to  
5 route, collect, and contain the exposed leachate and prevent further  
6 leachate exposure

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

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

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Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)], the first weekly report, and shall submit an additional weekly report every 7 calendar days thereafter;

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

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

1 29. Respondent shall ensure it has proper capacity (based on reporting pursuant to Condition  
2 8) to accumulate onsite and/or dispose of collected liquids/leachate at an appropriate facility  
3 or facilities.

4 **Landfill Cover**

5 30. Respondent shall visually inspect the landfill cover and geosynthetic cover(s) in and around  
6 the Reaction Area (as defined in Condition No. 9(a)) each operating day and shall promptly  
7 repair any cover issues identified, which may include adding and spreading of clean soil,  
8 wetting, ~~and~~ retracking any damaged area, and repairing or resealing of the geosynthetic  
9 cover. All repair and correction actions to the landfill cover, and interim repair of  
10 geosynthetic cover shall be conducted promptly and no later than two hours after  
11 identification during inspection, safety permitting. Permanent repair of geosynthetic cover  
12 shall be scheduled immediately and shall take place as soon as possible following  
13 identification of cover issue. Respondent shall maintain a log demonstrating that it has  
14 addressed any damages to the landfill cover or geosynthetic cover, including the date the  
15 damage was identified, the action taken to repair the damage, and the time at which the  
16 repair was completed. Results of the daily inspection and the repair log required by this  
17 condition shall be included in the monthly reports required pursuant to Condition No. 8.

18 31. Respondent shall install a geosynthetic cover over western portions of Module 2B/3/4 Phase  
19 2, Module 2B/3, and Module 4 to limit the migration of landfill gas from the site.  
20 Respondent shall submit the completed design for the cover, which will provide greater  
21 definition to the cover location, including associated landfill gas extraction infrastructure  
22 to be installed underneath the cover, to the South Coast AQMD by September 12, 2023  
23 (Baitong Chen, Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel, Senior Air  
24 Quality Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air Quality Inspector,  
25 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))). Respondent shall then obtain and install the geosynthetic cover  
26 material of at least 30 mil thickness. Respondent shall notify South Coast AQMD by  
27 October 31, 2023 (Baitong Chen, Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel  
28 Dickel, Senior Air Quality Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air

1 Quality Inspector, (cojeda@aqmd.gov)) on the progress of procuring and installing the  
2 geosynthetic cover. Respondent shall include updates on the procurement and installation  
3 of the geosynthetic cover in the monthly reports pursuant to Condition No. 8.

4 **Ambient Air, Leachate & Emissions Monitoring**

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

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

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

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- i. The identification and qualifications of the primary personnel and/or firms proposed to conduct the study, as well as the specific techniques and location(s) where the study will be conducted;
- ii. A timeline for completion of the study and submittal of the final written reports to South Coast AQMD no later than 150 days after South Coast AQMD approval of the study proposal.

c. Since the Reaction Committee recommended additional modeling, Respondent shall, within 14 calendar days of approval of this Order, revise the air modeling study proposal according to the comments received by email on March 28, 2024, and re-submit the revised proposal to South Coast AQMD for approval. Respondent shall submit a final written report on the additional modeling to South Coast AQMD by September 2, 2024 or 90 days following approval of the air modeling study proposal by South Coast AQMD, whichever is later.

33. Respondent shall follow the direction of DPH to expand and enhance its current ambient air monitoring program to include DMS and other constituents of landfill gas, sampling at residential locals where recent odor complaints have been reported and at on-site locations where odors are most pronounced, and to conduct a flux chamber study (the “initial” flux chamber study discussed in Condition No. 12(d)). Any reports submitted to DPH related to these studies shall also be submitted to the South Coast AQMD (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

34. By January 19, 2024, Respondent shall provide South Coast AQMD with access to all real-time continuous monitoring data for PM2.5, PM10, and H2S recorded at all monitoring stations (MS-01 through MS-12, and any subsequent additional monitoring stations). Respondent shall by January 19, 2024 or within 5 calendar days after enhanced monitors are brought online, provide South Coast AQMD with access to all real-time continuous monitoring data for total reduced sulfur (TRS) and toxic air contaminants (TAC) recorded

1 by the enhanced monitors (MS-04, MS-12, and any additional enhanced monitors  
2 thereafter, including additional monitors as required by Condition No. 36.).

3 a. Within 30 days of this issuance of this Modified Order, Respondent shall ensure that  
4 weekly benzene and live, real-time H2S and methane concentration data from all  
5 monitors and/or 24 hour samples within the Val Verde and surrounding community  
6 are posted to and accessible at the webpage created pursuant to Condition 39 for  
7 public access, displayed in an easy to read graphical format plot with compound  
8 concentration (y-axis) in parts per billion volume (ppbV) vs. time (x-axis) in  
9 DD/MM/YYYY HH:MM format, which is simple to review and understand. The  
10 compounds concentration data displayed in the graphical plot in ppbV shall be plotted  
11 based on the finalized data as reported by the testing laboratory or monitoring device  
12 ensuring all significant figures are preserved and without rounding. The display shall  
13 allow the public to determine the benzene and real-time H2S and methane  
14 concentration, and the geographic location where the concentration is monitored. The  
15 graphical format plot shall additionally reference and display a horizontal dotted or  
16 dashed line for each compound's respective Reference Exposure Level (REL) (as  
17 applicable) established by California Office of Environmental Health Hazard  
18 Assessment (OEHHA): (1) the acute 1-hour OEHHA REL for H2S, which is the same  
19 as the state-level standard for this compound (30 ppb), and (2) the acute 1-hour  
20 OEHHA REL for benzene (8 ppb).

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

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

27 b. Within 30 days of this issuance of this Order, weekly data (from Saturday at 12:00  
28 am to Friday at 11:59 pm) collected by these monitors shall be made available on the

1 webpage created pursuant to Condition No. 39, in a manner which allows for user  
2 defined data download, no later than the following Monday at 5:30 pm. Data from  
3 these monitors shall be kept on file and made available to South Coast AQMD  
4 personnel upon request.

5 i. In the event of unexpected downtime of a monitor, bump tests, maintenance,  
6 or other scenario which may result in missing data or test data being recorded,  
7 by March 29, 2024, Respondent shall provide flags or other visual indicators  
8 on its website (created pursuant to Condition No. 39) for each data point/set  
9 that clearly indicate and document the range of dates/times with the missing  
10 or affected data, and indicate the reason for the missing or affected data.

11 c. Respondent shall, by April 30, 2024, retain a third party to develop and install a  
12 system that provides automatic electronic notification via email for any exceedance  
13 of the applicable 1-hour NAAQS, CAAQS, or acute 1-hour OEHHA REL, whichever  
14 is lower (both in time and concentration) based on a time weighted average for  
15 benzene and H2S monitored in real-time by Respondent's monitoring network within  
16 the surrounding community (MS-06 through MS-12) by May 30, 2024. Respondent  
17 shall be responsible for the third party including in such system a method for members  
18 of the public to sign up to receive such notifications without any personally  
19 identifying information (including email address) being disclosed to Respondent.  
20 Respondent shall be responsible for the third party putting into effect the notification  
21 system within three business days of direction from South Coast AQMD.

22 35. Respondent shall, by January 19, 2024, provide all standard operating procedures (SOPs)  
23 and any other Quality Control and Quality Assurance (QA/QC) documents describing the  
24 operation and maintenance of all instruments used at the air monitoring stations and/or  
25 enhanced monitoring stations specified in Condition No. 34. These QA/QC documents shall  
26 include detailed information on the calibration, and maintenance of the monitoring  
27 equipment and associated instrumentation, and procedures used for data handling,  
28 validation, and analysis. They shall additionally include the frequency/schedule of these



1 actions. Respondent shall provide these QA/QC documents to South Coast AQMD  
2 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
3 Quality Engineer, (ndickel@aqmd.gov); Christina Ojeda, Air Quality Inspector, Payam  
4 Pakbin, Atmospheric Measurements Manager, ppakbin@aqmd.gov)]. Respondent shall  
5 provide updates to these QA/QC documents (if any) and a log for calibration, and  
6 maintenance activities performed on the monitors in the monthly reports pursuant to  
7 Condition No. 8.

8 a. Respondent shall provide South Coast AQMD with the same access that Respondent  
9 has to on-site and off-site monitoring equipment. With respect to on-site monitoring  
10 equipment, Respondent may require all visitors, including South Coast AQMD staff,  
11 to don appropriate personal protective equipment. Upon request by South Coast  
12 AQMD, Respondent shall, within 24 hours, provide a list of all personal protective  
13 equipment that Respondent deems appropriate for accessing the monitoring  
14 equipment. Respondent shall not prohibit South Coast AQMD staff from access to  
15 Respondent's facility, including the monitoring equipment, if South Coast AQMD  
16 staff don all personal protective equipment included on a list issued by Respondent  
17 pursuant to this condition. With respect to off-site monitoring equipment, South Coast  
18 AQMD shall arrange permission from third-party property owners for access, if  
19 necessary, and Respondent shall provide access to equipment and accompany South  
20 Coast AQMD personnel.

21 b. Respondent shall implement quality control measures (such as span and blank checks,  
22 calibration, etc.) as specified by South Coast AQMD to ensure the accuracy of their  
23 monitoring network within 30 days of notification.

24 i. If, following receipt of notification from South Coast AQMD, Respondent  
25 disputes the need to take one or more specified quality control measures,  
26 Respondent shall submit a response letter to the South Coast AQMD (attn:  
27 Stephen Dutz, sdutz@aqmd.gov) not later than 20 days prior to the time for  
28 implementation which details the dispute or objection, including provision

1 of supporting evidence as applicable. Respondent shall further propose not  
2 less than 3 potential time slots for a virtual meeting during South Coast  
3 AQMD business hours where appropriate staff or consultants from  
4 Respondent are able to discuss the matter with South Coast AQMD.

5 ii. If Respondent follows the procedures outlined in Condition No 35(b)(i)  
6 above, the deadline for implementing the disputed quality control measures  
7 shall be delayed until a further deadline is set by South Coast AQMD in a  
8 response determination.

9 iii. If EPA requires Respondent to take any action that is inconsistent with  
10 quality control measures specified by South Coast AQMD under this  
11 Condition 35(b) with respect to the MicroGCs, Respondent shall  
12 immediately contact the South Coast AQMD [attn: Steven Dutz,  
13 sdutoz@aqmd.gov; Kathryn Roberts, kroberts@aqmd.gov; Mary Reichert,  
14 mreichert@aqmd.gov] and describe the inconsistency. Respondent shall  
15 endeavor to resolve the inconsistency with the Executive Officer, while  
16 adhering to the measures specified by EPA.

17 36. Respondent shall, ~~within 75 days of the issuance of this Order~~ by May 1, 2024, install and  
18 maintain instrumentation within the nearby residential community, at sites MS-10 and MS-  
19 12, as defined in Respondent's existing Community Air Monitoring Program. These  
20 instruments shall be capable of measuring hourly concentrations of benzene, toluene,  
21 ethylbenzene, xylenes, and other relevant volatile organic compounds (VOC) with site  
22 surface emissions greater than 1 ton/year, as indicated in Table 5.5 of the Chiquita Canyon  
23 Landfill Assessment of Air Emissions from Landfill Surfaces Report dated October 2023.  
24 While long-term solutions for permanent power are implemented and any necessary permits  
25 and approvals by regulatory agencies for permanent power are obtained, these instruments  
26 will be installed and put into operation using temporary power to allow for continuous  
27 measurements of all volatile organic compounds required. It is recognized that the use of  
28 temporary power may not guarantee the uninterrupted operation of these instruments.

1 Respondent shall develop a monitoring plan that utilizes reliable and field-proven  
2 instrumentation, such as a micro gas chromatograph (MicroGC) with pre-concentration,  
3 and seek approval from South Coast AQMD. ~~If measurement of any target compounds is~~  
4 ~~not able to be practically achieved, Respondent shall inform and seek approval from South~~  
5 ~~Coast AQMD.~~ Respondent shall request and pay for expedited processing of all permits  
6 and procurement of the instruments, if available. To ensure Respondent is on schedule to  
7 complete installation within the 75 days, Respondent shall provide the South Coast AQMD  
8 (attn: Kathryn Roberts, [kroberts@aqmd.gov](mailto:kroberts@aqmd.gov); Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov)) an  
9 update at intervals of 30 days and 60 days from the issuance of the Order. Respondent shall  
10 specifically address whether it believes an extension is necessary and provide supporting  
11 documentation if it is seeking such extension. The AQMD may grant an extension of up to  
12 60 days as appropriate based on the evidence submitted.

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

19 b. Until installation of the additional instrumentation is complete,  
20 Respondent shall increase the number of 24-hour time integrated canister  
21 sampling and analysis taken and analyzed for VOCs at MS-06 through  
22 MS-12 to three times per week.

23 37. Respondent shall, by March 5, 2024, take at least ten liquid samples from wells with pumps  
24 located in the Reaction Area, including wells with the highest average temperatures to the  
25 extent feasible. Respondent shall submit the liquid samples to a laboratory for analysis.  
26 Sampling and analysis shall be performed per U.S. EPA Method 624.1. Respondent shall,  
27 within 1 week of receipt from the contract laboratory, submit the results to South Coast  
28 AQMD (Baitong Chen, Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel,

1 Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
2 Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov)). With the results, Respondent shall also submit laboratory  
3 analysis from samples taken on October 20, 2023 from leachate seeps on the western slope  
4 of the Reaction Area.

- 5 38. Respondent shall take at least one representative monthly sample of liquids from the  
6 Reaction Area of the Landfill and at least one representative monthly sample of leachate  
7 from the bottom tanks where liquids/leachate from the entire Landfill collect and analyze  
8 them per U.S. EPA Method 624.1 for the presence of volatile organic compounds (VOCs)  
9 and toxic air contaminants (TACs). In the event that Respondent demonstrates, to the  
10 satisfaction of South Coast AQMD, that generated liquid/leachate is sufficiently collected  
11 with no remaining seepage or potential for discharges of pressurized leachate, then the  
12 leachate sampling and analysis shall be reduced to a quarterly schedule. If further leachate  
13 seepage or discharges of pressurized leachate are found to occur, resulting in the exposure  
14 of the liquid/leachate to atmosphere, then the sampling and analysis shall return to a  
15 monthly schedule. Respondent shall, within 1 week of receipt from the contract laboratory,  
16 post the analytical results on Respondent's website, and provide to South Coast AQMD  
17 along with a detailed description and depiction of the sampling locations (Baitong Chen,  
18 Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov)); Nathaniel Dickel, Senior Air Quality Engineer,  
19 ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina Ojeda, Air Quality Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))).

## 20 **Community Outreach**

- 21 39. Respondent shall continue to maintain and update regularly (on a weekly basis) a dedicated  
22 page of its website with a highly visible link on its homepage (the "odor mitigation section")  
23 for presenting information discussing odor mitigation at CCL. Such webpage shall include  
24 all information in English and Spanish ~~within 30 days of the issuance of the Initial Order.~~  
25 Subsequent reports posted on the webpage shall be sent to a translation service within 2  
26 business days of posting on the webpage, and shall be translated and uploaded to the  
27

1 webpage within 2 business days of receipt from translation service. and Such webpage shall  
2 also meet the following requirements:

- 3 a. The odor mitigation webpage shall be accessible via a direct hyperlink included on  
4 the homepage of CCL’s website (<https://chiquitacanyon.com>), via a clickable link  
5 with text stating “Odor Mitigation;”
- 6 b. The odor mitigation webpage shall display prominently at the top of the page a  
7 notification that complaints of any odors believed to be caused by CCL can be made  
8 to CCL (24-Hour Hotline) at (661) 253-5155;
- 9 c. The odor mitigation webpage shall display prominently at the top of the page a  
10 notification that complaints may also be submitted to the South Coast Air Quality  
11 Management District via telephone at 1 (800) CUT-SMOG or 1 (800) 288-7664 or  
12 online on South Coast AQMD’s website (which shall hyperlink to the following:  
13 <http://www3.aqmd.gov/webappl/complaintsystemonline/NewComplaint.aspx>);
- 14 d. The odor mitigation webpage shall include a “Recent Updates” section which shall  
15 provide a narrative description of Respondent’s understanding of the reaction and  
16 DMS;
- 17 e. The odor mitigation webpage shall include an “Odor Mitigation Efforts” section  
18 which shall describe the efforts Respondent is taking to mitigate potential odors;
- 19 f. The odor mitigation webpage shall include an “Odor and Maintenance Logs”  
20 section which shall include via hyperlink any logs created pursuant to this Order,  
21 preceded by a brief narrative description;
- 22 g. The odor mitigation webpage shall include a “Reports, Permits, and Other  
23 Documents” section which shall include via hyperlink, preceded by a brief narrative  
24 description:
- 25 i. This Order;
- 26 ii. Safety Data Sheets for odor neutralizer used at the facility and compounds  
27 used in the Semi-Permanent Vapor Odor Control system referenced in  
28 Condition No. 45;

- 1 iii. A copy of Respondent’s current Conditional Use Permit (No. 2004-00052-  
2 (5));
- 3 iv. Any reports relating to odor or odor mitigation required by Respondent’s  
4 Conditional Use Permit (No. 2004-00052-(5)) to be submitted to any  
5 government agency, including any responses or discussion of remedial actions  
6 to odor violations or complaints required by any government agency; and
- 7 v. All reports created by the Reaction Committee pursuant to this Order.
- 8 vi. Any other reports or correspondence requested by the County of Los Angeles  
9 agencies related to the reaction, odor, and Respondent’s mitigation efforts.
- 10 h. The odor mitigation webpage shall include an “Air ~~Quality~~ ~~Monitoring and Health~~  
11 ~~Impacts~~ Section” which shall include a brief narrative describing the current status  
12 of air quality monitoring required under Condition 68 of Respondent’s Conditional  
13 Use Permit (No. 2004-00052-(5)). The “Air ~~Monitoring-Quality~~ ~~and Health~~  
14 ~~Impacts~~ Section” shall also include, via hyperlink, preceded by a brief narrative  
15 description:
- 16 i. Any consultant reports submitted to the Community Advisory Committee  
17 (“CAC”), TAC, or any government agency under Condition 68 of  
18 Respondent’s Conditional Use Permit (No. 2004-00052-(5)).
- 19 ii. Any quarterly or annual reports submitted to the Los Angeles County  
20 Department of Public Health or South Coast AQMD under Condition 68 of  
21 Respondent’s Conditional Use Permit (No. 2004-00052-(5)).
- 22 i. The odor mitigation webpage shall include an “Upcoming Public Meetings”  
23 Section, which shall display the title/subject, date, time, location and/or virtual  
24 access information (including videoconference link or teleconference number as  
25 applicable), and a note of whether public comment will be received for the following  
26 meetings:
- 27 i. Any noticed hearing of the South Coast AQMD Hearing Board in Case No.  
28 6177-4;

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

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

24 **Rule 1150 Landfill Excavation**

25   41. Respondent shall submit, by January 30, 2024, a complete plan application for a Rule 1150  
26   Landfill Excavation Plan. The submittal shall be accompanied with a complete Title V  
27   Revision application and shall be submitted with an expedited processing request and  
28

1 associated required fees, forms, and information. A generic Rule 1150 plan application and  
2 Title V Revision application shall include the following:

- 3 a. A signed and completed Form 400-A.
- 4 b. A signed and completed Form 400-CEQA.
- 5 c. Reason for excavation.
- 6 d. A site summary indicating the site history.
- 7 e. A list of materials buried or suspected materials buried in the site based on available  
8 records.
- 9 f. Results of any boring tests done to characterize the disposal site.
- 10 g. Results of recent landfill gas analysis or soil vapor phase analysis including the  
11 concentrations of methane, sulfur compounds, and speciated non-methane  
12 hydrocarbons.
- 13 h. A plot plan indicating the location of the excavation, staging areas, vehicle route(s),  
14 vehicle cleaning area, and any nearby buildings, roadways, or other site identifying  
15 features, and including any schools, residential area or other sensitive receptors such  
16 as hospitals or locations where children or elderly people live or work up to 2,500  
17 feet away.
- 18 i. Operating schedule for excavation and removal (hours/day, days/week, weeks/year,  
19 or equivalent).
- 20 j. Scheduled excavation starting and completion dates, and number of working days  
21 required for the excavation.
- 22 k. Description of how the excavation will be conducted, including excavation  
23 equipment and vehicles hauling the excavated material.
- 24 l. Description of mitigation measures for dust, odors, and hydrocarbons.
- 25 m. Description of monitoring to be conducted, including monitoring equipment and  
26 techniques.
- 27 n. Total amount of material to be excavated in cubic yards under this project.
- 28



- 1 o. Description of disposal of the material (re-burial on-site or sent off site for disposal,  
2 if off-site provide name of landfill where material will be disposed).
- 3 p. Maximum surface area of excavation workface.
- 4 q. Maximum surface area of refuse or contaminated material to be exposed to  
5 atmosphere at any one time.
- 6 r. Fees in the amount \$1,090.43 (for Title V facilities, fee schedule FY 23-24).
- 7 s. A Title V Permit Revision application shall be submitted with associated application  
8 fees in the amount of \$1,820.84 (fee schedule FY 23-24) and required forms (Form  
9 400-A, Form 500-A2, Form 500-C1).
- 10 t. A signed Form 400-XPP and additional 50% more fees from the plan fees listed  
11 above (\$545.22).

12 42. Respondent shall comply with the following requirements in the interim period, starting  
13 upon issuance of this Order and until the final approval of the Rule 1150 landfill excavation  
14 plan under the application specified in Condition No. 41 above, for all excavation, as  
15 defined in Rule 1150(a)(5), unless excavation is occurring pursuant to one or more  
16 exemption as listed in South Coast AQMD Rule 1150(c):

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

- 24 i. Company Name and Company ID
- 25 ii. Site Address
- 26 iii. Notification Type (2 days prior or 5 days after)
- 27 iv. Estimated Excavation Start Date and Completion Date
- 28

v. A Map of the Facility with Excavation Location Indicated

- 1
- 2 b. Excavation shall not be conducted between the hours of 6:00 p.m. and 6:00 a.m. or
- 3 on weekends and legal holidays unless excavation is occurring to comply with
- 4 Condition 24, or otherwise approved in writing by the South Coast AQMD.
- 5 c. Excavation shall not be conducted on days when South Coast AQMD forecasts
- 6 first, second, or third stage episodes for area number 13 or when South Coast
- 7 AQMD requires companies in area number 13 to implement their first, second or
- 8 third stage episode plans. Episode forecasts for the following day can be obtained
- 9 by calling (800) 288-7664.
- 10 d. During excavation, continuous monitoring and recording of the wind speed and
- 11 directions shall be conducted at an appropriate site or, through the meteorological
- 12 station if present at the site.
- 13 e. Excavation shall not be conducted, except in the Reaction Area, when the wind
- 14 speed is greater than 15 mph (averaged over 15 minutes) or the wind speed
- 15 instantaneously exceeds 25 mph. If Respondent receives either any NOV for
- 16 violation of Section 41700 / Rule 402 or any complaints for dust, Respondent shall
- 17 stop excavation in the Reaction Area during such wind conditions.
- 18 f. During excavation, all working excavation areas, excavated material and unpaved
- 19 roadways shall be watered down until the surface is moist and then maintained in a
- 20 moist condition to minimize dust and emissions without creating a safety hazard
- 21 condition.
- 22 g. VOC contaminated soil (as defined by Rule 1166) shall not be spread onsite or
- 23 offsite, nor stockpiled, if it results in uncontrolled evaporation of VOC to the
- 24 atmosphere. VOC contaminated soil shall not be used for landfill cover.
- 25 h. During excavation, monitoring for Total Organic Compounds as methane using an
- 26 Organic Vapor Analyzer (OVA) or other monitor approved by the South Coast
- 27 AQMD shall be conducted continuously at the working face of the excavation and
- 28 at the downwind property line or other approved locations. The maximum sustained

1 readings (greater than 15 seconds) shall be recorded every 15 minutes. The OVA  
2 or other approved monitor shall be calibrated each day in accordance with  
3 manufacturers' specifications.

4 i. If the OVA or other approved organic monitor shows a sustained reading (greater  
5 than 15 seconds) of 2,000 ppmv Total Organic Compounds as methane or greater  
6 at the working face of the excavation, the excavation shall cease and the area  
7 generating the emissions shall immediately be completely covered with a minimum  
8 of 6 inches of clean dirt, plastic sheet, or other South Coast AQMD approved cover.  
9 Excavation shall not resume until the readings return to the pre-excavation level.

10 j. If the OVA or other approved organic monitor shows a sustained reading (greater  
11 than 15 seconds) of 200 ppmv Total Organic Compounds as methane or greater  
12 downwind from the site at the property line (or other approved locations), the  
13 excavation shall cease and the area generating the emissions shall immediately be  
14 completely covered with a minimum of 6 inches of clean dirt, plastic sheet, or other  
15 South Coast AQMD approved cover. Excavation shall not resume until the readings  
16 return to the pre-excavation level.

17 k. Excavated landfill material and refuse shall be immediately, not to exceed 2 hours,  
18 relocated for burial onsite, immediately deposited into trucks/trailers for off-site  
19 transport and completely covered with automated vinyl tarps, with such covers tied  
20 down, except for during active loading/unloading of refuse.

21 l. When refuse loading is completed and during transport, no material shall extend  
22 above the sides or rear of the truck or trailer which will haul the excavated material.  
23 Excavated material shall be completely covered with automated vinyl tarps, with  
24 the cover tied down.

25 m. Respondent shall ensure that there is no track-out from the excavation area.  
26 Respondent shall ensure that all trucks used for excavation in Reaction Area go  
27 through a rumble strip before exiting the excavation area, and Respondent shall  
28

1 ensure that all trucks shall, following the conclusion of excavation, but not less than  
2 once per day, be free of excavation materials.

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

12 o. Daily inspections shall be conducted of any covered excavation area (per  
13 Conditions 41(i), 41(j), and 41(n) above) to ensure the integrity of the cover(s) is  
14 maintained and secured so that no portion of the soil is exposed to atmosphere. If  
15 the cover material is not completely covering the landfill materials and refuse  
16 generating emissions, or if the integrity of the cover has been compromised,  
17 immediate corrective action shall be taken to add and secure a new cover, or  
18 additional cover, on the area requiring corrective action. An inspection log shall be  
19 maintained to record the time of the inspections and any corrective action  
20 performed.

21 p. All materials that are listed as hazardous by a federal or state agency shall be  
22 considered “hazardous materials” for the purpose of this Order.

23 i. All excavated hazardous material shall be transported in such a  
24 manner as to prevent any emissions of hazardous materials.

25 ii. All hazardous materials shall be transported in containers clearly  
26 marked as to the type of material contained and what procedures  
27 should be followed in case of accidental spills.  
28

1                   iii. Excavated liquid hazardous materials with the potential to cause air  
2                   emissions shall be encapsulated or enclosed in containers with sealed  
3                   lids before loading into the transport vehicles.

4           q. Excavation, handling and stockpiling activities shall comply with the applicable  
5           requirements of Rule 403.

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

8           s. Landfill excavation mitigation measures, other than those listed in this Condition  
9           No. 42, which South Coast AQMD personnel determine are necessary to protect the  
10           health and safety of the public, shall be implemented upon request.

11 **Other Conditions**

12 43. To ensure that fresh trash odors remain controlled, Respondent shall maintain the following  
13 fresh trash-related odor mitigation measures recommended by its landfill operations expert  
14 from the Stipulated Order for Abatement in Case No. 6177-1 during Unfavorable Wind  
15 Conditions, as defined in the Stipulated Order for Abatement in Case No. 6177-1.  
16 Respondent shall not expose more of the working face than is operationally necessary on  
17 any working day and shall additionally maintain the following odor mitigation measures:

18           a. Use orchard fans, and tow-and-blow fans as needed, placed and spaced around the  
19           working face in accordance with the recommendations of Chiquita's landfill  
20           operations expert;

21           b. Use equipment equipped with odor neutralizer misting systems in various portions  
22           of CCL to neutralize any fresh trash odors. This equipment shall include, but not be  
23           limited to, fans and arm tower misters;

24           c. Identify and appropriately handle odorous loads at the scale and working face as  
25           new waste loads enter CCL;

26           d. Haul odorous loads with proper sequencing and cover; and

27           e. Regularly train staff on all aspects of landfill operations, employee safety, and odor  
28           control.

1 f. If Respondent detects trash-based odors at any stops during any odor surveillance  
2 conducted pursuant to Condition No. 1(f) during Respondent’s operating hours,  
3 Respondent shall deploy additional permitted orchard-style fans to the working face  
4 and surrounding area. If Respondent is not able to confirm the reduction of trash  
5 based odors within 1 hour of deployment of additional fans, Respondent shall  
6 reduce its working face by 25% of that day’s total size for the remainder of the  
7 operating day.

8 44. Respondent shall obtain, install, and maintain an on-site landfill meteorological station to  
9 measure wind speed and direction by October 31, 2023. The meteorological station shall  
10 be installed at a location appropriate for determining wind speed and direction on the top  
11 deck of the landfill in the Reaction Area (as defined in Condition 9(a)) on a 1-hour average  
12 basis, with measurements recorded every 5 minutes. The station shall record and preserve  
13 all available readings for three years and the readings shall be made available to the South  
14 Coast AQMD upon request.

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

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

21 47. The landfill perimeter odor control misting system shall be operated immediately and  
22 continuously upon receiving data from the meteorological station, referenced in Condition  
23 No. 44 above, that the 1-hour averaged wind direction is blowing in West, Northwest,  
24 North, or Northeast directions (270 degrees to 45 degrees). The misting system shall  
25 continue to operate until the 1-hour averaged wind direction data demonstrates the wind is  
26 no longer blowing in the specified directions. The system shall be operated in such a  
27 manner and with sufficient odor neutralizers to mitigate, to the extent possible, transient  
28 odors from the landfill into surrounding communities, as determined by the Reaction

1 Committee.

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

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

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

1 Condition No. 49 or Condition No. 49(a) be waived.

2 50. ~~Respondent shall provide a workplan which lists the actions that Respondent plans to take~~  
3 ~~in order to address the subsurface reaction and return all aspects of the CCL to good and~~  
4 ~~compliant working order, including liquid/leachate seepage and discharges of pressurized~~  
5 ~~leachate, methane surface exceedances, fugitive emissions of landfill gas, well temperature~~  
6 ~~exceedances, and non-compliant composition of landfill gas. This workplan shall include a~~  
7 ~~timeline of the proposed work, and shall include both short term and long term solutions~~  
8 ~~planned to mitigate impacts to the surrounding communities and return the facility into~~  
9 ~~compliance. Respondent shall submit the complete workplan to South Coast AQMD by~~  
10 ~~March 13, 2024 (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel~~  
11 ~~Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air~~  
12 ~~Quality Inspector, (cojeda@aqmd.gov)). Respondent shall provide quarterly updates on the~~  
13 ~~workplan, by the 13<sup>th</sup> day of every third month, starting June 13, 2024, specifying any~~  
14 ~~updates to the plan or associated work timelines. Respondent shall follow the direction of~~  
15 ~~EPA to implement the Master Work Plan submitted to EPA under the Unilateral~~  
16 ~~Administrative Order (UAO). Any monthly progress reports submitted to EPA in~~  
17 ~~accordance with the UAO shall also be submitted to the South Coast AQMD (Baitong Chen,~~  
18 ~~Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,~~  
19 ~~(ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).~~

20 51. Respondent shall permit South Coast AQMD personnel to conduct all inspections deemed  
21 necessary by South Coast AQMD Compliance staff, including, but not limited to, collection  
22 of samples. If during any inspection, South Coast AQMD observes uncontrolled liquid  
23 which has at least one characteristic (including odor, appearance, etc.) that suggests the  
24 liquid may be leachate, South Coast AQMD may require Respondent to collect a sample of  
25 the liquid within 24 hours, submit the sample for expedited testing for VOCs, and submit  
26 test results to the South Coast AQMD Compliance Inspector within 24 hours of receipt of  
27 results, but no later than 96 hours after collection. Notwithstanding the preceding,  
28 Respondent may require all visitors, including South Coast AQMD staff, to comply with



1 ~~the site's Health and Safety Plan on appropriate personal protective equipment prior to~~  
2 ~~visiting the Reaction Area. Upon request by South Coast AQMD, Respondent shall, within~~  
3 ~~24 hours, provide a list of all personal protective equipment that Respondent deems~~  
4 ~~appropriate for visiting the Reaction Area.~~ Respondent shall not prohibit South Coast  
5 AQMD staff from access to Respondent's facility, including the Reaction Area, if South  
6 Coast AQMD staff comply with the Health and Safety Plan on all personal protective  
7 equipment included on a list issued by Respondent pursuant to this condition. Respondent  
8 shall provide South Coast AQMD with any updates to the Health and Safety Plan within 1  
9 business day of going into effect.

10 a. To the extent Respondent's Health and Safety Plan requires 5-gas  
11 monitors for regulatory staff to conduct an on-site inspection, Respondent  
12 shall maintain onsite at least two 5-gas monitors (calibrated, sufficient  
13 battery, and ready for use) for regulatory personnel to use. Respondent  
14 may require any individual utilizing its 5-gas monitors to sign a waiver or  
15 release of liability in the form provided by Respondent agreed upon by the  
16 parties on April 19, 2024.

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

22 53. Respondent shall, on a weekly basis, report on: (1) number of tanks in each leachate tank  
23 group; (2) total number of leachate tanks treated; (3) weekly and year-to-date total quantity  
24 of liquid collected; (4) weekly and year-to-date total quantity of liquid treated; and (5)  
25 estimated weekly and year-to-date total quantity of seeping, pooling, or ponding leachate  
26 collected. By no later than April 3, 2024, Respondent shall submit South Coast AQMD  
27 (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
28 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,

1 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov)), the first weekly report, and shall submit an additional weekly report  
2 every 7 calendar days thereafter.

3 54. Respondent shall collect, convey, and store any condensate collected after the sulfur  
4 treatment carbon absorbers separately from landfill leachate. No combining or mixing of  
5 these liquid materials shall occur, to allow for accurate characterization and profiling of each  
6 liquid.

7 55. Respondent shall immediately cease injection of landfill gas condensate into the landfill gas  
8 control flares, unless the condensate injection is initially performed for the purposes of a  
9 source test required under this condition. Any injection of condensate collected after the  
10 sulfur treatment carbon absorbers to the flares may be allowed if each of the following  
11 criteria are fulfilled:

12 a. The condensate has been sampled/analyzed and determined as non-  
13 hazardous in accordance with hazardous material requirements by  
14 respective agencies (U.S. EPA and DTSC), with sampling/analysis results  
15 provided to South Coast AQMD along with specified regulatory  
16 hazardous waste thresholds;

17 b. The condensate tank has not received any additional liquid after the  
18 sampling/analysis performed in Condition 37(a) and will not receive any  
19 additional liquids prior to or during injection/combustion;

20 c. Respondent has submitted a complete source test protocol which has been  
21 reviewed and approved by South Coast AQMD in writing, and which  
22 includes, at a minimum, procedures for testing of methane, total non-  
23 methane organic compounds, speciated organics (including but not limited  
24 to Rule 1150.1 Table 1 Carcinogenic and Toxic Air Contaminants), NO<sub>x</sub>  
25 as NO<sub>2</sub>, CO, particulate matter (PM<sub>10</sub>), oxygen and carbon dioxide,  
26 moisture content, temperature, flowrate, total sulfur compounds as H<sub>2</sub>S  
27 and speciated sulfur compounds, gas BTU value, nitrogen, methane and  
28 TNMOC destruction efficiency, and metals;

- 1 d. Respondent has submitted a source test report which has been reviewed
- 2 and approved in writing by South Coast AQMD;
- 3 e. South Coast AQMD grants written approval to conduct condensate
- 4 injection and has not withdrawn the approval based on follow-up source
- 5 test evaluation(s);
- 6 f. Respondent conducts follow-up flare source testing, at a minimum of
- 7 every 6 calendar months, which includes non-hazardous condensate
- 8 injection, and following the requirements of sub-item (d) above; and
- 9 g. Respondent maintains records of condensate sampling/analysis results to
- 10 demonstrate the liquid is non-hazardous, maintains records of daily
- 11 condensate injection flows (gallons per day), and provides these records
- 12 in the monthly report pursuant to Condition No. 8.

13 56. Respondent shall conduct sampling and analysis of vapors in the headspace of leachate tanks  
14 located in the Top Deck Tank Farm (Tank Farm #9). Sampling as required below shall be  
15 completed no later than April 4, 2024. Samples shall be collected and analyzed from the  
16 following equipment/locations:

- 17 a. the vapors in the headspace of at least one untreated leachate storage tank
- 18 (preferentially containing leachate that is determined to be hazardous or
- 19 assumed to be hazardous in accordance with hazardous material
- 20 requirements by respective regulatory agencies, e.g. U.S. EPA and/or
- 21 DTSC);
- 22 b. the vapors in the headspace of at least one leachate storage tank
- 23 undergoing treatment at;
- 24 c. the vapors in the headspace of at least one leachate storage tank where
- 25 treatment is complete.

26 Each of the sampled storage tanks shall be filled at least 2/3 full of leachate (approximately  
27 14,000 gallons). Tanks to be sampled shall be preferentially selected to be those not  
28 connected/vented to the landfill gas collection system and/or landfill gas control systems.

1 Vapor sampling and analysis of the headspace shall be conducted for total sulfur compounds  
2 as H<sub>2</sub>S and speciated sulfur compounds pursuant to South Coast AQMD Method 307-91,  
3 and for speciated organic compounds pursuant to U.S. EPA Method TO-15. Sampling and  
4 analysis shall be performed by a South Coast AQMD Laboratory Approval Program (LAP)  
5 approved laboratory(ies), capable of sampling and analysis per South Coast AQMD Method  
6 307-91 and U.S. EPA Method TO-15, respectively. A report detailing the sampling and  
7 analysis parameters and complete laboratory analysis results shall be submitted to South  
8 Coast AQMD by April 18 , 2024 [Baitong Chen, Air Quality Engineer, ([bchen@aqmd.gov](mailto:bchen@aqmd.gov));  
9 Nathaniel Dickel, Senior Air Quality Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)); Christina Ojeda, Air  
10 Quality Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))]. The report shall include, at a minimum,  
11 identification of the leachate tank(s) sampled, sample location within each leachate tank,  
12 vapor/liquid connections, ventilation (if applicable) and configuration of the tank(s) which  
13 were sampled, temperature of the leachate at time of sampling, date/time of sampling,  
14 treatment status of the tank(s), volume of leachate within the tank(s), and complete  
15 laboratory sampling and analysis results.

16 57. Respondent shall submit, by April 22, 2024, a complete permit modification application to  
17 the Landfill Gas Condensate and Leachate Collection/Storage System (under Permit  
18 G66132, A/N 613131) to increase the landfill's liquid storage capacity, including tanks and  
19 equipment which have not been described in the applications submitted pursuant to  
20 Condition 19. The submittal shall be accompanied with a complete Title V Revision  
21 application and shall be submitted with an expedited permit processing request and  
22 associated required fees, forms, and information.

23 58. Respondent shall submit, by June 21, 2024, a complete permit application for the operation  
24 of the thermal oxidizer (pursuant to Condition 29) to include the thermal oxidizer under  
25 Respondent's Title V permit. The submittal shall be accompanied with a complete Title V  
26 Revision application and shall be submitted with an expedited permit processing request and  
27 associated required fees, forms, and information.

28 59. Respondent shall submit, by June 21, 2024, a complete permit application for the Landfill

1 Gas Condensate and Leachate Treatment System, which includes treating hazardous liquid  
2 waste. The submittal shall be accompanied with a complete Title V Revision application and  
3 shall be submitted with an expedited permit processing request and associated required fees,  
4 forms, and information.

5 60. Respondent shall submit, by April 22, 2024, a complete permit modification application to  
6 the Landfill Gas Collection System (under Permit G43917, A/N 578102) to include the tie-  
7 in of the landfill gas condensate and leachate treatment system vapor vent lines to the  
8 Landfill Gas Collection System. The submittal shall be accompanied with a complete Title  
9 V Revision application and shall be submitted with an expedited permit processing request  
10 and associated required fees, forms, and information.

11 61. Respondent shall submit, by May 21, 2024, a complete permit modification application to  
12 the Landfill Gas Flare System (under Permit G73696, A/N 645450) to include the  
13 combustion of vapor vented from the hazardous liquid tanks in the landfill gas condensate  
14 and leachate collection/storage tank system and landfill gas condensate and leachate  
15 treatment system. The submittal shall be accompanied with a complete Title V Revision  
16 application and shall be submitted with an expedited permit processing request and  
17 associated required fees, forms, and information.

18 62. Respondent shall submit, by May 21, 2024, a complete permit modification application to  
19 the Landfill Gas Flare System (under A/N 624296) to include the combustion of vapor  
20 vented from the hazardous liquid tanks in the landfill gas condensate and leachate  
21 collection/storage tank system and landfill gas condensate and leachate treatment system.  
22 The submittal shall be accompanied with a complete Title V Revision application and shall  
23 be submitted with an expedited permit processing request and associated required fees,  
24 forms, and information.

25 63. By April 22, 2024, Respondent shall provide South Coast AQMD with a schematic of the  
26 current leachate treatment and storage system, including connections, flow lines, tank  
27 groups, vent lines to flares, lines to and between leachate tanks, and tanks which are  
28 connected and not connected to vacuum vent lines.

- 1 64. Respondent shall follow the direction of the EPA to prepare a Leachate Management Plan  
2 in accordance with the Unilateral Administrative Order (UAO). Respondent shall submit the  
3 final plan submitted to EPA to South Coast AQMD on or before March 28, 2024. Any  
4 updates to the final plan shall be submitted to South Coast AQMD within 24 hours of  
5 submittal to EPA.
- 6 65. Respondent shall provide notice to South Coast AQMD (Baitong Chen, Air Quality  
7 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
8 (ndickel@aqmd.gov); and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov) by  
9 Friday of each week a summary of leachate dewatering pumps that have been installed and  
10 resumed operation the prior week, and the number and location of dewatering pumps  
11 anticipated to be installed and placed into operation in the following week , and the location  
12 of all dewatering pumps installed and / or in operation.
- 13 66. Respondent shall install and operate a real-time, remote monitoring system which shall, at  
14 minimum, monitor well pressure and landfill gas temperature at different well depths  
15 (shallow, middle, deep). The remote monitoring system may include monitoring of fixed  
16 gases, oxygen, methane, and carbon dioxide, as well as wellfield tuning/optimization and  
17 well liquid level monitoring. By April 19, 2024, the Reaction Committee shall submit  
18 recommendations regarding installation of the remote monitoring system. By no later than  
19 June 21, 2024, contracts to install and operate the monitoring shall be finalized. The remote  
20 monitoring system shall be installed and in operation no later than October 22, 2024, on all  
21 wells operated in the Initial Reaction Area (defined as the boundary of Cells 1/2A, 2B/3, 4,  
22 and Module 2B/3/4 P2 as specified in Condition No. 9(a)).
- 23 67. Respondent shall within 2 business days of the issuance of this Order designate an Inspection  
24 Liaison responsible for coordinating the exchange of information between Respondent and  
25 South Coast AQMD.
- 26 68. Respondent shall by ~~May 31~~June 15, 2024, install appropriately ranged differential pressure  
27 gauges, with at least 0.01 inches water column resolution, or pressure gauge otherwise  
28 approved in writing by South Coast AQMD, on each leachate storage tank. Respondent shall

1 monitor and record daily the differential pressure of each leachate tank, tank identification  
2 number, date and time of the reading, and the personnel that conducted the reading. Pressure  
3 gauges shall be calibrated according to manufacturer specifications and schedule.  
4 Respondent shall report all the recordings in the monthly report pursuant to Condition No.  
5 8.

6 69. By July 19, 2024, Respondent shall conduct the first of ongoing quarterly inspection and  
7 monitoring of HDPE, or other material, landfill gas conveyance piping, landfill gas  
8 condensate and leachate conveyance piping, and any associated piping components such as  
9 flanges, fittings, valves, connectors, pumps, or other equipment of the landfill gas collection  
10 system and landfill gas condensate and leachate collection and storage system within the  
11 enclosed piping networks. Monitoring Inspection shall include visual and/or physical  
12 inspection of the specified equipment above, which is located aboveground, for buckling,  
13 rupturing, cracking, melting, liquid leaks, or other structural concerns which may lead to the  
14 release of fugitive landfill gas emissions, liquids, or odorous vapors. Monitoring shall  
15 additionally include measurements of total organic compounds (TOC) as methane with a  
16 flame ionization detector (FID), that conforms to Rule 1150.1 requirements, an organic  
17 vapor analyzer for component leaks at each of the aboveground piping components within  
18 the landfill gas collection system and landfill gas condensate and leachate collection and  
19 storage system enclosed piping networks. A component will be considered to have a leak if  
20 the concentration of methane measured one half an inch or less from a component source  
21 exceeds 500 ppmv, other than non-repeatable, momentary readings. Records of this  
22 monitoring activity shall include at a minimum:

- 23 a. A plot plan showing the piping networks monitored;
- 24 b. Date(s) when monitoring was performed;
- 25 c. Results of the visual/physical inspection and associated photos of any  
26 piping or piping components which had any of the above-mentioned visual  
27 and/or physical inspection concerns;
- 28 d. Results of piping component leak measurements;

1 e. Location(s) of component/equipment with visual and/or physical  
2 inspection concerns and/or locations(s) where component leaks were  
3 measured, which shall include the following:

4 i. Location identified on a map;

5 ii. Location identified by the landfill surface grid number and GPS  
6 coordinates; and

7 f. Work which has been performed, or which is planned to be performed, and  
8 associated date(s), to repair, replace, or conduct other actions to resolve  
9 issues with the piping or components of concern.

10 Following four completed quarterly analyses, by July 31, 2025, the Reaction Committee  
11 shall submit a recommendation to South Coast AQMD [attn: Baitong Chen,  
12 bchen@aqmd.gov; Nathaniel Dickel, ndickel@aqmd.gov; Christina Ojeda,  
13 cojeda@aqmd.gov] as to modifying the frequency of such.

14 70. Respondent shall, by June 28, 2024, submit a report on the landfill's current landfill gas  
15 generation and projected landfill gas generation for the next five calendar years, through the  
16 end of calendar year 2029. The current and projected landfill gas generation shall be  
17 estimated through use of U.S. EPA's Landfill Gas Emissions Model (LandGEM), and the  
18 Reaction Committee's analysis for additional landfill gas generated as a result of the ongoing  
19 reaction. The report shall include, at a minimum, the following items:

20 a. LandGEM inputs, assumptions, and results;

21 b. Reaction Committee analysis and associated rationale and supporting data  
22 or information; and

23 c. and a comparison of the estimated landfill gas generation, both current  
24 and projected, with the landfill's flaring capacity, both current and  
25 proposed, assuming one or more flares or thermal oxidizers are offline due  
26 to maintenance, overhaul, or other unforeseen circumstances.

27 Based on the report findings, if the landfill gas generation is expected to exceed the landfill's  
28 flaring capacity when one or more flares or thermal oxidizers are offline, Respondent shall



1 start the planning and procurement process for the addition of an additional flare, thermal  
2 oxidizer, or other landfill gas combustion/control equipment and ensure sufficient redundant  
3 control capacity to handle all generated landfill gas, assuming any one or more unit(s) is  
4 offline. Respondent shall submit, by January 7, 2025, a complete permit application for the  
5 new construction of proposed landfill gas combustion/control equipment to ensure sufficient  
6 redundant control capacity of the landfill gas control systems. The submittal shall be  
7 accompanied with a complete Title V Revision application and shall be submitted with an  
8 expedited permit processing request and associated required fees, forms, and information.

9 71. Respondent shall submit, by May 21, 2024, a complete permit application for the installation  
10 and operation of any aboveground surface landfill gas collection system, or underground  
11 landfill gas collection system, installed for the purpose of collecting landfill gas under the  
12 geosynthetic cover installed per Condition 31 or the cover as required by the Local  
13 Enforcement Agency. The submittal shall be accompanied with a complete Title V Revision  
14 application and shall be submitted with an expedited permit processing request and  
15 associated required fees, forms, and information.

16 72. Respondent shall conduct sampling and analysis, testing, installation, and monitoring of the  
17 leachate and landfill gas condensate collection and storage tank system, as specified below:

18 a. At least quarterly, conduct testing to sample and analyze the vapor flow in the piping  
19 used to vent the leachate storage tanks and landfill gas condensate tanks and route the  
20 vapors to the landfill gas control system. The testing shall at least include the  
21 following items and the results of this testing shall be provided in the monthly report  
22 pursuant to Condition No. 8.:

23 i. vented leachate tank vapor flowrate,

24 ii. vented condensate tank vapor flowrate,

25 iii. vapor temperature,

26 iv. concentrations of speciated organics (including but not limited to Rule 1150.1  
27 Table 1 Carcinogenic and Toxic Air Contaminants),

28 v. the total sulfur compounds as H<sub>2</sub>S and speciated sulfur compounds, and

1 vi. testing at each of the locations indicated below:

- 2 1. The tank vents or manifolds which are representative of a set of tanks;  
3 2. The header/manifold from each leachate tank farm or manifold  
4 including Tank Farm #7, Tank Farm #9, North Perimeter Manifold,  
5 New East Perimeter Manifold, LC Manifold, landfill gas condensate  
6 storage tanks, and any other future tank farms or manifolds, with  
7 testing performed upstream of the piping connection to the LFG  
8 Collection and Conveyance System where landfill gas may affect  
9 results; and  
10 3. The inlet of the flare(s) prior to combustion.

11 b. A source test protocol for this testing shall be submitted to South Coast AQMD by  
12 May 17, 2024, unless otherwise approved in writing by South Coast AQMD. Testing  
13 shall be conducted within 45 days of receiving written approval of the source test  
14 protocol by South Coast AQMD, and the final results in a source test report format  
15 shall be submitted within 30 days of testing, unless otherwise approved in writing by  
16 South Coast AQMD.

17 c. Within 30 days of submission of the source test report, Respondent shall submit a  
18 recommendation from the Reaction Committee on additional vapor flow testing to the  
19 South Coast AQMD [attn: Baitong Chen, bchen@aqmd.gov; Nathaniel Dickel,  
20 ndickel@aqmd.gov; Christina Ojeda, cojeda@aqmd.gov].

21 d. Beginning April 29, 2024, at least daily, conduct pressure testing and monitoring  
22 within the HDPE header(s) venting the leachate storage tanks to quantify the vacuum  
23 from the flare station blowers exerted on the leachate tanks, in inches of Water  
24 Column (W.C.). Pressure testing and monitoring as specified in this condition is not  
25 required upon complete installation of pressure gauges as specified in Condition 68.

26 i. Daily pressure readings, pressure testing location, indication of the tank farm  
27 represented by the test results, and indication of each tank within the tank farm  
28 represented by the test results shall be submitted in the monthly report per

Condition No. 8.

e. By June 28, 2024, unless otherwise approved in writing by South Coast AQMD, install flow meters within the HDPE piping headers for associated leachate tank farms to accurately measure and record the flow rate (scfm) and total daily volume of vented leachate tank vapors being sent to the flare station for combustion. The flow meters shall be installed according to manufacturer specifications and recommendations to ensure accurate flow readings.

i. Daily flow rate (scf/day), flow meter location, indication of the tank farm whose flow is being measured, and indication of each tank within the tank farm vented and represented in the flow rate shall be submitted in the monthly report per Condition No. 8.

73. Respondent shall prepare an inventory of all internal combustion engine equipment rated greater than 50 HP onsite as of April 25, 2024 and shall submit this inventory to South Coast AQMD by May 21, 2024. Respondent shall submit a permit application for internal combustion engine equipment rated greater than 50 HP that is not already permitted through South Coast AQMD by June 30, 2024, accompanied with a complete Title V Revision application(s) and shall be submitted with an expedited permit processing request and associated required fees, forms, and information. Going forward, Respondent shall submit a permit application, accompanied with a complete Title V Revision application(s), for any internal combustion engines greater than 50 HP brought on site that does not already have a valid permit under Respondent's Title V Facility Permit or that does not already have a complete application submitted to South Coast AQMD for the engine to be included in Respondent's Title V Facility Permit.

74. Respondent shall return for a status hearing on April 24 and 25, 2024, or as soon thereafter as the Hearing Board can schedule the status hearing, to report on the status of implementation of this Stipulated Order, and consider modification or dissolution of this Order, as appropriate. ~~For the April 24-25, 2024, status hearing, Respondent shall present a witness to testify as to information on leachate treatment and disposal. Respondent shall~~

1 also, by April 22, 2024, provide the South Coast AQMD Hearing Board with the latest  
2 monthly report prepared pursuant to Condition 8 of this Stipulated Order and a workplan  
3 describing how Respondent will restart leachate pumping.

4 75. The Hearing Board may modify this Order for Abatement without the stipulation of the  
5 parties upon a showing of good cause therefore, and upon making the findings required by  
6 Health and Safety Code Section 42451(a) and District Rule 806(a). Any modification of the  
7 Order shall be made only at a public hearing held upon 10 days published notice and  
8 appropriate written notice to the Respondent.

9 76. The Hearing Board shall retain jurisdiction over this matter until ~~September 6,~~  
10 2024 December 31, 2025 and at that time this Order shall no longer be of any force or effect, unless  
11 this Order is amended, modified, or dissolved before then.

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

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19  
20 BOARD MEMBER: \_\_\_\_\_

21  
22 DATED: \_\_\_\_\_

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24 **SO STIPULATED:**

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Kathryn Roberts, Esq.  
Senior Deputy District Counsel

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*Attorney for Petitioner South Coast AQMD*

**SO STIPULATED:**

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