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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,
[Facility ID No. 119219]

11 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: March 21, 2024

Time: 9:00 am

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

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

1 finds and decides as follows:

2 **FINDINGS OF FACT**

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

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

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

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

26 5. **South Coast AQMD Rule 431.1(c)(2)** prohibits burning, in any equipment requiring
27 a permit to operate, landfill gas with sulfur compounds of greater than 150 parts per million by
28 volume (“ppmv”) calculated as hydrogen sulfide (“H₂S”) averaged daily.

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

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

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

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

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

18 11. **South Coast AQMD Permit No. G73696, Condition No. 16** limits CCL's Flare No.
19 1 to a maximum of 2.5 lbs/hour of sulfur oxides ("SO_x") as SO₂.

20 12. **South Coast AQMD Permit No. G73696, Condition No. 17** limits CCL's Flare No.
21 2 to a maximum of 2.5 lbs/hour of SO_x as SO₂.

22 13. **South Coast AQMD Permit No. A/N 624296, Condition No. 31** limits CCL's Flare
23 No. 3 to a maximum of 124.08 lbs/day and 2,175.60 lbs/month of SO_x as SO₂. Flare No. 3 is also
24 limited by its permit to a daily average in the inlet of 85 ppmv sulfur as H₂S, and monthly average
25 of 60 ppmv sulfur as H₂S, and a daily average in the inlet of 150 ppm sulfur as H₂S

26 14. Respondent's operation at CCL also includes a landfill gas collection and control
27 system that includes vertical and horizontal gas collection wells and associated piping and trenches,
28 multiple collection headers and blowers for venting landfill gas, a landfill gas treatment system, a

1 condensate/leachate collection system and three flares which combust landfill gas. CCL also has an
2 active permit application for an additional fourth flare which, if permitted, would be incorporated
3 into its landfill gas collection and control system.

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

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

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

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

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

28 20. Following adoption of the Stipulated Order, South Coast AQMD learned that CCL

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

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

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

17 23. Prior to the close of the hearing on January 17, 2024, the Parties jointly submitted a
18 set of stipulated proposed modifications to the Stipulated Order.

19 24. [PARTIES TO SUBMIT STIPULATED PROPOSED FINDINGS OF FACT RE:
20 STATUS/MODIFICATION HEARING WITHIN TWO WEEKS OF ADOPTION]

21 CONCLUSIONS

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

24 2. The issuance of this Modified Stipulated Order for Abatement upon a fully noticed
25 hearing would not constitute a taking of property without due process of law.

26 3. There is good cause for adopting the modifications of the Order as stipulated to by
27 the Parties.

28 4. This Modified Stipulated Order for Abatement is not intended to be nor does it act as

1 a variance.

2 **ORDER**

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

8 **Odor Surveillance**

9 1. Respondent shall conduct odor surveillance in the communities surrounding CCL as
10 follows:

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

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

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

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Stop	Description
32.	Intersection of Henry Mayo Drive and Cambridge View Drive, leading into the Valencia Travel Village RV Resort

- c. Respondent, or Respondent’s contractor, as applicable, conducting the odor surveillance shall not have visited the Reaction Area (as defined in Condition 9(a)), working face, or other areas where exposed trash or landfill gas odors exist at CCL within four hours prior to conducting an odor surveillance.
- d. Odor surveillance shall be conducted by proceeding to each Surveillance Location and making an assessment of each parameter listed in Condition No. 1(e). Assessment of each parameter shall be made while standing in ambient air and shall not be made from within a vehicle.
- e. Respondent, or Respondent’s contractor, as applicable, shall record odor surveillance results in an “Odor Surveillance Log” before the end of the work day. The Odor Surveillance Log shall contain, but not be limited to: (1) the date and time; (2) stop number; (3) the name of the person performing the surveillance and written acknowledgement that they did not visit the working face or other on-site areas where exposed trash or landfill odors such as, but not limited to landfill gas odors, refuse or refuse contaminated material odors, or landfill liquids/landfill leachate odors exist within a four hours prior to conducting an odor surveillance, (4) the wind speed and direction; (5) a narrative description of any odor detected (including the type of odor, such as trash, landfill gas, chemical, odor neutralizer, as applicable); (6) current weather conditions; and (7) an assessment of the strength of any odor detected using the scale below:

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

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

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

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

17 3. Respondent shall expedite, to the maximum extent feasible, replacement of granular
18 activated carbon media in the Landfill Gas Treatment System (under Permit G55163, A/N
19 603249), including the execution of contracts, as well as the delivery, replacement, startup,
20 and testing of any operation necessary to replenish and/or replace spent granular activated
21 carbon media in the Landfill Gas Treatment System. Respondent shall ensure adequate
22 stock of all odor control products and supplies are maintained on site.

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

26 4. Respondent shall maximize landfill gas combustion utilizing all operational flares
27 (excepting periods of maintenance, breakdowns, or automatic shutdown) to limit release of
28 raw landfill gas. Respondent shall prioritize and maximize the use and operation of landfill

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

10 5. Respondent shall sample, analyze, and record the landfill gas sulfur compounds combusted
11 in each flare (as measured at sampling location FL-150 that is representative of the gas
12 combusted in the flares under Permit G73696, A/N 45450; A/N 624296), in the thermal
13 oxidizer/flare, and in any other landfill gas control equipment operating on site at least once
14 each week using colorimetric tests for H₂S and at least once each day sample for analysis
15 for total sulfur compounds as H₂S using South Coast AQMD Method 307-91. Additionally,
16 Respondent shall sample, analyze, and record the landfill gas sulfur compounds and
17 speciated organic compounds found in the raw, pre-treatment and pre-control, landfill gas
18 collected from the Reaction Area (as defined in Condition 9(a)) at least once each calendar
19 month for total sulfur compounds as H₂S using South Coast AQMD Method 307-91 and
20 for speciated organic compounds using U.S. Environmental Protection Agency (EPA)
21 Method TO-15.

22 a. Respondent shall record South Coast AQMD Method 307-91 analysis upon receipt
23 of laboratory analysis report. Each recorded measurement or result shall be
24 documented with the time and date when the measurement or sample collection was
25 conducted, and initialed by the personnel that conducted the measurement or sample
26 collection.

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

- 1 i. Tedlar bags used for Method 307-91 sampling and analysis shall not contain
2 droplets or debris.
- 3 ii. Colorimetric tube readings shall be conducted by taking a reading from a
4 Tedlar bag sample using an appropriate colorimetric tube sample collection
5 pump. All sampling shall be performed in accordance with the operational
6 manual for the colorimetric tube sample collection pump.
- 7 iii. Colorimetric tube readings shall use colorimetric tubes of appropriate
8 concentration range and shall be reported as follows:
 - 9 1. Respondent shall first use the estimated appropriately ranged colorimetric
10 tube.
 - 11 2. If the resulting reading reaches the upper concentration of the colorimetric
12 tube concentration range, subsequent reading(s) shall be taken using a
13 colorimetric tube with a concentration range that has a larger upper
14 concentration threshold until the result is not the upper concentration
15 threshold of the concentration range. Report the tube concentration range
16 and tube concentration result for each reading.
 - 17 3. If the reading results in the lower concentration of the colorimetric tube
18 concentration range or does not register a result, subsequent reading(s)
19 shall be taken using a colorimetric tube with a concentration range that has
20 a smaller lower concentration threshold, if available, until the colorimetric
21 tubes available to the facility result in:
 - 22 a. A reading that is within the concentration range of the tube,
 - 23 b. A reading is the lower concentration of the colorimetric tube
24 concentration range, or
 - 25 c. The colorimetric tube does not register a result.
 - 26 4. When the result is the lower concentration of the colorimetric tube
27 concentration range or does not register a result, the lower concentration
28 of the colorimetric tube concentration shall be considered the

1 concentration result. Report the tube concentration range and tube
2 concentration result for each reading. If a lower range colorimetric tube is
3 not used and the tube concentration result is below the lower range of the
4 colorimetric tube used, Respondent shall report the result as “less than” or
5 “<” the lower range value of the tube. Notwithstanding the forgoing,
6 Respondent shall ensure that the colorimetric tube result is below the upper
7 range of the colorimetric tube used and shall report the precise result of all
8 results above the lowest range of the colorimetric tube used.

- 9 6. Respondent shall maintain adequate stock of appropriately ranged colorimetric tubes.
- 10 7. Respondent shall maintain a record of the following information, and provide such records
11 to the South Coast AQMD pursuant to Condition No. 8:
- 12 a. The hourly and daily flow of landfill gas combusted, in standard cubic feet, in each
13 flare (flares No. 1 & No. 2 under Permit G73696, A/N 645450; flare No. 3 under
14 A/N 624296), the thermal oxidizer (under Envent Corporation A/N 645484), the
15 second thermal oxidizer/flare (under Zeeco A/N 648539), and any other equipment
16 used to combust or control landfill gas at the facility, and the total amount of landfill
17 gas combusted at the facility;
- 18 b. The daily flow of landfill gas not flared, in standard cubic feet, if applicable; and
- 19 c. The results of the sulfur readings, sampling, and analyses, calculated as H₂S with
20 the time and date when each measurement or sample collection was conducted.
- 21 8. Respondent shall submit a monthly written report on the landfill operation, progress of the
22 status of the Landfill Gas Flares (flares No. 1 and No. 2 under Permit G73696, A/N 645450;
23 flare No. 3 under A/N 624296), Landfill Gas Treatment System (under Permit G55163,
24 A/N 603249), and efforts to resolve the total sulfur concentration in the landfill gas
25 exceeding 150 ppmv calculated as H₂S. As of March 21, 2024, monthly reports shall be
26 submitted to South Coast AQMD on the 20th of each subsequent month, or the following
27 business day, not later than 5:00pm via email to Baitong Chen, Air Quality Engineer,
28 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),

1 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov). Each monthly report shall
2 contain at a minimum the following information:

- 3 a. The landfill gas sulfur compounds measurements and laboratory analysis with the
4 time and date of each measurement or sample collection, as identified in Condition
5 No. 5.
- 6 b. The landfill gas records and calculations identified in Condition No. 7, in a
7 Microsoft Excel spreadsheet format.
- 8 c. The integrated landfill surface sample analysis and landfill surface monitoring
9 readings identified in Condition Nos. 9 and 10, in a Microsoft Excel spreadsheet
10 format.
- 11 d. Estimated schedule for any replacement or refurbishment of granular activated
12 carbon media in the Landfill Gas Treatment System (under Permit G55163, A/N
13 603249) identified in Condition No. 3. The landfill gas temperature at inlet of the
14 Landfill Gas Treatment System (under Permit G55163, A/N 603249) identified in
15 Condition No. 3(a).
- 16 e. Description of any problems or delays, if any, encountered or projected to occur
17 pertinent to the execution of contracts, as well as the delivery, replacement, startup,
18 and testing of any operation necessary to replenish and/or replace spent granular
19 activated carbon media in the Landfill Gas Treatment System (under Permit
20 G55163, A/N 603249). Respondent shall submit copies of documents or other
21 records to support any problems or delays noted pursuant to this Condition No. 8(e)
22 along with such description.
- 23 f. Specifications of the equipment and materials used for the weekly colorimetric tests
24 (only if there is a change from the previously provided specifications of the
25 colorimetric instrumentation or method used).
- 26 g. All wellhead temperature, temperature probe, and CO concentration readings, lab
27 analysis, and Draeger tube readings for landfill gas from the past month in a
28 Microsoft Excel spreadsheet format.

- 1 h. A graphic map showing location of each well with temperature exceedances (above
2 145 degrees Fahrenheit), each well with CO exceedances (above 1,000 ppmv and
3 below 1,500 ppmv, and above 1,500 ppmv), and stratification of temperature ranges
4 during that month, which includes a description of any remedial measures taken to
5 address or lower gas well temperatures.
- 6 i. All vertical liquid impacted landfill gas wells, per Condition No. 17, including a
7 description of any remedial measures taken to address or reduce liquids in landfill
8 gas wells.
- 9 j. Updates on the investigation into the availability, viability, and utilization, including
10 pilot testing if needed, of an alternative sulfur compound treatment system that
11 controls, treats, or removes dimethyl sulfide (“DMS”) and other sulfur compounds,
12 if any.
- 13 k. A summary report on SCS’s implemented improvements to the landfill gas
14 collection system.
- 15 l. An inspection log for landfill cover inspections, pursuant to Condition No. 30.
- 16 m. Any subsequent additions to the landfill gas collection system, pursuant to
17 Condition No. 15.
- 18 n. Any subsequent additions to the landfill gas condensate or leachate collection
19 system, such as dewatering sumps/pumps, or other dewatering work performed per
20 the dewatering guidelines and implementation plan pursuant to Condition No. 18.
- 21 o. Updates on the procurement and installation of the geosynthetic cover(s), pursuant
22 to Condition No. 31.
- 23 p. Updates on landfill excavation work subject to Rule 1150, including excavation
24 location(s) (that are identified on graphic map(s) of the landfill), and
25 excavated/exposed waste characteristics (saturated, semi-dry, dry, odor type and
26 intensity, etc.) Excavation work occurring pursuant to an exemption as listed in
27 South Coast AQMD Rule 1150(c)(3), or Rule 1150(c)(2) that is performed in the
28 Reaction Area, must also be included in these updates.

- 1 q. Updates regarding leachate including:
- 2 i. Leachate temperature recordings pursuant to Condition No. 27(a);
- 3 ii. Daily log of inspection findings and containment activities
- 4 pursuant to Condition 27(b);
- 5 iii. Weekly record of leachate seepage and pooling pursuant to
- 6 Condition 27(c);
- 7 iv. Quantity of leachate measured, and associated company name and
- 8 physical address of the off-site disposal/treatment facility(ies) that
- 9 receive leachate generated by the landfill, pursuant to Condition
- 10 27(d); and
- 11 v. A list of all hazardous and non-hazardous liquid storage and
- 12 treatment facilities that have been contacted and current status of
- 13 each facility including available, contracted, and utilized capacity
- 14 to receive hazardous and non-hazardous landfill liquids.
- 15 9. Respondent shall collect integrated landfill surface samples for analysis across the Reaction
- 16 Area (as defined in Condition 9(a)) at least every two weeks as specified in Rule 1150.1
- 17 Attachment A 2.0. In the event Respondent is unable to sample specific landfill surface
- 18 area(s) or grid(s) due to inaccessibility or dangerous conditions for a technician,
- 19 Respondent shall document the date and the conditions that do not allow the sampling of
- 20 the specific area(s) or grid(s). Documentation shall be sufficient to show the inaccessibility
- 21 or dangerous conditions and may include weather forecasts and actual rainfall
- 22 measurements, or photographs and/or videos that depict the site conditions that prevent
- 23 such sampling activities for each specific area or grid affected.
- 24 a. The “Reaction Area” shall be defined initially by the boundary of Cells
- 25 1/2A, 2B/3, 4, and Module 2B/3/4 P2. The boundary of the Reaction Area
- 26 shall be modified to include the associated landfill surface area of the cells
- 27 and modules that experience well temperatures of at least 170 degrees
- 28 Fahrenheit, settlement, cracks in the landfill cover, presence and quantity

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

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

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

1 permits (Permit G55163, Condition Nos. 11 and 16 and CCL’s Facility-Wide Permit,
2 Condition No. 3) and South Coast AQMD Rules 431.1(c)(2), 3002(c)(1), and 203(b).
3 Respondent shall include deviation reporting associated with exceedances of these
4 emissions limits in its semi-annual Title V reports and in accordance with the requirements
5 of Respondent’s Title V permit.

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

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

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

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

1 a minimum, apply CAAQS and applicable OEHHA standards,
2 reference exposure levels, and cancer potency factors in
3 performing analyses of potential health impacts or effects and in
4 reaching conclusions. The public health member shall also include
5 in any human health screening evaluation an odor assessment
6 evaluating the potential health impact of exposure to odorants in
7 addition to cancer and non-cancer risk determination.

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

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

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

- 1 d. If South Coast AQMD receives such a response, South Coast AQMD shall have
2 ten (10) days to determine whether a member of the Reaction Committee may
3 continue to serve on the Reaction Committee. If South Coast AQMD determines
4 that Respondent's written response does not address the alleged unsatisfactory
5 performance, then South Coast AQMD may petition for a status/modification
6 hearing before the Hearing Board, and the Hearing Board shall determine if a
7 member of the Reaction Committee should be removed.
- 8 e. While awaiting a decision from the Hearing Board, a member of the Reaction
9 Committee may continue to serve on the Reaction Committee. If the Hearing
10 Board determines that a member of the Reaction Committee's performance has
11 not been satisfactory, then it may issue an Order directing Respondent to remove
12 and replace that member of the Reaction Committee. Respondent shall remove the
13 applicable person from any further work or service on the Reaction Committee
14 within ten (10) days of receipt of the Order. Respondent shall identify and appoint
15 a replacement member of the Reaction Committee, pursuant to Condition No.
16 12(a) above, within thirty (30) days of receipt of the Order.
- 17 f. Beginning in March 2024, Respondent shall host a monthly virtual meeting with all
18 members of the Reaction Committee and South Coast AQMD technical staff. The
19 purpose of the monthly meeting shall be to allow Reaction Committee members to
20 provide an update on progress of ongoing and future planned work performed/to be
21 performed pursuant to this Order which is directly related to the subsurface reaction
22 at the Landfill, and allow South Coast AQMD to provide recommendations and/or
23 feedback on such progress.
- 24 i. To facilitate each meeting, Respondent shall provide South Coast
25 AQMD (attn: Baitong Chen, bchen@aqmd.gov; Nathaniel Dickel,
26 ndickel@aqmd.gov; Christina Ojeda, cojeda@aqmd.gov; Payam
27 Pakbin, ppakbin@aqmd.gov; Kathryn Roberts,
28 kroberts@aqmd.gov; Mary Reichert, mreichert@aqmd.gov) a
proposed agenda listing the topics to be discussed, and the
presenter, not later than ten (10) calendar days prior to the meeting.

1 South Coast AQMD shall have the option to expand the agenda to
2 include additional topics within the purview of the Reaction
3 Committee. If South Coast AQMD elects to expand the agenda, it
4 shall provide notice to Respondent not later than four (4) calendar
5 days prior to the meeting.

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

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

21 iv. Following each monthly meeting, Respondent shall prepare a
22 summary of the meeting, including the topics discussed and all
23 recommendations received. Respondent shall include in the
24 summary a response from the Reaction Committee to all
25 recommendations and, as applicable, any changes made as a result.
26 Respondent, at its election, may also include a summary of and
27 response to any feedback received. Respondent shall post the
28 summary of the meeting to the webpage created pursuant to

1 Condition No. 39, not later than twenty (20) days following the
2 meeting.

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

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

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

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

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

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

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

26 v. A report on the known health risks from acute and long-term
27 exposure to DMS, including any action levels from other public
28 health or government entities, and including a summary of

1 recommended actions for persons exposed to DMS for acute and
2 long-term durations. By no later than January 15, 2024,
3 Respondent shall submit this report to South Coast AQMD
4 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
5 Nathaniel Dickel, Senior Air Quality Engineer,
6 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,
7 (cojeda@aqmd.gov)];

- 8 vi. A report of the health impacts from ongoing and long-term (e.g.
9 greater than one year) exposure to hydrogen sulfide (H₂S), or other
10 speciated sulfur compounds, and any other hazardous air pollutants
11 (HAPs), as defined in the federal Clean Air Act, 42 U.S.C. § 7412.
12 The HAPs evaluated in the report shall include those which are
13 detected: (1) in landfill gas over the past twelve months at the
14 Chiquita Canyon Landfill as documented in the initial or additional
15 flux chamber study (per Condition No. 12(f)) or detected in stack
16 emissions testing; (2) in the liquids and leachate samples collected
17 and analyzed (per Condition No. 37); (3) in air sampling performed
18 to determine emissions from exposed liquids/leachate; and (4) in
19 the community pursuant to the enhanced community air
20 monitoring program in exceedance of recommended toxicity
21 screening values published by the US EPA or other applicable
22 screening values where US EPA toxicity screening values are
23 unavailable. The report shall include, but not be limited to,
24 assessment and analysis of any action levels from other public
25 health or government entities in the United States for any such
26 constituents, recommended actions for persons exposed to such
27 constituents, and recommendations on how to limit any anticipated
28 adverse health impacts. Such report shall also include a summary

1 of all findings, health impacts and recommendations in an easy-to-
2 read format designed for distribution to and use by the public. By
3 no later than August 1, 2024, Respondent shall submit this report
4 to South Coast AQMD [Baitong Chen, Air Quality Engineer,
5 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality
6 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality
7 Inspector, (cojeda@aqmd.gov)]; and

8 vii. The development of a model to estimate the quantity of liquid left
9 in the landfill (including supporting assumptions, references, and
10 calculations). By no later than May 21, 2024, Respondent shall
11 submit to South Coast AQMD a report summarizing the model.

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

15 i. Respondent has conducted an initial flux chamber study pursuant to the direction of
16 the Los Angeles County Department of Public Health. Respondent shall submit a
17 report documenting the findings of the initial study no later than October 31, 2023
18 to South Coast AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
19 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina
20 Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)]. Respondent shall conduct an
21 additional landfill gas flux study for methane, non-methane organic compounds
22 (“NMOC”), toxic air contaminants (TAC), total reduced sulfur (“TRS”), and
23 speciated sulfur compounds to determine the surface flux throughout the landfill.
24 The study shall be conducted through the use of dynamic flux chambers oriented at
25 various locations throughout the landfill site. Respondent shall prepare a proposed
26 protocol for the study based on the results of the initial study and shall submit the
27 protocol to South Coast AQMD [Baitong Chen, Air Quality Engineer,
28 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,

(ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)] for review and approval by December 31, 2023. A report documenting the differences in the findings between the initial study and the additional study shall be submitted by no later than 90 days after South Coast AQMD approves the protocol to South Coast AQMD [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)].

9 Landfill Gas Collection and Leachate/Landfill Gas Condensate Collection and Storage Systems

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

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

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

1 a. Consistent with Respondent’s Title V permit and all applicable rules and
2 regulations, Respondent shall ensure the operation of the landfill gas
3 collection system equipment does not result in the release of raw landfill
4 gas or condensate into the atmosphere.

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

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

23 a. By January 31, 2024, Respondent shall provide to the South Coast
24 AQMD [attn: Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
25 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),
26 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)] the
27 design and installation schedule for a minimum of an additional seventy
28 (70) wells and their associated piping The proposed well locations and

1 connecting piping shall be identified on a drawing which shows the
2 entire gas collection system and shall be described in writing. Estimated
3 gas collection volume, well depths, pipe lengths, diameters and layouts
4 shall be supplied to the South Coast AQMD in this advance notification.
5 Updates to the design and schedule shall be provided in the monthly
6 report pursuant to Condition No. 8(m);

7 b. Respondent shall expedite the installation of additional vertical landfill
8 gas extraction wells in the Reaction Area, and shall achieve a vertical gas
9 extraction well density of, at a minimum, an average of three (3) wells
10 per acre within the estimated extent of elevated temperature landfill
11 conditions as depicted by the Reaction Committee in their monthly
12 determinations submitted in accordance with Condition 9(a). These wells
13 shall be fully operational, working wells with the ability to extract
14 landfill gas within the depths of the landfill waste mass and deliver it to
15 the gas control system(s). The wells shall be installed with even
16 dispersion, where each of the landfill's surface monitoring grids achieves
17 a well density of at least two (2) vertical extraction wells per acre within
18 any individual grid. This well installation goal shall be achieved by
19 January 6, 2025, or otherwise approved by South Coast AQMD.

20 i. By April 18, 2024, Respondent shall provide to the South Coast
21 AQMD [attn: Baitong Chen, Air Quality Engineer,
22 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality
23 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality
24 Inspector, (cojeda@aqmd.gov)] an updated design and
25 installation schedule incorporating the wells under Condition
26 15(a) and the additional wells under Condition 15(b) and their
27 associated piping. The information required by Condition 15(a)
28 shall be included in the submission. Updates to the design and

1 schedule shall be provided in the monthly report pursuant to
2 Condition No. 8(m);

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

- 1 h. All openings and connections of the landfill gas collection system shall
2 be properly covered and sealed to prevent leaks in accordance with
3 Respondent's Title V Permit and in accordance with all applicable rules
4 and regulations;
- 5 i. Respondent shall install additional stainless steel, carbon steel, or
6 chlorinated polyvinyl chloride (CPVC) wells in the Reaction Area per
7 recommendation of the Reaction Committee. Stainless steel or carbon
8 steel shall be installed for any well which has gas temperatures
9 exceeding 170 degrees Fahrenheit;
- 10 j. Following the installation of additional wells per Conditions 15(a) and
11 15(b), Respondent shall replace any wells in the Reaction Area which are
12 damaged, blocked, pinched, or which have gas temperatures exceeding
13 145 degrees Fahrenheit with CPVC wells, carbon steel, and/or stainless
14 steel wells, or add new wells that replace the landfill gas extraction
15 capacity. Within 7 days of discovery of any such well, Respondent shall
16 notify South Coast AQMD in writing [attn: Baitong Chen, Air Quality
17 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality
18 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality
19 Inspector, (cojeda@aqmd.gov)] of a proposed installation schedule.
20 Installation shall take place within 7 days of the notification, whenever
21 feasible, but the schedule shall take into account availability of drilling
22 equipment, replacement materials, and weather and safety conditions.
23 Following initial notification, Respondent shall update South Coast
24 AQMD in writing every 7 days until the well installation is complete,
25 with evidence substantiating the delay, and additionally shall provide an
26 updated installation schedule.
- 27 k. Respondent shall, once additional/adequate gas extraction capacity is
28 installed, operate gas extraction wells with less than 3 percent oxygen

1 where feasible, and follow landfill best management practices to keep the
2 oxygen below 5 percent in interior wells;

3 1. Respondent shall install well boots seals on all wells in the Reaction
4 Area in accordance with the installation schedule for the geosynthetic
5 cover that is being installed pursuant to Condition No. 32 and consistent
6 with requirements of the Local Enforcement Agency;

7 m. Respondent shall submit semi-annual as-built drawings in duplicate to
8 the South Coast AQMD [attn: Baitong Chen, Air Quality Engineer,
9 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,
10 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,
11 (cojeda@aqmd.gov)]. As-built drawings shall depict all wells
12 constructed to date.

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

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

26 a. In the event Respondent determines that the installation of dewatering
27 sump/pumps of at least 60 percent of the landfill gas vertical extraction
28 wells that are capable of extracting liquids to be infeasible, Respondent

1 shall provide detailed rationale and reasoning in the monthly report
2 submitted pursuant to Condition No. 8 and shall continue with
3 implementation of the dewatering guidelines pursuant to Condition No. 18
4 to remove liquids to the maximum extent possible.

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

- 11 a. Proposed methodologies and monitoring procedures that determine the level of
12 dewatering within the Reaction Area (as defined in Condition 9(a)) wells impacted
13 by liquid. Methods may include the measurement of the gas flow at each landfill
14 gas collection well impacted by liquids;
- 15 b. Use of dewatering pumps or other methods to remove liquids from Reaction Area
16 (as defined in Condition 9(a)) wells impacted by liquids;
- 17 c. An implementation plan for the use of dewatering pumps or other methods to
18 remove liquids from the Reaction Area wells impacted by liquids. The plan shall
19 include a list of wells in the Reaction Area and depth where liquids are expected to
20 impact landfill gas collection efficacy or be a concern, the proposed action to
21 remove the liquids, and the schedule for liquid removal. The implementation plan
22 shall also include pro-active measures, such as additional dewatering pumps, to be
23 installed at landfill gas collection wells where liquid impaction issues have not yet
24 occurred, but may be expected to occur.
- 25 d. Upgrades to the site leachate collection system as needed, including through the
26 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 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.

- 19. Respondent shall submit, by October 6, 2023, a complete permit modification application to the Landfill Gas Condensate and Leachate Collection/Storage System (under Permit G66132, A/N 613131) to increase the landfill's liquid storage capacity. The submittal shall be accompanied with a complete Title V Revision application and shall be submitted with an expedited permit processing request and associated required fees, forms, and information.
- 20. Respondent shall increase its landfill gas control capacity. Respondent has submitted a permit application for a new 6,000 scfm ultra-low emissions landfill gas flare (Flare No. 3), which is currently in a public comment period. Once the flare is fully permitted and fully

1 operational equipment is received, Respondent shall have forty-five (45) days to finish
2 installation and begin operating the new landfill gas flare unless the circumstances outlined
3 in Condition No. 20(a) apply. Respondent shall notify the South Coast AQMD that the new
4 landfill gas flare is operational within 48 hours of beginning operation (Baitong Chen, Air
5 Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,
6 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

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

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

17 22. Respondent shall continue to use one or multiple portable thermal oxidizer(s)/flare(s) that
18 operate under a permit to operate or temporary permit to operate for additional landfill gas
19 control capacity until the Reaction Committee concludes that such portable thermal
20 oxidizer(s)/flare(s) are no longer needed. Respondent shall notify the South Coast AQMD
21 as to the Reaction Committee's recommendation within 48 hours of when the Reaction
22 Committee's recommendation was determined (Baitong Chen, Air Quality Engineer,
23 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),
24 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).

25 23. Respondent shall continue to use both 4,000 scfm flares (under Permit No. G73696, A/N
26 645450) when the Reaction Committee determines that such use is necessary due to
27 insufficient flaring capacity or other such necessity-based situations, until the second new
28

1 6,000 scfm ultra-low emissions flare (Flare No. 4) referenced in Condition No. 21 is
2 permitted and operational.

3 24. Respondent shall operate and maintain the landfill so as to prevent standing leachate and
4 the pooling or ponding of leachate exposed to atmosphere throughout the facility. If pooling
5 or ponding of liquid/leachate is occurring, safety permitting, the liquid/leachate shall be
6 immediately collected and contained in a sealed tanker truck or leachate tank that minimizes
7 emissions, or repairs promptly performed to redirect leachate into the leachate collection
8 system.

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

16 26. Respondent shall investigate and report on the feasibility of temporary containment
17 measures for the purposes of controlling leachate and possible discharges of pressurized
18 leachate when drilling additional holes for wells, liquid pumps, temperature devices, or
19 other purposes. This Discharge of Pressurized Leachate Containment Feasibility Study
20 shall include an analysis on the feasibility of a temporary tenting, containment
21 vessel(s)/dome(s), other enclosure(s), or partial enclosure system designed to collect and
22 contain the leachate flow while limiting the escape of odors produced from drilling/
23 discharges of pressurized leachate, to allow for additional well drilling in the Reaction Area.
24 By no later than March 12, 2024, Respondent shall submit to South Coast AQMD [Baitong
25 Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality
26 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,
27 (cojeda@aqmd.gov)], a report on the findings of this feasibility study.
28

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

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

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

25 i. In the event that two weeks of twice daily inspections show no
26 exposed liquid/leachate seepage or pooling, Respondent may
27 reduce the inspection frequency to once daily. If after another two
28 weeks of daily inspections, no exposed liquid/leachate seepage or

1 pooling is observed, Respondent may reduce the inspection
2 frequency to once every other day during the operating week (i.e.,
3 three times each operating week). If at any point inspections
4 show exposed liquid/leachate seepage or pooling, inspection
5 frequency shall return to twice daily inspections.

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

22 d. Measure and record quantities of leachate sent off-site for
23 disposal/treatment during the previous week for so long as all leachate is
24 transported offsite for disposal. Records shall include the associated
25 company name and physical address of the off-site disposal/treatment
26 facility(ies) that receive leachate generated by the landfill. If Respondent
27 begins onsite treatment, it shall also record on a weekly basis quantities
28 of leachate collected and leachate treated onsite. Respondent shall report

1 this information in the monthly reports pursuant to Condition 8(c).

2 Respondent shall submit copies of the manifests to South Coast AQMD
3 within three weeks of request.

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

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

21 **Landfill Cover**

22 30. Respondent shall visually inspect the landfill cover around the Reaction Area (as defined
23 in Condition No. 9(a)) each operating day and shall promptly repair any cover issues
24 identified, which may include adding and spreading soil, wetting, and retracking any
25 damaged area. Respondent shall maintain a log demonstrating that it has addressed any
26 damages to the landfill cover, including the date the damage was identified, the action taken
27 to repair the damage, and the time at which the repair was completed. Results of the daily
28

1 inspection and the repair log required by this condition shall be included in the monthly
2 reports required pursuant to Condition No. 8.

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

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

- 18 32. The Reaction Committee shall review air dispersion modeling, smoke release studies, and
19 computational fluid dynamics (“CFD”) modeling that have previously been completed for
20 the landfill to assess odor and emissions transport into the nearby community. The Reaction
21 Committee shall use the previous models updated with current datapoints to undertake a
22 study to determine odor and emission transport of odors from the landfill and to identify
23 effective techniques that may be used to remedy potential odor impacts on the nearby
24 community. The study shall include an evaluation of the efficacy of odor control measures,
25 including but not limited to perimeter misting equipment, wind barriers, wind cutter fans,
26 and odor dispersion/misting fans, for purposes of minimizing odors in the surrounding
27 community. The study shall be based on both the landfill’s current and projected closure
28 in 2047, topography and configuration. The study shall include, but not be limited to,

1 identifying transport trajectories and quantifying odor gas concentrations within the
2 surrounding community. Upon completion of the study, a written report documenting the
3 study and the findings, shall be submitted to South Coast AQMD by December 1, 2023.
4 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air
5 Quality Engineer, (ndickel@aqmd.gov); Christina Ojeda, Air Quality Inspector,
6 (cojeda@aqmd.gov)].

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

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

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

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

20 33. Respondent shall follow the direction of DPH to expand and enhance its current ambient
21 air monitoring program to include DMS and other constituents of landfill gas, sampling at
22 residential locals where recent odor complaints have been reported and at on-site locations
23 where odors are most pronounced, and to conduct a flux chamber study (the “initial” flux
24 chamber study discussed in Condition No. 12(d)). Any reports submitted to DPH related to
25 these studies shall also be submitted to the South Coast AQMD (Baitong Chen, Air Quality
26 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,
27 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).
28

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

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

27 i. Real-time data shall include, but not be limited to, chronological one-hour
28 average H2S concentrations as time series at each monitoring location. Wind

1 speed and direction shall also be included, if currently monitored by
2 Respondent.

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

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

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

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

1 maintenance activities performed on the monitors in the monthly reports pursuant to
2 Condition No. 8.

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

16 36. Respondent shall, within 75 days of the issuance of this Order, install and maintain
17 instrumentation within the nearby residential community, at sites MS-10 and MS-12, as
18 defined in Respondent's existing Community Air Monitoring Program. These instruments
19 shall be capable of measuring hourly concentrations of benzene, toluene, ethylbenzene,
20 xylenes, and other relevant volatile organic compounds (VOC) with site surface emissions
21 greater than 1 ton/year, as indicated in Table 5.5 of the Chiquita Canyon Landfill
22 Assessment of Air Emissions from Landfill Surfaces Report dated October 2023.
23 Respondent shall develop a monitoring plan that utilizes reliable and field-proven
24 instrumentation, such as a micro gas chromatograph (MicroGC) with pre-concentration,
25 and seek approval from South Coast AQMD. If measurement of any target compounds is
26 not able to be practically achieved, Respondent shall inform and seek approval from South
27 Coast AQMD. Respondent shall request and pay for expedited processing of all permits
28

1 and procurement of the instruments, if available. To ensure Respondent is on schedule to
2 complete installation within the 75 days, Respondent shall provide the South Coast AQMD
3 (attn: Kathryn Roberts, kroberts@aqmd.gov; Mary Reichert, mreichert@aqmd.gov) an
4 update at intervals of 30 days and 60 days from the issuance of the Order. Respondent shall
5 specifically address whether it believes an extension is necessary and provide supporting
6 documentation if it is seeking such extension. The AQMD may grant an extension of up to
7 60 days as appropriate based on the evidence submitted.

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

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

18 37. Respondent shall, by March 5, 2024, take at least ten liquid samples from wells with pumps
19 located in the Reaction Area, including wells with the highest average temperatures to the
20 extent feasible. Respondent shall submit the liquid samples to a laboratory for analysis.
21 Sampling and analysis shall be performed per U.S. EPA Method 624.1. Respondent shall,
22 within 1 week of receipt from the contract laboratory, submit the results to South Coast
23 AQMD (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel,
24 Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality
25 Inspector, (cojeda@aqmd.gov)). With the results, Respondent shall also submit laboratory
26 analysis from samples taken on October 20, 2023 from leachate seeps on the western slope
27 of the Reaction Area.
28

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

16 **Community Outreach**

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

- 22 a. The odor mitigation webpage shall be accessible via a direct hyperlink included on
23 the homepage of CCL's website (<https://chiquitacanyon.com>), via a clickable link
24 with text stating "Odor Mitigation;"
- 25 b. The odor mitigation webpage shall display prominently at the top of the page a
26 notification that complaints of any odors believed to be caused by CCL can be made
27 to CCL (24-Hour Hotline) at (661) 253-5155;
- 28

- 1 c. The odor mitigation webpage shall display prominently at the top of the page a
2 notification that complaints may also be submitted to the South Coast Air Quality
3 Management District via telephone at 1 (800) CUT-SMOG or 1 (800) 288-7664 or
4 online on South Coast AQMD’s website (which shall hyperlink to the following:
5 <http://www3.aqmd.gov/webappl/complaintsystemonline/NewComplaint.aspx>);
- 6 d. The odor mitigation webpage shall include a “Recent Updates” section which shall
7 provide a narrative description of Respondent’s understanding of the reaction and
8 DMS;
- 9 e. The odor mitigation webpage shall include an “Odor Mitigation Efforts” section
10 which shall describe the efforts Respondent is taking to mitigate potential odors;
- 11 f. The odor mitigation webpage shall include an “Odor and Maintenance Logs”
12 section which shall include via hyperlink any logs created pursuant to this Order,
13 preceded by a brief narrative description;
- 14 g. The odor mitigation webpage shall include a “Reports, Permits, and Other
15 Documents” section which shall include via hyperlink, preceded by a brief narrative
16 description:
- 17 i. This Order;
 - 18 ii. Safety Data Sheets for odor neutralizer used at the facility and compounds
19 used in the Semi-Permanent Vapor Odor Control system referenced in
20 Condition No. 45;
 - 21 iii. A copy of Respondent’s current Conditional Use Permit (No. 2004-00052-
22 (5));
 - 23 iv. Any reports relating to odor or odor mitigation required by Respondent’s
24 Conditional Use Permit (No. 2004-00052-(5)) to be submitted to any
25 government agency, including any responses or discussion of remedial actions
26 to odor violations or complaints required by any government agency; and
 - 27 v. All reports created by the Reaction Committee pursuant to this Order.
- 28

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

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

17 **Rule 1150 Landfill Excavation**

18 41. Respondent shall submit, by January 30, 2024, a complete plan application for a Rule
19 1150 Landfill Excavation Plan. The submittal shall be accompanied with a complete Title
20 V Revision application and shall be submitted with an expedited processing request and
21 associated required fees, forms, and information. A generic Rule 1150 plan application
22 and Title V Revision application shall include the following:

- 23 a. A signed and completed Form 400-A.
- 24 b. A signed and completed Form 400-CEQA.
- 25 c. Reason for excavation.
- 26 d. A site summary indicating the site history.
- 27 e. A list of materials buried or suspected materials buried in the site based on
28 available records.

- 1 f. Results of any boring tests done to characterize the disposal site.
- 2 g. Results of recent landfill gas analysis or soil vapor phase analysis including the
- 3 concentrations of methane, sulfur compounds, and speciated non-methane
- 4 hydrocarbons.
- 5 h. A plot plan indicating the location of the excavation, staging areas, vehicle
- 6 route(s), vehicle cleaning area, and any nearby buildings, roadways, or other site
- 7 identifying features, and including any schools, residential area or other sensitive
- 8 receptors such as hospitals or locations where children or elderly people live or
- 9 work up to 2,500 feet away.
- 10 i. Operating schedule for excavation and removal (hours/day, days/week,
- 11 weeks/year, or equivalent).
- 12 j. Scheduled excavation starting and completion dates, and number of working days
- 13 required for the excavation.
- 14 k. Description of how the excavation will be conducted, including excavation
- 15 equipment and vehicles hauling the excavated material.
- 16 l. Description of mitigation measures for dust, odors, and hydrocarbons.
- 17 m. Description of monitoring to be conducted, including monitoring equipment and
- 18 techniques.
- 19 n. Total amount of material to be excavated in cubic yards under this project.
- 20 o. Description of disposal of the material (re-burial on-site or sent off site for
- 21 disposal, if off-site provide name of landfill where material will be disposed).
- 22 p. Maximum surface area of excavation workface.
- 23 q. Maximum surface area of refuse or contaminated material to be exposed to
- 24 atmosphere at any one time.
- 25 r. Fees in the amount \$1,090.43 (for Title V facilities, fee schedule FY 23-24).
- 26 s. A Title V Permit Revision application shall be submitted with associated
- 27 application fees in the amount of \$1,820.84 (fee schedule FY 23-24) and required
- 28 forms (Form 400-A, Form 500-A2, Form 500-C1).

1 t. A signed Form 400-XPP and additional 50% more fees from the plan fees listed
2 above (\$545.22).

3
4 42. Respondent shall comply with the following requirements in the interim period, starting
5 upon issuance of this Order and until the final approval of the Rule 1150 landfill
6 excavation plan under the application specified in Condition No. 41 above, for all
7 excavation, as defined in Rule 1150(a)(5), unless excavation is occurring pursuant to one
8 or more exemption as listed in South Coast AQMD Rule 1150(c):

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

- 16 i. Company Name and Company ID
- 17 ii. Site Address
- 18 iii. Notification Type (2 days prior or 5 days after)
- 19 iv. Estimated Excavation Start Date and Completion Date
- 20 v. A Map of the Facility with Excavation Location Indicated

21 b. Excavation shall not be conducted between the hours of 6:00 p.m. and 6:00 a.m. or
22 on weekends and legal holidays unless excavation is occurring to comply with
23 Condition 24, or otherwise approved in writing by the South Coast AQMD.

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

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

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

1 or rain is predicted by the National Weather Service prior to the next scheduled day
2 of excavation.

3 o. Daily inspections shall be conducted of any covered excavation area (per
4 Conditions 41(i), 41(j), and 41(n) above) to ensure the integrity of the cover(s) is
5 maintained and secured so that no portion of the soil is exposed to atmosphere. If
6 the cover material is not completely covering the landfill materials and refuse
7 generating emissions, or if the integrity of the cover has been compromised,
8 immediate corrective action shall be taken to add and secure a new cover, or
9 additional cover, on the area requiring corrective action. An inspection log shall be
10 maintained to record the time of the inspections and any corrective action
11 performed.

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

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

16 ii. All hazardous materials shall be transported in containers clearly
17 marked as to the type of material contained and what procedures
18 should be followed in case of accidental spills.

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

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

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

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

1 **Other Conditions**

- 2 43. To ensure that fresh trash odors remain controlled, Respondent shall maintain the
3 following fresh trash-related odor mitigation measures recommended by its landfill
4 operations expert from the Stipulated Order for Abatement in Case No. 6177-1 during
5 Unfavorable Wind Conditions, as defined in the Stipulated Order for Abatement in Case
6 No. 6177-1. Respondent shall maintain the following odor mitigation measures:
- 7 a. Use orchard fans, and tow-and-blow fans as needed, placed and spaced around the
8 working face in accordance with the recommendations of Chiquita’s landfill
9 operations expert;
 - 10 b. Use equipment equipped with odor neutralizer misting systems in various portions
11 of CCL to neutralize any fresh trash odors. This equipment shall include, but not be
12 limited to, fans and arm tower misters;
 - 13 c. Identify and appropriately handle odorous loads at the scale and working face as
14 new waste loads enter CCL;
 - 15 d. Haul odorous loads with proper sequencing and cover; and
 - 16 e. Regularly train staff on all aspects of landfill operations, employee safety, and odor
17 control.
- 18 44. Respondent shall obtain, install, and maintain an on-site landfill meteorological station to
19 measure wind speed and direction by October 31, 2023. The meteorological station shall
20 be installed at a location appropriate for determining wind speed and direction on the top
21 deck of the landfill in the Reaction Area (as defined in Condition 9(a)) on a 1-hour
22 average basis, with measurements recorded every 5 minutes. The station shall record and
23 preserve all available readings for three years and the readings shall be made available to
24 the South Coast AQMD upon request.
- 25 45. Respondent shall install, maintain in good working order, and operate 1,000 feet or more
26 of Semi-Permanent Vapor Odor Control in the Reaction Area (as defined in Condition 9(a))
27 within 14 days of the approval of this Order. Respondent shall operate the Semi-Permanent
28 Vapor Odor Control system immediately and continuously.

- 1 46. Respondent shall operate and maintain in good working order a landfill perimeter odor
2 control misting system on permanent fencing on the west and northwest of the property.
- 3 47. The landfill perimeter odor control misting system shall be operated immediately and
4 continuously upon receiving data from the meteorological station, referenced in Condition
5 No. 44 above, that the 1-hour averaged wind direction is blowing in West, Northwest,
6 North, or Northeast directions (270 degrees to 45 degrees). The misting system shall
7 continue to operate until the 1-hour averaged wind direction data demonstrates the wind is
8 no longer blowing in the specified directions. The system shall be operated in such a
9 manner and with sufficient odor neutralizers to mitigate, to the extent possible, transient
10 odors from the landfill into surrounding communities, as determined by the Reaction
11 Committee.
- 12 48. Respondent shall notify the South Coast AQMD (attn: Kathryn Roberts,
13 kroberts@aqmd.gov; Mary Reichert, mreichert@aqmd.gov; Christina Ojeda,
14 cojeda@aqmd.gov) of any substantial operational changes designed to or anticipated to
15 reduce odors, such as an operational change not contemplated by this Order, within seven
16 days of implementing such changes.
- 17 49. Equipment and operations at the Facility are subject to the jurisdiction and regulatory
18 requirements of multiple agencies, including but not limited to the District, CalRecycle,
19 Los Angeles County Public Works, Los Angeles County Department of Regional Planning,
20 and Los Angeles County Department of Public Health. The conditions in this Order shall
21 not in any way restrict or expand the scope of jurisdiction of any agency. If any agency that
22 shares jurisdiction over the Facility with the South Coast AQMD requires Respondent to
23 take any action that is inconsistent with this Order, Respondent shall immediately contact
24 the South Coast AQMD by email at [Kathryn Roberts, kroberts@aqmd.gov and Mary
25 Reichert, mreichert@aqmd.gov] and describe the inconsistent provisions, including
26 providing any written directive from any other agency which Respondent considers
27 inconsistent with one or more conditions in this Order. Respondent shall endeavor to
28 resolve the inconsistency with the Executive Officer, while adhering to the Condition(s) in

1 the Order. If the inconsistency is not resolved within 3 working days of the relevant agency,
2 Respondent shall immediately inform the South Coast AQMD and shall petition for a
3 status/modification hearing before the Hearing Board for further proceedings. At such
4 proceeding, only the provision in dispute shall be resolved by the Hearing Board while the
5 other conditions in this Order shall remain in full force and effect.

6 a. If Respondent notifies South Coast AQMD per Condition No. 49 above
7 that the inconsistency with one or more Condition and an order of another
8 agency cannot be resolved, compliance with the applicable Condition(s)
9 of this Order shall be waived until further Order of the Hearing Board.
10 Notwithstanding the above, in no instance shall compliance with
11 Condition No. 49 or Condition No. 49(a) be waived.

12 50. Respondent shall provide a workplan which lists the actions that Respondent plans to take
13 in order to address the subsurface reaction and return all aspects of the CCL to good and
14 compliant working order, including liquid/leachate seepage and discharges of pressurized
15 leachate, methane surface exceedances, fugitive emissions of landfill gas, well
16 temperature exceedances, and non-compliant composition of landfill gas. This workplan
17 shall include a timeline of the proposed work, and shall include both short-term and long-
18 term solutions planned to mitigate impacts to the surrounding communities and return the
19 facility into compliance. Respondent shall submit the complete workplan to South Coast
20 AQMD by March 13, 2024 (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
21 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov), and Christina
22 Ojeda, Air Quality Inspector, (cojeda@aqmd.gov). Respondent shall provide quarterly
23 updates on the workplan, by the 13th day of every third month, starting June 13, 2024,
24 specifying any updates to the plan or associated work timelines.

25 51. Respondent shall permit South Coast AQMD personnel to conduct all inspections deemed
26 necessary by South Coast AQMD Compliance staff, including, but not limited to,
27 collection of samples. If during any inspection, South Coast AQMD observes
28 uncontrolled liquid which has at least one characteristic (including odor, appearance, etc.)

1 that suggests the liquid may be leachate, South Coast AQMD may require Respondent to
2 collect a sample of the liquid within 24 hours, submit the sample for expedited testing for
3 VOCs, and submit test results to the South Coast AQMD Compliance Inspector within 24
4 hours of receipt of results, but no later than 96 hours after collection. Notwithstanding the
5 preceding, Respondent may require all visitors, including South Coast AQMD staff, to
6 don appropriate personal protective equipment prior to visiting the Reaction Area. Upon
7 request by South Coast AQMD, Respondent shall, within 24 hours, provide a list of all
8 personal protective equipment that Respondent deems appropriate for visiting the
9 Reaction Area. Respondent shall not prohibit South Coast AQMD staff from access to
10 Respondent's facility, including the Reaction Area, if South Coast AQMD staff don all
11 personal protective equipment included on a list issued by Respondent pursuant to this
12 condition.

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

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

24 53. Respondent shall, on a weekly basis, report on: (1) number of tanks in each leachate tank
25 group; (2) total number of leachate tanks treated; (3) weekly and year-to-date total quantity
26 of liquid collected; (4) weekly and year-to-date total quantity of liquid treated; and (5)
27 estimated weekly and year-to-date total quantity of seeping, pooling, or ponding leachate
28 collected. By no later than April 3, 2024, Respondent shall submit South Coast AQMD

1 (Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air
2 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,
3 (cojeda@aqmd.gov), the first weekly report, and shall submit an additional weekly report
4 every 7 calendar days thereafter.

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

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

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

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

22 c. Respondent has submitted a complete source test protocol which has been
23 reviewed and approved by South Coast AQMD in writing, and which
24 includes, at a minimum, procedures for testing of methane, total non-
25 methane organic compounds, speciated organics (including but not limited
26 to Rule 1150.1 Table 1 Carcinogenic and Toxic Air Contaminants), NO_x
27 as NO₂, CO, particulate matter (PM₁₀), oxygen and carbon dioxide,
28 moisture content, temperature, flowrate, total sulfur compounds as H₂S

- 1 and speciated sulfur compounds, gas BTU value, nitrogen, methane and
2 TNMOC destruction efficiency, and metals;
- 3 d. Respondent has submitted a source test report which has been reviewed
4 and approved in writing by South Coast AQMD;
- 5 e. South Coast AQMD grants written approval to conduct condensate
6 injection;
- 7 f. Respondent conducts follow-up flare source testing, at a minimum of
8 every 6 months, which includes non-hazardous condensate injection, and
9 following the requirements of sub-item (d) above; and
- 10 g. Respondent maintains records of condensate sampling/analysis results to
11 demonstrate the liquid is non-hazardous, maintains records of daily
12 condensate injection flows (gallons per day), and provides these records
13 in the monthly report pursuant to Condition No. 8.

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

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

27 Each of the sampled storage tanks shall be filled at least 2/3 full of leachate (approximately
28 14,000 gallons). Tanks to be sampled shall be preferentially selected to be those not

1 connected/vented to the landfill gas collection system and/or landfill gas control systems.
2 Vapor sampling and analysis of the headspace shall be conducted for total sulfur compounds
3 as H₂S and speciated sulfur compounds pursuant to South Coast AQMD Method 307-91,
4 and for speciated organic compounds pursuant to U.S. EPA Method TO-15. Sampling and
5 analysis shall be performed by a South Coast AQMD Laboratory Approval Program (LAP)
6 approved laboratory(ies), capable of sampling and analysis per South Coast AQMD Method
7 307-91 and U.S. EPA Method TO-15, respectively. A report detailing the sampling and
8 analysis parameters and complete laboratory analysis results shall be submitted to South
9 Coast AQMD by April 18, 2024 [Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);
10 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov); Christina Ojeda, Air
11 Quality Inspector, (cojeda@aqmd.gov)]. The report shall include, at a minimum,
12 identification of the leachate tank(s) sampled, sample location within each leachate tank,
13 vapor/liquid connections, ventilation (if applicable) and configuration of the tank(s) which
14 were sampled, temperature of the leachate at time of sampling, date/time of sampling,
15 treatment status of the tank(s), volume of leachate within the tank(s), and complete
16 laboratory sampling and analysis results.

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

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

- 1 59. Respondent shall submit, by June 21, 2024, a complete permit application for the Landfill
2 Gas Condensate and Leachate Treatment System, which includes treating hazardous liquid
3 waste. The submittal shall be accompanied with a complete Title V Revision application and
4 shall be submitted with an expedited permit processing request and associated required fees,
5 forms, and information.
- 6 60. Respondent shall submit, by April 22, 2024, a complete permit modification application to
7 the Landfill Gas Collection System (under Permit G43917, A/N 578102) to include the tie-
8 in of the landfill gas condensate and leachate treatment system vapor vent lines to the
9 Landfill Gas Collection System. The submittal shall be accompanied with a complete Title
10 V Revision application and shall be submitted with an expedited permit processing request
11 and associated required fees, forms, and information.
- 12 61. Respondent shall submit, by May 21, 2024, a complete permit modification application to
13 the Landfill Gas Flare System (under Permit G73696, A/N 645450) to include the
14 combustion of vapor vented from the hazardous liquid tanks in the landfill gas condensate
15 and leachate collection/storage tank system and landfill gas condensate and leachate
16 treatment system. The submittal shall be accompanied with a complete Title V Revision
17 application and shall be submitted with an expedited permit processing request and
18 associated required fees, forms, and information.
- 19 62. Respondent shall submit, by May 21, 2024, a complete permit modification application to
20 the Landfill Gas Flare System (under A/N 624296) to include the combustion of vapor
21 vented from the hazardous liquid tanks in the landfill gas condensate and leachate
22 collection/storage tank system and landfill gas condensate and leachate treatment system.
23 The submittal shall be accompanied with a complete Title V Revision application and shall
24 be submitted with an expedited permit processing request and associated required fees,
25 forms, and information.
- 26 63. By April 22, 2024, Respondent shall provide South Coast AQMD with a schematic of the
27 current leachate treatment and storage system, including connections, flow lines, tank
28 groups, vent lines to flares, lines to and between leachate tanks, and tanks which are

1 connected and not connected to vacuum vent lines.

2 64. Respondent shall follow the direction of the EPA to prepare a Leachate Management Plan
3 in accordance with the Unilateral Administrative Order (UAO). Respondent shall submit the
4 final plan submitted to EPA to South Coast AQMD on or before March 28, 2024. Any
5 updates to the final plan shall be submitted to South Coast AQMD within 24 hours of
6 submittal to EPA.

7 65. Respondent shall provide notice to South Coast AQMD (Baitong Chen, Air Quality
8 Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,
9 (ndickel@aqmd.gov); and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov) by
10 Friday of each week a summary of leachate dewatering pumps that have been installed and
11 resumed operation the prior week, and the number and location of dewatering pumps
12 anticipated to be installed and placed into operation in the following week.

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

1 Order, as appropriate.

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

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

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

18 BOARD MEMBER: _____

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20 DATED: _____

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1 **SO STIPULATED:**

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March 21, 2024

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Kathryn Roberts, Esq.
Senior Deputy District Counsel
Attorney for Petitioner South Coast AQMD

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7 **SO STIPULATED:**

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March 21, 2024



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

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