

January 16,2024

The South Coast Air Quality Management District (AQMD) Hearing Board
21865 Copley Drive, Diamond Bar, Ca 91765.

Dear The South Coast AQMD Hearing Board Members & The Clerk of The Board

CASE NO. 6177-4, SOUTH COAST AQMD (PETITIONER) vs. CHIQUITA CANYON, LLC, A DELAWARE CORPORATION (RESPONDENT) , JANUARY 16, 2024

My name is Mike Mohajer, I am a private citizen and a resident of the County of Los Angeles. I am also a California Professional Engineer and have been involved with environmental issues and specifically solid waste and hazardous waste management for over 43 years. For the record, I do not represent any public, private and/or governmental agencies.

I have reviewed and commented on the subject Case re the Notice of Abatements requested by the South Coast AQMD against the Respondent dated August 15, 2023 (Enclosure A) as well as Respondent proposals which are before your Board today for consideration and possible modification(s). I would like to offer the following for your consideration and action.

The South Coast AQMD Allegations No. 12

The landfill description, age, disposal material types and distances separating the landfill from the residential and business communities as described in the Notice of Abatement are inconsistent with the **“FINDINGS OF THE BOARD OF SUPERVISORS dated July 25, 2017.”** Specifically, FINDING No 16 states “the Chiquita Canyon Landfill was first approved for a land reclamation project by the Commission on December 21, 1965, through Zone Exception Case (ZEC) 7879. The Commission approved a related access road through ZEC 8040 on March 6,1966, and allowed refuse disposal at the Project Site, in addition to the land reclamation project through ZEC 8192 on September 13, 1966. On March 2, 1977, the Commission approved CUP 1010 for the continued operation and maintenance of a waste disposal facility and land reclamation project with appurtenant facilities. On November 24, 1982, the Commission approved CUP 1809 for expansion of the existing landfill with Class II and Class III disposal sites. The Board approved CUP 89-081 on May 20,1997, for continued of operation of a Class III landfill, after an appeal of the Commission’s approval of CUP 89-081.” Subsequently, The CUP 89-081was replaced by the CUP 2004-00042-(5) by the Los Angeles County Board of Supervisors on July 25, 2017. Based on the

The SCAQMD Hearing Board

foregoing, I stated that the Allegation No.12 must be corrected and updated based on the July 25, 2017 Finding of the Los Angeles County Board of Supervisors as well as being expanded as enumerated as shown below:

1. The landfill operation began in 1966 and not 1977, and this critical error needs to be corrected.
2. It appears that the Landfill may have partially operated as a Class II landfill during the period of 1982 to 1997. As a Class II landfill, the disposal of hazardous waste ("Designated Waste, as defined by the California Water Code, Section 13173 of the California Water Code) may have occurred. It is known that sulfide minerals can oxidize upon exposure to oxygen and water creating sulfurous acid and sulfuric acid causing the odor which may be emitted at the landfill's neighboring communities (such as Community of Vale Verde). Additionally, when the subject Landfill operated as Class II, it may have received and disposed of auto shredded waste, biosolid waste, Waste-to-Energy ash, etc. As such, I question the validity of Rober Dick of SCS Engineers (See his supplemental declaration, Page 8, dated January 16, 2024 conclusion.,

To further address the odor emission, the Landfill owner/operator/ SCS Engineers must provide all regulatory agencies with a copy of the Waste Discharge Requirements {WDRs} issued by the LA Regional and/or state Regional Water Quality Control Board for the subject landfill and all surface impoundments. Possibly, the info may be helpful to identify the odor source(s) and measures to remedy the existing odor nuisance.

The analysis must also consider the impact of the 1994 Earthquake causing damage to the landfill liner on the Northwest portion of the landfill.

Thank you for your consideration, and should you have any questions, please contact me.

Regards

/S / Mike Mohajer

Mike Mohajer

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Enc.

September 5, 2023

The South Coast Air Quality Management District (AQMD) Hearing Board
21865 Copley Drive, Diamond Bar, Ca 91765

Dear The South Coast AQMD Hearing Board Members & The Clerk of The Board

SEPTEMBER 6, 2023, SOUTH COAST AQMD (PETITIONER) REQUEST TO THE SOUTH COAST AQMD HEARING BOARD AGAINST CHIQUITA CANYON LANDFILL (RESPONDENTS) FOR AN ORDER OF ABATEMENT DIRECTED TO RESPONDENTS, CASE NO. 6177-4

My name is Mike Mohajer, I am a private citizen and a resident of the County of Los Angeles. I am also a California Professional Engineer and have been involved with environmental issues and specifically solid waste and hazardous waste management for over 43 years. For the record, I do not represent any public, private and/or governmental agencies.

I have reviewed the subject Case re the Notice of Abatements requested by the South Coast AQMD against the respondents on August 15, 2023. While I support the request, I would like to offer the following comments for incorporating into the staff recommended Notice of Abatement which if adopted by the SCAQMD Hearing Board would enhance the landfill neighboring residents' health and safety, while mitigating odor nuisance and protecting the environment.

The South Coast Allegations No. 1 – 11

Please expand to include additional allegation.

1. The Los Angeles County Department of Health Services (DPH) classifies odor complaints as having significant negative impact on the public, that is to say **that odor is more than a nuisance**. Additionally, pursuant to Subsection 11.02.300 (E) of the Title 11 of the LA County Code, **nuisance is “anything that render air detrimental to the health of human beings.”** Odors are a nuisance because they remove the ease of breathing, and the lack of ease is the definition of disease. Disease is a public health matter. In common language ... you have to be able to breathe and do so easily or you are suffering dis-ease.”

2. To address this critical health issue, the latest Conditional Use Permit (CUP) No. 2004-0042-(5), granted by the Los Angeles County on July 25, 2017, incorporated a number of mitigating measures (Conditions 63 -71 & 74) which Chiquita Canyon Landfill must comply with. However, I am not aware as to their current status of implementation, and I believe the South Coast AQMD should monitor and ensure the implementation of these critical mitigating measures.

The South Coast Allegations No. 12

The landfill description, age, disposal material types and distances separating the landfill from the residential and business communities as described in the Notice of Abatement are **inconsistent** with the **“FINDINGS OF THE BOARD OF SUPERVISORS dated July 25, 2017.”** Specifically, *FINDING No 16 states “the Chiquita Canyon Landfill was first approved for a land reclamation project by the Commission on December 21, 1965, through Zone Exception Case (ZEC) 7879. The Commission approved a related access road through ZEC 8040 on March 6, 1966, and allowed refuse disposal at the Project Site, in addition to the land reclamation project through ZEC 8192 on September 13, 1966. On March 2, 1977, the Commission approved CUP 1010 for the continued operation and maintenance of a waste disposal facility and land reclamation project with appurtenant facilities. On November 24, 1982, the Commission approved CUP 1809 for expansion of the existing landfill with Class II and Class III disposal sites. The Board approved CUP 89-081 on May 20, 1997, for continued of operation of a Class III landfill, after an appeal of the Commission’s approval of CUP 89-081.”* Subsequently, The CUP 89-081 was replaced by the CUP 2004-00042-(5) by the Los Angeles County Board of Supervisors on July 25, 2017.

Based on the foregoing, the info re the Allegation No.12 needs to be corrected, updated as well as expanded as enumerated below

1. The landfill operation began in 1966 and not 1977, and this error needs to be corrected.

2. It appears that the Landfill may have partially operated as a **Class II** landfill during the period of 1982 to 1997. As a Class II landfill, the disposal of hazardous waste (“Designated Waste, as defined by the California Water Code, Section 13173 of the California Water Code) may have occurred. It is known that sulfide minerals can oxidize upon exposure to oxygen and water creating sulfurous acid and sulfuric acid causing the odor which may be emitted at the landfill’s neighboring communities (such as Chiquita Landfill). To further address the odor emission, the Landfill owner/operator must provide all regulatory agencies with a copy of the Waste Discharge Requirements {WDRs} issued by the LA Regional and/or state Regional Water Quality Control Board for the subject landfill and all surface impoundments. Possibly, the info may be helpful to identify the odor source(s) and measures to remedy the existing odor nuisance.

3. Based on information available from the County CUP, there are residential communities within 500 feet, (such as Val Verde), of the landfill. To be correct and consistent with the Environmental Justice’s goals, the locations must be identified much more accurately rather than stating “less than half a mile,” as currently stated.

Thank you for your consideration, and should you have any questions, please contact me.

Regards,

/S / Mike Mohajer

Mike Mohajer, P.E.

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