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

4 **In The Matter Of**

5 SOUTH COAST AIR QUALITY  
6 MANAGEMENT DISTRICT,

7 Petitioner,

8 vs.

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

12 Respondent.

**Case No. 6177-4**

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

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

Hearing Date: January 16, 2024

Time: 9:30 am

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

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

1 was received, and the matter was submitted. The Hearing Board 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 (“H<sub>2</sub>S”) 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 H<sub>2</sub>S 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 H<sub>2</sub>S 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<sub>x</sub>”) as SO<sub>2</sub>.

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<sub>x</sub> as SO<sub>2</sub>.

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<sub>x</sub> as SO<sub>2</sub>. Flare No. 3 is also  
24 limited by its permit to a daily average in the inlet of 85 ppmv sulfur as H<sub>2</sub>S, and monthly average  
25 of 60 ppmv sulfur as H<sub>2</sub>S, and a daily average in the inlet of 150 ppm sulfur as H<sub>2</sub>S

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 two flares which combust landfill gas. CCL also has an  
2 active permit application for an additional third flare which, if permitted, would be incorporated into  
3 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 approximately 1000 feet from the nearest resident. South Coast AQMD alleges that the ongoing  
17 subsurface reaction is the source of the odor complaints received from the public, and the root cause  
18 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. [PARTIES TO SUBMIT COMPETING PROPOSED FINDINGS OF FACTS RE:

1 **STATUS/MODIFICATION HEARING]**

2 **CONCLUSIONS**

3 **21. [PARTIES TO SUBMIT COMPETING PROPOSED CONCLUSIONS]**

4 22. There is good cause for adopting the modifications of the Order that are stipulated to  
5 by the Parties and imposing the contested modifications as sought by the South Coast AQMD.

6 23. This Order for Abatement is not intended to be nor does it act as a variance.

7 **ORDER**

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

13 **Odor Surveillance**

- 14 1. Respondent shall conduct odor surveillance in the communities surrounding CCL as  
15 follows:
- 16 a. Respondent shall contract with a trained third party to conduct odor surveillance  
17 each operating day within thirty (30) days after the issuance of the September 6,  
18 2023 Order (the “Initial Order”). Respondent shall conduct odor surveillance each  
19 operating day until the trained third party has been contracted. Respondent, or  
20 Respondent’s contractor, as applicable, shall conduct community odor surveillance  
21 at least twice each operating day, once between the hours of 7:00 a.m. and 11:00  
22 a.m. and once between the hours of 8:00 p.m. and 12:00 a.m. If a three-week period  
23 passes without Respondent receiving a Rule 402 NOV from the South Coast  
24 AQMD, or detecting odors at above an intensity of 2 at more than 2 stops during a  
25 single surveillance, then Respondent, or Respondent’s contractor, as applicable,  
26 may stop conducting the odor surveillances. If Respondent, or Respondent’s  
27 contractor, as applicable, has stopped conducting the odor surveillances pursuant to  
28 this condition and Respondent subsequently receives a Rule 402 NOV from the

South Coast AQMD, then Respondent, or Respondent’s contractor, as applicable, must resume conducting the odor surveillances until another three-week period passes with no Rule 402 NOVs issued by the South Coast AQMD, or without Respondent or Respondent’s contractor, as applicable, detecting odors at above an 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:

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

Stop	Description
26.	Intersection of Live Oak Road and Hidden Trail Road
27.	Intersection of Rangewood Road and Buckskin Drive
28.	Intersection of Live Oak Elementary School at Saddleridge Way
29.	Intersection of Quincy Street and Cambridge Avenue
30.	Intersection of Commerce Center Drive and Witherspoon Parkway
31.	Intersection of Franklin Parkway and driveway leading to the United States Postal Service
32.	Intersection of Henry Mayo Drive and Cambridge View Drive, leading into the Valencia Travel Village RV Resort

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

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

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

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

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

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



- 1 4. Respondent shall prioritize and maximize the use and operation of landfill gas flares No. 2  
2 (under Permit G73696, A/N 645450) and No. 3 (under A/N 624296) over landfill gas flare  
3 No. 1 (under Permit G73696, A/N 645450) to the maximum extent feasible when  
4 combusting landfill gas at the facility (FID 119219). Once Respondent receives the  
5 necessary permits and puts the new landfill gas flare discussed in Condition 20 (“landfill  
6 gas flare No. 4”) into operation, Respondent shall prioritize and maximize the use and  
7 operation of landfill gas flares Nos. 3 and 4 over landfill gas flares No. 1 and No. 2 (under  
8 Permit G73696, A/N 645450) and prioritize and maximize the use and operation of landfill  
9 gas flare No. 2 over landfill gas flare No. 1 to the maximum extent feasible when  
10 combusting landfill gas at the facility (FID 119219).
- 11 5. Respondent shall sample, analyze, and record the landfill gas sulfur compounds combusted  
12 in each flare (as measured at sampling location FL-150 that is representative of the gas  
13 combusted in the flares under Permit G73696, A/N 45450; A/N 624296) at least once each  
14 week using colorimetric tests for H<sub>2</sub>S and at least once each week sample for analysis for  
15 total sulfur compounds as H<sub>2</sub>S using South Coast AQMD Method 307-91. Additionally,  
16 Respondent shall sample, analyze, and record the landfill gas sulfur compounds found in  
17 the raw, pre-treatment and pre-control, landfill gas collected from the Reaction Area (as  
18 defined in Condition 9(a)) at least once each calendar month for total sulfur compounds as  
19 H<sub>2</sub>S using South Coast AQMD Method 307-91.
- 20 a. Respondent shall record South Coast AQMD Method 307-91 analysis upon receipt  
21 of laboratory analysis report. Each recorded measurement or result shall be  
22 documented with the time and date when the measurement or sample collection was  
23 conducted, and initialed by the personnel that conducted the measurement or sample  
24 collection.
- 25 b. Sulfur compound readings and analysis shall be reported to South Coast AQMD  
26 pursuant to Condition No. 8.
- 27 i. Tedlar bags used for Method 307-91 sampling and analysis shall not contain  
28 droplets or debris.

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

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

7 6. Respondent shall maintain adequate stock of appropriately ranged colorimetric tubes.

8 7. Respondent shall maintain a record of the following information, and provide such records  
9 to the South Coast AQMD pursuant to Condition No. 8:

10 a. The hourly and daily flow of landfill gas combusted, in standard cubic feet, in each  
11 flare (flares No. 1 & No. 2 under Permit G73696, A/N 645450; flare No. 3 under  
12 A/N 624296), the thermal oxidizer (under Envent Corporation A/N 645484), the  
13 second thermal oxidizer/flare (under Zeeco A/N 648539), and any other equipment  
14 used to combust or control landfill gas at the facility, and the total amount of landfill  
15 gas combusted at the facility;

16 b. The daily flow of landfill gas not flared, in standard cubic feet, if applicable; and

17 c. The results of the sulfur readings, sampling, and analyses, calculated as H<sub>2</sub>S with  
18 the time and date when each measurement or sample collection was conducted.

19 8. Respondent shall submit a monthly written report on the landfill operation, progress of the  
20 status of the Landfill Gas Flares (flares No. 1 and No. 2 under Permit G73696, A/N 645450;  
21 flare No. 3 under A/N 624296), Landfill Gas Treatment System (under Permit G55163,  
22 A/N 603249), and efforts to resolve the total sulfur concentration in the landfill gas  
23 exceeding 150 ppmv calculated as H<sub>2</sub>S. Monthly reports shall be submitted to Respondent  
24 on the third Monday of each subsequent month (except for this first month as described  
25 below) not later than 5:00pm via email to Baitong Chen, Air Quality Engineer,  
26 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),  
27 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov). The first report for August  
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1 2023 shall be due on September 30, 2023. Each monthly report shall contain at a minimum  
2 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 and CO concentration readings, lab analysis, and Draeger  
27 tube readings for landfill gas from the past month in a Microsoft Excel spreadsheet  
28 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. [CONTESTED CONDITION].
- 24 q. Updates regarding leachate including:  
25 i. Leachate temperature recordings pursuant to Condition No. 27(a);  
26 ii. Daily log of inspection findings and containment activities  
27 pursuant to Condition 27(b);  
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- iii. Weekly record of leachate seepage and pooling pursuant to Condition 27(c); and
- iv. Quantity of leachate measured, and associated company name and physical address of the off-site disposal/treatment facility(ies) that receive leachate generated by the landfill, pursuant to Condition 27(d).

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

- a. The “Reaction Area” shall be defined initially by the boundary of Cells 1/2A, 2B/3, 4, and Module 2B/3/4 P2. The boundary of the Reaction Area shall be modified to include the associated landfill surface area of the cells and modules that experience well temperatures of at least 170 degrees Fahrenheit, settlement, cracks in the landfill cover, presence and quantity of liquids, and the presence of hydrogen in the landfill gas. The Reaction Committee (defined in Condition No. 12), shall transmit to the South Coast AQMD [attn: Baitong Chen, [bchen@aqmd.gov](mailto:bchen@aqmd.gov); Nathaniel Dickel, [ndickel@aqmd.gov](mailto:ndickel@aqmd.gov); Christina Ojeda, [cojeda@aqmd.gov](mailto:cojeda@aqmd.gov)]: 1) the revised map which clearly displays the proposed boundary change(s) and depicts the new Reaction Area; 2) a narrative summary explaining the rationale behind the proposed changes, including memorializing any dissenting

1 view of any member of the Reaction Committee; and 3) any supporting  
2 data relied upon in the decision to revise the Reaction Area.

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

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

16 11. Respondent shall continue operating its flares and landfill gas treatment system even if the  
17 emitted landfill gas exceeds the limits on total reduced sulfur and SO<sub>x</sub> laid out in CCL's  
18 permits (Permit G55163, Condition Nos. 11 and 16 and CCL's Facility-Wide Permit,  
19 Condition No. 3) and South Coast AQMD Rules 431.1(c)(2), 3002(c)(1), and 203(b).  
20 Respondent shall include deviation reporting associated with exceedances of these  
21 emissions limits in its semi-annual Title V reports and in accordance with the requirements  
22 of Respondent's Title V permit.

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

24 12. Respondent shall organize a committee (the "Reaction Committee") consisting of subject  
25 matter experts to aid in the investigation, impact assessment, and remediation of the  
26 ongoing landfill reaction and resultant odors as specified below. Respondent shall, through  
27 retention of one or more consultants and/or designation of one or more new or existing  
28 employees, complete the formation of the Reaction Committee within thirty (30) days of

1 the issuance of this Order. Respondent shall, within thirty (30) days of the issuance of this  
2 Order, or within ten (10) days of their appointment, if appointment occurs after October 6,  
3 2023, provide to the South Coast AQMD [Baitong Chen, Air Quality Engineer,  
4 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),  
5 and Christina Ojeda, Air Quality Inspector (cojeda@aqmd.gov)] the names of all persons  
6 included in the Reaction Committee along with a Curriculum Vitae, or other description of  
7 the individual's credentials, experience, and/or expertise in the applicable subject matter.

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

- 10 i. Landfill design and operational best management practices;
- 11 ii. Landfill gas collection/extraction systems, landfill gas  
12 condensate/leachate collection systems, and landfill gas control;
- 13 iii. Chemical reaction(s) within landfills leading to formation of and  
14 elevated levels of dimethyl sulfide ("DMS") and non-methane  
15 organic compounds ("NMOC");
- 16 iv. Public health relating to air quality and exposure to air  
17 contaminants including DMS.

18 b. [CONTESTED CONDITION].

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

- 26 i. To facilitate each meeting, Respondent shall provide South Coast  
27 AQMD (attn: Baitong Chen, [bchen@aqmd.gov](mailto:bchen@aqmd.gov); Nathaniel Dickel,  
28 [ndickel@aqmd.gov](mailto:ndickel@aqmd.gov); Christina Ojeda, [cojeda@aqmd.gov](mailto:cojeda@aqmd.gov); Payam



1 Pakbin, [ppakbin@aqmd.gov](mailto:ppakbin@aqmd.gov); Kathryn Roberts,  
2 [kroberts@aqmd.gov](mailto:kroberts@aqmd.gov); Mary Reichert, [mreichert@aqmd.gov](mailto:mreichert@aqmd.gov)) a  
3 proposed agenda listing the topics to be discussed, and the  
4 presenter, not later than ten (10) calendar days prior to the meeting.  
5 South Coast AQMD shall have the option to expand the agenda to  
6 include additional topics within the purview of the Reaction  
7 Committee. If South Coast AQMD elects to expand the agenda, it  
8 shall provide notice to Respondent not later than four (4) calendar  
9 days prior to the meeting.

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

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

25 iv. Following each monthly meeting, Respondent shall prepare a  
26 summary of the meeting, including the topics discussed and all  
27 recommendations received. Respondent shall include in the  
28 summary a response from the Reaction Committee to all

1 recommendations and, as applicable, any changes made as a result.  
2 Respondent, at its election, may also include a summary of and  
3 response to any feedback received. Respondent shall post the  
4 summary of the meeting to the webpage created pursuant to  
5 Condition No. 39, not later than twenty (20) days following the  
6 meeting.

7 d. Respondent, through the Reaction Committee, shall conduct investigations and  
8 studies into the cause of the landfill reaction, the impact of air emissions, interim  
9 measures to limit odor transport, and corrective measures to reduce or abate the  
10 landfill reaction. Such investigations shall include, at a minimum:

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

25 ii. An investigation and report on 1) the cause of the alleged chemical  
26 reaction(s) resulting in the elevated well temperatures, elevated  
27 levels of DMS formation in the landfill gas, and elevated levels of  
28 NMOG formation in the landfill gas and 2) solutions to slow and

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

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

1 including an ultimate decision if monitoring is feasible. If the  
2 Reaction Committee deems monitoring under this provision  
3 feasible, Respondent shall prepare and submit to the South Coast  
4 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)] a workplan for the installation of  
8 and operation of the required monitoring equipment and related  
9 installations within thirty (30) days of the Reaction Committee's  
10 decision. This workplan will include a timeline for procurement  
11 of monitoring equipment and for the commencement of  
12 monitoring. It will also include a timeline for reporting out on the  
13 collected data, including a proposal relating to the real-time  
14 posting of monitoring data on Respondent's website or other  
15 regular report-outs on the data;

- 16 iv. A study and report on landfill best management practices and  
17 alternative methods to minimize the release of fugitive surface gas  
18 and minimize odors from fugitive surface gas, including cover  
19 practices at the Reaction Area (as defined in Condition 9(a)) and  
20 working face, and how best to address related odorous emissions,  
21 such as through the use of misting systems, fans, odor neutralizer,  
22 or other means. By no later than November 6, 2023, Respondent  
23 shall submit a report detailing the findings of this Fugitive Landfill  
24 Gas Odor Mitigation Study and the proposals for the minimization  
25 of landfill gas release and odors. This report shall be submitted to  
26 South Coast AQMD [Baitong Chen, Air Quality Engineer,  
27 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality  
28

1 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
2 Inspector, (cojeda@aqmd.gov)];

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

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

1 assessment and analysis of any action levels from other public  
2 health or government entities in the United States for any such  
3 constituents, recommended actions for persons exposed to such  
4 constituents, and recommendations on how to limit any anticipated  
5 adverse health impacts. Such report shall also include a summary  
6 of all findings, health impacts and recommendations in an easy-to-  
7 read format designed for distribution to and use by the public. By  
8 no later than August 1, 2024, Respondent shall submit this report  
9 to South Coast AQMD [Baitong Chen, Air Quality Engineer,  
10 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality  
11 Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
12 Inspector, (cojeda@aqmd.gov)].

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

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

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

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

11 13. Respondent shall expand its gas well system. Respondent shall continue to operate the  
12 installed five deep trench collectors in the Reaction Area (as defined in Condition 9(a)) and  
13 six leachate extraction pumps along the west slope. Respondent has installed 18 vertical  
14 dual extraction wells, and these 18 vertical dual extraction wells shall be connected to the  
15 landfill gas system by September 15, 2023 unless the circumstances outlined in Condition  
16 13(a) apply.

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

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

1 Respondent shall continue to operate all wells as necessary to ensure the continued  
2 operation of the landfill gas collection system.

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

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

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

25 a. By January 31, 2024, Respondent shall provide to the South Coast  
26 AQMD [attn: Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov);  
27 Nathaniel Dickel, Senior Air Quality Engineer, (ndickel@aqmd.gov),  
28 and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)] the



1 design and installation schedule for a minimum of an additional seventy  
2 (70) wells and their associated piping The proposed well locations and  
3 connecting piping shall be identified on a drawing which shows the  
4 entire gas collection system and shall be described in writing. Estimated  
5 gas collection volume, well depths, pipe lengths, diameters and layouts  
6 shall be supplied to the South Coast AQMD in this advance notification.  
7 Updates to the design and schedule shall be provided in the monthly  
8 report pursuant to Condition No. 8(m);

9 b. Within 14 days of completion of the installation of the wells identified in  
10 the plan submitted under Condition 15(a), if Respondent decides that  
11 more wells are imminently necessary, Respondent shall submit to South  
12 Coast AQMD [attn: Baitong Chen, Air Quality Engineer,  
13 (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
14 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
15 ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] the design and installation schedule of the  
16 additional wells and their associated piping that Respondent will plan to  
17 install. The information required by Condition 15(a) shall be included in  
18 the submission. Updates to the design and schedule shall be provided in  
19 the monthly report pursuant to Condition No. 8(m);

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

26 d. Following installation of all wells pursuant to Conditions 15(a) and  
27 15(b), Respondent shall notify the South Coast AQMD in writing [attn:  
28 Baitong Chen, Air Quality Engineer, (bchen@aqmd.gov); Nathaniel

- 1 Dickel, Senior Air Quality Engineer, ([ndickel@aqmd.gov](mailto:ndickel@aqmd.gov)), and Christina  
2 Ojeda, Air Quality Inspector, ([cojeda@aqmd.gov](mailto:cojeda@aqmd.gov))] at least one (1) week  
3 in advance when an additional well or set of wells and their associated  
4 piping will be installed. The information required by Condition 15(a)  
5 shall be included in the notification. Updates to the design and schedule  
6 shall be provided in the monthly report pursuant to Condition No. 8(m);
- 7 e. During any well drilling a landfill gas control box shall be used to  
8 prevent the emissions of landfill gas into the atmosphere, and this control  
9 box shall be vented to an approved emissions control system;
- 10 **f. [CONTESTED CONDITION];**
- 11 g. Each horizontal gas collection well shall be connected to an operating  
12 landfill gas header or the ends of the well shall be sealed with blind  
13 flanges, glued or fused caps, or other types of seals approved by the  
14 South Coast AQMD as soon as the well is installed;
- 15 h. All openings and connections of the landfill gas collection system shall  
16 be properly covered and sealed to prevent leaks in accordance with  
17 Respondent's Title V Permit and in accordance with all applicable rules  
18 and regulations;
- 19 i. Respondent shall install additional stainless steel, carbon steel, or  
20 chlorinated polyvinyl chloride (CPVC) wells in the Reaction Area per  
21 recommendation of the Reaction Committee. Stainless steel or carbon  
22 steel shall be installed for any well which has gas temperatures  
23 exceeding 170 degrees Fahrenheit;
- 24 **j. [CONTESTED CONDITION].**
- 25 k. Respondent shall, once additional/adequate gas extraction capacity is  
26 installed, operate gas extraction wells with less than 3 percent oxygen  
27 where feasible, and follow landfill best management practices to keep the  
28 oxygen below 5 percent in interior wells;

- 1                   1. Respondent shall install well boots seals on all wells in the Reaction  
2                   Area in accordance with the installation schedule for the geosynthetic  
3                   cover that is being installed pursuant to Condition No. 32 and consistent  
4                   with requirements of the Local Enforcement Agency;
- 5                   m. Respondent shall submit semi-annual as-built drawings in duplicate to  
6                   the South Coast AQMD [attn: Baitong Chen, Air Quality Engineer,  
7                   (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,  
8                   (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector,  
9                   (cojeda@aqmd.gov)]. As-built drawings shall depict all wells  
10                  constructed to date.

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

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

23                   a. In the event Respondent determines that the installation of dewatering  
24 sump/pumps at at least 60 percent of the landfill gas vertical extraction  
25 wells that are capable of extracting liquids to be infeasible, Respondent  
26 shall provide detailed rationale and reasoning in the monthly report  
27 submitted pursuant to Condition No. 8 and shall continue with  
28

1 implementation of the dewatering guidelines pursuant to Condition No. 18  
2 to remove liquids to the maximum extent possible.

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

- 9 a. Proposed methodologies and monitoring procedures that determine the level of  
10 dewatering within the Reaction Area (as defined in Condition 9(a)) wells impacted  
11 by liquid. Methods may include the measurement of the gas flow at each landfill  
12 gas collection well impacted by liquids;
- 13 b. Use of dewatering pumps or other methods to remove liquids from Reaction Area  
14 (as defined in Condition 9(a)) wells impacted by liquids;
- 15 c. An implementation plan for the use of dewatering pumps or other methods to  
16 remove liquids from the Reaction Area wells impacted by liquids. The plan shall  
17 include a list of wells in the Reaction Area and depth where liquids are expected to  
18 impact landfill gas collection efficacy or be a concern, the proposed action to  
19 remove the liquids, and the schedule for liquid removal. The implementation plan  
20 shall also include pro-active measures, such as additional dewatering pumps, to be  
21 installed at landfill gas collection wells where liquid impaction issues have not yet  
22 occurred, but may be expected to occur.
- 23 d. Upgrades to the site leachate collection system as needed, including through the  
24 addition of increased air compressor and/or drain line infrastructure;
- 25 e. Protocols for the pumping and monitoring of dewatering pumps and other such  
26 methods to remove water from Reaction Area (as defined in Condition 9(a)) wells  
27 impacted by liquids;
- 28

- 1 f. Well field liquid sounding in the Reaction Area (as defined in Condition 9(a)), and
- 2 a proposed schedule for conducting liquid sounding on a consistent basis;
- 3 g. A timeline for appropriate reporting on impacted wells;
- 4 h. The feasibility of integrity testing of all vertical gas wells in the Reaction Area (as
- 5 defined in Condition 9(a)) and a timeline and protocol for addressing any wells that
- 6 the integrity testing demonstrates are damaged or are exhibiting temperatures of at
- 7 least 170 degrees Fahrenheit; and
- 8 i. A timeline for implementation of appropriate dewatering procedures upon
- 9 discovery of wells impacted by liquids.

10 The proposed Reaction Area dewatering guidelines and implementation procedures shall

11 be implemented within seven (7) days of South Coast AQMD approval.

- 12 19. Respondent shall submit, by October 6, 2023, a complete permit modification application
- 13 to the Landfill Gas Condensate and Leachate Collection/Storage System (under Permit
- 14 G66132, A/N 613131) to increase the landfill's liquid storage capacity. The submittal
- 15 shall be accompanied with a complete Title V Revision application and shall be submitted
- 16 with an expedited permit processing request and associated required fees, forms, and
- 17 information.
- 18 20. Respondent shall increase its landfill gas control capacity. Respondent has submitted a
- 19 permit application for a new 6,000 scfm ultra-low emissions landfill gas flare (Flare No. 3),
- 20 which is currently in a public comment period. Once the flare is fully permitted and fully
- 21 operational equipment is received, Respondent shall have forty-five (45) days to finish
- 22 installation and begin operating the new landfill gas flare unless the circumstances outlined
- 23 in Condition No. 20(a) apply. Respondent shall notify the South Coast AQMD that the new
- 24 landfill gas flare is operational within 48 hours of beginning operation (Baitong Chen, Air
- 25 Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air Quality Engineer,
- 26 (ndickel@aqmd.gov), and Christina Ojeda, Air Quality Inspector, (cojeda@aqmd.gov)).
- 27 a. In the event Respondent is unable to meet these deadlines due to inaccessibility or
- 28 dangerous conditions for a technician, Respondent shall document the date and the

1 conditions that do not allow the installation of the new flare. Respondent shall  
2 submit this documentation to the South Coast AQMD and provide the South Coast  
3 AQMD with an updated date of completion for the required work.

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

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

17 23. Respondent shall continue to use both 4,000 scfm flares (under Permit No. G73696, A/N  
18 645450) when the Reaction Committee determines that such use is necessary due to  
19 insufficient flaring capacity or other such necessity-based situations, until the second new  
20 6,000 scfm ultra-low emissions flare (Flare No. 4) referenced in Condition No. 21 is  
21 permitted and operational.

22 24. [CONTESTED CONDITION].

23 25. Respondent shall, when encountering landfill leachate geysers or other discharges of  
24 pressurized leachate as a result of drilling/maintenance/other operations, perform actions to  
25 mitigate odors and the dispersion and exposure of leachate into the atmosphere, to the  
26 maximum extent possible. Upon the equalization of pressure or diminished flow/end of the  
27 landfill leachate geysers or other discharges of pressurized leachate, Respondent shall  
28

1 remove soil saturated with leachate or add sufficient dry soil cover to the soil saturated with  
2 the leachate, to mitigate the potential for odors from the saturated soil.

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

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

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

23 b. Respondent shall have dedicated staff or a contractor conduct and  
24 document inspections twice each calendar day, once in the morning,  
25 completing the inspection prior to 10 am, and once in the afternoon,  
26 starting the inspection at 1 pm at the earliest. The inspections shall begin  
27 with the surface of the Western and Northern slopes of the Reaction Area  
28 for liquid/leachate seepage and pooling and shall additionally consist of

1 inspecting the facility's stormwater channel(s), and the facility's  
2 stormwater basin(s). Respondent shall maintain records from each  
3 inspection that include the details of any leachate seepage and pooling,  
4 including location(s) (identified on graphic map(s) of the landfill), time  
5 discovered, estimated duration of presence of leachate at such locations,  
6 the characteristics of the leachate (estimated quantity, extent of area  
7 impacted, odor type and intensity), the leachate saturation level of  
8 surrounding soils (standing free liquid, saturated, semi-dry, dry), and  
9 additional containment systems or measures deployed to route, collect,  
10 and contain the exposed leachate and prevent further leachate exposure;

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

20 c. On a weekly basis, compile and report the details of the inspection logs  
21 from that calendar week required under Condition 27(b). Respondent  
22 shall additionally report on any ongoing leachate seepage and pooling at  
23 the landfill, found to have occurred at a location more than once within  
24 the calendar week, including location(s) (identified on graphic map(s) of  
25 the landfill), estimated duration of presence of leachate at such locations,  
26 characteristics of leachate (estimated quantity, extent of area impacted,  
27 odor type and intensity), leachate saturation of surrounding soils  
28 (standing free liquid, saturated, semi-dry, dry), and containment systems



1 or measures deployed to route, collect, and contain the exposed leachate  
2 and prevent further leachate exposure. By no later than January 23, 2024,  
3 Respondent shall submit to South Coast AQMD [Baitong Chen, Air  
4 Quality Engineer, (bchen@aqmd.gov); Nathaniel Dickel, Senior Air  
5 Quality Engineer, (ndickel@aqmd.gov), and Christina Ojeda, Air Quality  
6 Inspector, (cojeda@aqmd.gov)], the first weekly report, and shall submit  
7 an additional weekly report every 7 calendar days thereafter;

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

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

1 the manufacturer within 24 hours of request by South Coast AQMD personnel and  
2 provided to South Coast AQMD personnel within 24 hours of receipt from the  
3 manufacturer.

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

6 **Landfill Cover**

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

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

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

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

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

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

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

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

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

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

20 a. Within 30 days of this issuance of this Order, Respondent shall ensure that live, real-  
21 time H2S concentration data from all monitors within the Val Verde and surrounding  
22 community are posted to and accessible at the webpage created pursuant to Condition  
23 39 for public access, displayed in a format which is simple to review and understand.  
24 The display shall allow the public to determine the real-time H2S concentration, and  
25 the geographic location where the concentration is monitored. The display shall  
26 additionally reference and display the acute 1-hour Reference Exposure Level (REL)  
27 for H2S established by California Office of Environmental Health Hazard Assessment  
28 (OEHHA), which is the same as the state-level standard for this compound (30 ppb).

- 1 i. Real-time data shall include, but not be limited to, chronological one-hour  
2 average H2S concentrations as time series at each monitoring location. Wind  
3 speed and direction shall also be included, if currently monitored by  
4 Respondent.
- 5 ii. The website shall include a map which clearly marks the location of each air  
6 monitoring station.
- 7 b. Within 30 days of this issuance of this Order, weekly data (from Saturday at 12:00  
8 am to Friday at 11:59 pm) collected by these monitors shall be made available on the  
9 webpage created pursuant to Condition No. 39, in a manner which allows for user  
10 defined data download, no later than the following Monday at 5:30 pm. Data from  
11 these monitors shall be kept on file and made available to South Coast AQMD  
12 personnel upon request.
- 13 i. In the event of unexpected downtime of a monitor, Respondent shall document  
14 those dates and/or times during which the monitors did not collect data. This  
15 documentation shall be kept on file and posted publicly to the website created  
16 pursuant to Condition No. 39.
- 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. [CONTESTED CONDITION].**

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

22 c. Excavation shall not be conducted on days when South Coast AQMD forecasts  
23 first, second, or third stage episodes for area number 13 or when South Coast  
24 AQMD requires companies in area number 13 to implement their first, second or  
25 third stage episode plans. Episode forecasts for the following day can be obtained  
26 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. [CONTESTED CONDITION].

5 f. During excavation, all working excavation areas, excavated material and unpaved  
6 roadways shall be watered down until the surface is moist and then maintained in a  
7 moist condition to minimize dust and emissions without creating a safety hazard  
8 condition.

9 g. VOC contaminated soil (as defined by Rule 1166) shall not be spread onsite or  
10 offsite, nor stockpiled, if it results in uncontrolled evaporation of VOC to the  
11 atmosphere. VOC contaminated soil shall not be used for landfill cover.

12 h. During excavation, monitoring for Total Organic Compounds as methane using an  
13 Organic Vapor Analyzer (OVA) or other monitor approved by the South Coast  
14 AQMD shall be conducted continuously at the working face of the excavation and  
15 at the downwind property line or other approved locations. The maximum sustained  
16 readings (greater than 15 seconds) shall be recorded every 15 minutes. The OVA  
17 or other approved monitor shall be calibrated each day in accordance with  
18 manufacturers' specifications.

19 i. [CONTESTED CONDITION].

20 j. [CONTESTED CONDITION].

21 k. [CONTESTED CONDITION].

22 l. [CONTESTED CONDITION].

23 m. [CONTESTED CONDITION].

24 n. Landfill materials and refuse which have been exposed to the atmosphere as a result  
25 of the excavation, which have not been excavated and relocated for burial or  
26 transported off site, shall be immediately covered (with a minimum of 6 inches of  
27 clean soil, secured plastic sheeting that is at least 10 mil, or other South Coast  
28 AQMD approved cover) whenever excavation is not actively in progress, and at the

1 end of each working day so that no portion of landfill material and refuse is exposed  
2 to the atmosphere. Foam by itself shall not be used as a night cover if it is raining  
3 or rain is predicted by the National Weather Service prior to the next scheduled day  
4 of excavation.

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

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

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

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

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

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

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

28 s. [CONTESTED CONDITION].

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@agmd.gov](mailto:bchen@agmd.gov));  
21 Nathaniel Dickel, Senior Air Quality Engineer, ([ndickel@agmd.gov](mailto:ndickel@agmd.gov)), and Christina  
22 Ojeda, Air Quality Inspector, ([cojeda@agmd.gov](mailto:cojeda@agmd.gov)). Respondent shall provide quarterly  
23 updates on the workplan, by the 13<sup>th</sup> 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 Respondent denies South Coast AQMD staff access to collect  
28 sample(s) of any liquid observed onsite and exposed to ambient air, such liquid shall be

1 deemed to be leachate for the purpose of enforcing this Order, any applicable South Coast  
2 AQMD Rule, and/or any permit condition applicable to Respondent. Notwithstanding the  
3 preceding, Respondent may require all visitors, including South Coast AQMD staff, to  
4 don appropriate personal protective equipment prior to visiting the Reaction Area. Upon  
5 request by South Coast AQMD, Respondent shall, within 24 hours, provide a list of all  
6 personal protective equipment that Respondent deems appropriate for visiting the  
7 Reaction Area. Respondent shall not prohibit South Coast AQMD staff from access to  
8 Respondent's facility, including the Reaction Area, if South Coast AQMD staff don all  
9 personal protective equipment included on a list issued by Respondent pursuant to this  
10 condition.

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

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

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

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

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

BOARD MEMBER: \_\_\_\_\_

DATED: \_\_\_\_\_