

LOS ANGELES COUNTY SOLID WASTE FACILITIES HEARING BOARD

IN RE: APPEAL BY CHIQUITA CANYON, LLC OF THE COMPLIANCE ORDER
PERTAINING TO 27 CALIFORNIA CODE OF REGULATIONS § 20750 ISSUED ON
MAY 1, 2025, BY THE LOS ANGELES COUNTY LOCAL ENFORCEMENT AGENCY

REGARDING THE CHIQUITA CANYON SANITARY LANDFILL LOCATED AT
29201 HENRY MAYO DRIVE, CASTAIC, CALIFORNIA 91384 (APN: 3271-002-011, 3271-
002-013, 3271-002-019, 3271-002-036, 3271-002-039, 3271-005-034)

FACTUAL BACKGROUND

A. On May 1, 2025, the Los Angeles County Department of Public Health, Solid Waste Management Program, acting as the Local Enforcement Agency (“LEA”), issued a Compliance Order Pertaining to 27 California Code of Regulations (“CCR”) § 20750 (“Order”) to Chiquita Canyon, LLC (Owner/Operator) of the Chiquita Canyon Sanitary Landfill located at 29201 Henry Mayo Drive, Castaic, California 91384. The Order alleged that the Site is in violation of 27 CCR § 20750, which requires the operator to implement a preventative maintenance program to monitor and promptly repair or correct deteriorated or defective conditions with respect to requirements of the California Integrated Waste Management Board standards, and conditions established by the LEA, and keep all other aspects of the disposal site in a state of reasonable repair.

B. Among other directives not at issue for the instant appeal, Directive 4.1 of the Order directed Chiquita Canyon, LLC (“CCL”) to install an LEA approved geomembrane cover over all areas of the site that are not currently covered by a geomembrane and to which the reaction area has expanded or has the potential to expand. The LEA-approved cover shall demonstrate effectiveness equal to or greater than that of a 40- to 60-mil thick tan or green High-Density Polyethylene (“HDPE”) – Ethylene Vinyl Alcohol Copolymer textured geomembrane underlain by a minimum 6 oz/sy nonwoven geotextile, welded to the existing 30-mil thick white HDPE geomembrane or placed in a suitable anchor trench. A construction and quality assurance/quality control plan with completion schedule must be submitted to the LEA for approval by June 2, 2025. Installation of the geomembrane cover shall be completed pursuant to the completion schedule in the LEA-approved workplan. Provide Weekly Updates throughout the installation of the geomembrane cover on Fridays beginning the week after installation commences. These updates must include a map showing the required geomembrane coverage area and the approximate extent of the installed geomembrane cover, notes on any delays (such as those due to rain events or other special occurrences), delineation of any areas showing settlement, and any wells showing signs of reaction.

C. On May 16, 2025, Chiquita Canyon, LLC (“Petitioner”) submitted a request for appeal hearing to the Los Angeles County Solid Waste Facilities Hearing Board (“Hearing Board”), appealing, among other directives, Directive 4.1 of the Order, and requesting a “formal” hearing, rather than the informal hearing process referenced in Public Resources Code (“PRC”) § 44310(b).

D. On August 27, 2025, a hearing was held before all members of the Solid Waste Facilities Hearing Board for the purpose of determining the procedures to be applied during the appeal hearing in this matter.

E. On November 20, 2025, the LEA issued a letter with comments on the Petitioner’s Response Letters and Draft Removal Action Workplan to Address the Extension of Covered Area Submitted by CCL (“November 20, 2025 Letter”), modifying Directive 4.1 of the 2025 Order, and directing Petitioner to install the approved geomembrane cover over all areas to which the reaction has expanded or has the potential to expand as stated in Section 4.1 of LEA’s Order. The entire facility where waste is disposed (Main Canyon waste management area) shall be covered by August 31, 2026. As part of compliance with Section 4.1, CCL must also: 1. By December 15, 2025, provide an estimated schedule for the 60-mil geomembrane cover installation, with final completion of no later than August 31, 2026. 2. Employ the necessary resources to complete geomembrane coverage over the entire facility where waste is disposed (Main Canyon waste management area) by August 31, 2026. 3. Continue to install the required geomembrane cover during the winter months, as CCL has done previously, to ensure completion within the required timeframe.

F. On February 2, 2026, the LEA submitted a Written Response to Petitioner’s Statement of Issues.

G. The Hearing Board was established by the Los Angeles County Board of Supervisors pursuant to Chapter 2.56 of the Los Angeles County Code, in accordance with the Public Resources Code, to hear and issue decisions on appeals from orders issued by the LEA, and other issues related to the LEA actions or inactions.

H. The appeal hearing in this matter commenced on April 28, 2026, with all members of the Hearing Board present. The appeal hearing was conducted in person and virtually via Microsoft Teams. Notice of the appeal hearing was provided to all parties and posted in accordance with the Brown Act.

I. Prior to the appeal hearing, the LEA submitted the following documents to the Hearing Board, and all documents were shared with Petitioner:

- i. Respondent LEA’s Opening Brief
- ii. Respondent LEA’s Witness List
- iii. Respondent LEA’s Rebuttal Brief
- iv. Respondent LEA’s Appeal Hearing Presentation
- v. Respondent LEA’s Appeal Hearing Presentation – Stark
- vi. Respondent LEA’s Appeal Hearing Presentation – Thalhamer
- vii. Respondent LEA’s Documents – Volume I
- viii. Respondent LEA’s Documents – Volume II

Respondent LEA’s Documents – Volume I consists of:

<u>EXHIBIT NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>BATE LABEL</u>
1	LEA Compliance Order, dated May 1, 2025	5/1/25	LEA 000001- LEA 000235
2	CCL’s Request for Formal Hearing and Petition for Stay of LEA’s May 1, 2025 Compliance Order	5/16/25	LEA 000236- LEA 001188

3	CalRecycle Decision and Order on Petition for Stay	5/20/25	LEA 001189- LEA 001195
4	LEA Comments on the Response Letters and the Draft Removal Action Workplan to Address the Extension of Covered Area Submitted by CCL	11/20/25	LEA 001196- LEA 001201
5	Response to LEA's Comments on the Revised Draft Removal Action Workplan: Extension of Covered Area	12/15/25	LEA 001202- LEA 001216
6	CCL's Request for Formal Hearing and Petition for Stay of LEA's November 20, 2025 Directives	12/19/25	LEA 001217- LEA 001741
7	CalRecycle Decision and Order on December Petition for Stay	12/23/25	LEA 001742- LEA 001748
8	US EPA Notice of Deficiency and Clarification of EPA's Position Regarding Extension of Cover of the Chiquita Canyon Landfill	1/13/26	LEA 001749- LEA 002277
9	LEA Response to Petitioner's Statement of Issues	2/2/26	LEA 002278- LEA 002278
10	Declaration of Timothy D. Stark, Ph.D., P.E., BC.GE, Dist.M.ASCE	2/12/26	LEA 002279- LEA 003111
11	Declaration of Wessel Mindermann, P.E.	2/13/26	LEA 003112- LEA 003209
12	Declaration of Todd Thalhamer, P.E.	2/13/26	LEA 003210- LEA 003222
13	Declaration of Rachel Beck, PG	2/13/26	LEA 003223- LEA 003229

Respondent LEA's Documents – Volume II consists of:

<u>EXHIBIT NO.</u>	<u>DOCUMENT</u>	<u>DATE</u>	<u>BATE LABEL</u>
14	Certification of LEA by CalRecycle	7/30/92	LEA 003230- LEA 003233
15	Notice of Intent to Include Chiquita Canyon Landfill, Facility No. 19-AA-0052, on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards	2/8/24	LEA 003234- LEA 003236
16	Inclusion of the Chiquita Canyon Landfill, Facility No. 19-AA-0052, on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards	5/15/24	LEA 003237- LEA 003239
17	Construction Quality Assurance Acceptance Report prepared by Feezor Engineering, Inc. for Bridgeton Landfill, LLC	October 2017	LEA 003240- LEA 003644
18	Rebuttal Declaration of Timothy D. Stark, Ph.D., P.E., BC.GE, Dist.M.ASCE	3/2/26	LEA 003645- LEA 003688
19	Rebuttal Declaration of Todd Thalhamer, P.E.	3/5/26	LEA 003689- LEA 003742

20	Rebuttal Declaration of Wessel Mindermann, P.E.	3526	LEA 003743- LEA 003749
21	LEA June 6, 2024 Compliance Order	6/6/24	LEA 003750- LEA 004526
22	LEA Request to CalRecycle for Technical Assistance	8/10/23	LEA 004527- LEA 004530
23	Photos from Site	undated	LEA 004531- LEA 004538
24	Treating Subsurface Landfill Fires	March 1984	LEA 004539- LEA 004543
25	GP 13 15 Monitoring	8/1/23	LEA 004544- LEA 004545
26	CalRecycle CCL Odor Analysis	10/16/23	LEA 004546 - LEA 004530
27	CCL Landfill Response Review	1/14/23	LEA 004566 - LEA 004579
28	LEA Letter	11/21/23	LEA 004580 - LEA 004598
29	CalRecycle CCL Options Review	12/3/23	LEA 004599 - LEA 004602
30	Elevated Temperature Landfill cause Report	12/8/23	LEA 004603 - LEA 004621
31	CCL Cover Option 30 mil HDPE Review	12/20/23	LEA 004622 - LEA 004624
32	Slope Stability Reply	3/12/24	LEA 004625 - LEA 004628
33	Attachment C - Soil Reaction Break Barrier Plan	3/27/24	LEA 004629 - LEA 004646
34	East Fill Area Proposal CalRecycle Review Comments	9/16/24	LEA 004647 - LEA 004650
35	Criteria TMP to LEA	9/25/24	LEA 004651 - LEA 004653
36	Chiquita ETLF Revised Soil Reaction Break-Barrier Plan	2/26/25	LEA 004654 - LEA 004852
37	Stark Memo – Chiquita Landfill Barrier Systems	2/26/25	LEA 004853 - LEA 004867
38	Odor Conditional Use Permit	7/17/25	LEA 004868 - LEA 005019
39	CalRecycle Review	10/3/25	LEA 005020 - LEA 005022
40	Thalhamer GLA Work Plan Comments	1/9/26	LEA 005023 - LEA 005026
41	NOV Complaints SCAQMD email	1/21/26	LEA 005027 - LEA 005029
42	2ndComment Letter_CCL_RAW_Final_Tank Farm	1/23/26	LEA 005030 - LEA 005032

43	CV24063 24hr High Temp	2/11/26	LEA 005033 - LEA 005035
44	CV24076 24hr High Temp	2/12/26	LEA 005035 - LEA 005038
45	CV2346 24hr High Temp	2/13/26	LEA 005039 - LEA 005041
46	CV24143 24hr High Temp	2/23/26	LEA 005042 - LEA 005044
47	Daily Maximum Temp Borehole Report	2/25/26	LEA 005045 - LEA 005211
48	orentz_energy_leachate_en-us		LEA 005212 - LEA 005223
49	Reaction Boundary expansion		LEA 005224 - LEA 005225
50	Videos		LEA 005226 - LEA 005227

J. Prior to the appeal hearing, Petitioner submitted the following documents to the Hearing Board, and all documents were shared with Respondent LEA:

1. Petitioner Chiquita Canyon, LLC's Opening Brief
2. Declaration of Craig H. Benson, PhD, PE, BCGE, BCEE, NAE
3. Declaration of Kaitlyn D. Shannon
4. Declaration of Patrick Sullivan, BCES, CPP, REPA
5. Declaration of Steven J. Cassulo
6. Declaration of Srividhya Viswanathan, P.E.
7. Chiquita Canyon, LLC's Exhibit Index
8. Chiquita Canyon, LLC's Witness List
9. Petitioner Chiquita Canyon, LLC's Rebuttal Brief
10. Rebuttal Declaration of Craig H. Benson, PhD, PE, BCGE, BCEE, NAE
11. Rebuttal Declaration of Kevin Green
12. Rebuttal Declaration of Kaitlyn D. Shannon
13. Rebuttal Declaration of Patrick Sullivan, BCES, CPP, REPA
14. Rebuttal Declaration of Srividhya Viswanathan, P.E.
15. Chiquita Canyon, LLC's Updated Exhibit Index
16. Chiquita Canyon, LLC's Updated Witness List
17. Chiquita Canyon, LLC's Appeal Hearing Presentation

K. At the April 28, 2026, hearing, the LEA was represented by Renee E. Jensen, Esq. for Behar | Gibbs | Savage | Paulson LLP, and Blaine McPhillips, Senior Deputy, Office of the County Counsel, County of Los Angeles. Petitioner was represented by Lou J. Manzo, Kaitlyn D. Shannon, and Megan L. Morgan for Beveridge & Diamond PC. Estevan Padilla acted as Administrative Officer to the Hearing Board. The following witnesses testified at the hearing:

1. LEA's Witnesses: Karen Gork, Environmental Health Services Manager, County of Los Angeles Department of Public Health; Timothy D. Stark, Ph.D., P.E., BC.GE, Dist.M.ASCE, Professor of Civil and Environmental Engineering at the University of Illinois at Urbana-Champaign; Todd Thalhamer, P.E., Senior Waste

Management Engineer for the California Department of Resources Recycling and Recovery (CalRecycle); Wessel Mindermann, P.E., Supervising Waste Management Engineer for the California Department of Resources Recycling and Recovery (CalRecycle).

2. Petitioner's Witnesses: Dr. Craig Benson, PhD, PE, BCGE, BCEE, NAE, Professor Emeritus at the University of Wisconsin-Madison and Dean of Engineering Emeritus at the University of Virginia; Pat Sullivan, BCES, CPP, REPA, Senior Vice President at SCS Engineers; Srividhya Viswanathan, PE, Senior Vice President and Director of Engineering of the Southwest Region at SCS Engineers.

L. At the conclusion of the appeal hearing, all three Hearing Board members, by unanimous vote, denied the Petitioner's appeal of the Order, as modified by the November 20, 2025, Letter.

ORDER


Having reviewed and considered the evidence and argument presented by both parties, the Hearing Board rules unanimously as follows:

The Solid Waste Facilities Hearing Board's decision is to affirm Directive 4.1 of the LEA's May 1, 2025 Compliance Order Pertaining to 27 California Code of Regulations § 20750, as modified by the November 20, 2025, letter issued by the LEA, with respect to the Chiquita Canyon Sanitary Landfill located at 29201 Henry Mayo Drive, Castaic, California 91384.

Therefore, the Petitioner's appeal is denied.

RIGHT TO APPEAL

Petitioner has the right to appeal this decision to CalRecycle in accordance with California Public Resources Code § 45030.


Richard Ludt (May 1, 2026 13:52:48 PDT)

Chair Richard Ludt

May 1, 2026


Date



Vice Chair Maurice Pantoja

May 1, 2026

Date


Martin Aiyetiwa (May 1, 2026 16:10:36 PDT)

Board Member Martin Aiyetiwa

May 1, 2026

Date