

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

In The Matter Of

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

Petitioner,

vs.

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

Respondent.

Case No. 6177-4

**DECLARATION OF PATRICK
SULLIVAN, BCES, CPP, REPA IN
SUPPORT OF CHIQUITA'S
OPPOSITION TO MOTION TO QUASH
SUBPOENA DUCES TECUM**

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

Hearing Date: January 29, 2026

Hearing Time: 9:30 A.M.

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

I, Patrick Sullivan, declare as follows:

1. I am of sufficient age and am competent to testify in this proceeding. I make this declaration based upon personal knowledge and am competent to testify to the facts set forth herein. I make this declaration in opposition to South Coast AQMD's motion to quash Chiquita's proposed Subpoena Duces Tecum.

2. As discussed in detail in my prior declarations in Case No. 6177-4, I serve as an air quality and landfill gas specialist and Senior Vice President with SCS Engineers, Inc. ("SCS"). I have 35 years of experience in the area of environmental consulting, specializing in solid waste management. My company, SCS, has been contracted by Chiquita Canyon, LLC ("Chiquita") to operate and maintain the landfill gas collection and control system at the Chiquita Canyon Landfill (the "Landfill"). I have been working on Chiquita's landfill gas collection and control system and related compliance activities for over twenty years.

1 3. My previous declarations in this matter have been in connection with the Stipulated
2 Order for Abatement (“Stipulated Order”) wherein I detailed my team’s analyses of onsite and offsite
3 air monitoring data, as well as odor surveillance data collected by SCS pursuant to the Stipulated
4 Order, and complaint data received from South Coast AQMD. This declaration is made to provide
5 additional context on why complete odor complaint address data and related odor descriptions are
6 material to ongoing mitigation efforts by Chiquita and Hearing Board decision-making.

7 4. Without complete address information, my team has had to assess the odor complaint
8 data provided by South Coast AQMD by estimating the location of the complainant at the midpoint of
9 the listed street. The use of street midpoints significantly limits analytical value, especially for long or
10 curvilinear streets in Val Verde and the surrounding area. For example, San Martinez Drive runs a
11 considerable distance east–west, and Chiquito Canyon Road begins southwest of the Landfill, runs
12 along the west side, and continues north into Val Verde; Lincoln Street runs south–north away from
13 the Landfill. Estimating the location of complaints along these corridors masks distance effects and
14 topographic influences and reduces the value of my team’s analyses.

15 5. Once the full complaint data became available in connection with Chiquita’s ongoing
16 litigation with the County of Los Angeles, my team was able to utilize this data to conduct more
17 accurate analyses. Exact address information for complainants materially improves the fidelity and
18 accuracy of the analysis we provide to the Hearing Board. Complete odor complaint address data is
19 necessary to conduct accurate temporal, directional, and topographic/geographic analyses and to more
20 accurately correlate complaints with wind direction, odor surveillance data, operational conditions at
21 the Landfill, and community air monitoring. These analyses will enable more targeted mitigation
22 measures and clearer attribution of odor sources.

23 6. Complete address information would allow my team to increase the accuracy of our
24 wind direction test used to determine if it is plausible that the complained-of odors coming from a
25 specific location could have originated from the Landfill. Using the dataset provided by South Coast
26 AQMD containing only street names, my team performed a conservative wind-direction test by
27 drawing a line from the Landfill to the street midpoint and evaluating meteorological data for the hour
28

preceding each complaint within a 100-degree arc. Under this test, almost 25% of verified complaints occurred when regional winds were blowing in the wrong direction for odors to have plausibly originated from the Landfill. When South Coast AQMD provided a partial dataset with exact addresses, we repeated the analysis with a narrower 90-degree arc and found that ~20% of verified complaints fell outside the arc, about a 20% improvement, increasing analytical accuracy due to more precise location information. If my team were provided address data for all complaints, this improvement would be expected to be even greater. Given the amount of data analyzed, even a modest change in this percentage represents a significant impact in the ability to pinpoint where odors may be and where they are likely not attributed to the Landfill. Having access to the full amount of complaint data with complete addresses, as opposed to just the roughly six months of data used for this wind test comparison, would allow us to increase this accuracy even further, and on an ongoing basis.

7. Under Condition 1(b) of the Stipulated Order, Chiquita conducts twice-daily odor surveillance across forty designated stops. Address-level complaint data would allow my team to co-locate complaints with nearby surveillance readings to assess alignment and potential discrepancies. Analyses performed to date show that a substantial percentage of odor complaints coincided with surveillance records that reflected no detected odor, and that most complaints aligned with low recorded odor intensities; complete odor complaint data would allow us to verify whether areas around frequent-complaint hot spots have high odor intensities requiring more extensive localized mitigation measures.

8. Chiquita also conducts offsite air monitoring for various parameters that can drive odor issues at the Landfill, such as hydrogen sulfide, dimethyl sulfide, and acetone. Address-level complaint data would allow my team to co-locate complaints with nearby air monitoring stations to assess alignment and potential discrepancies. It would further allow us to correlate specific concentration thresholds to when and where odor complaints are occurring, especially those locations with frequent complaints.

9. Additionally, with complete address data for all relevant time periods, my team would be able to produce heat maps, cluster maps, and other visualizations to help the Hearing Board

1 understand where and when impacts occur and to refine Stipulated Order conditions to maximize
2 community benefit. Address-level data will also support operational diagnostics, such as linking upset
3 events or equipment downtime to complaint origin locations and deploying targeted controls (e.g.,
4 orchard fans) to diffuse and dilute odors when specific conditions arise. For example, if we have an
5 upset event that results in increased emissions, and subsequently results in complaints from a specific
6 location, having address data would allow us to correlate releases from specific sources or locations on
7 the Landfill to impact areas. Because of the unique topography of the region surrounding the Landfill
8 and past smoke release studies, we know that the various canyons and sub-canyons in the area can
9 have unique meteorological conditions, resulting in variable plume movement. As such, receptors
10 relatively close to each other can see different effects and having address data can allow us to assess
11 those differences.

12 10. Complete complaint address information will enable Chiquita to conduct accurate
13 directional, temporal, and topographic/geographic analyses. It will improve the reliability of
14 correlating complaints against surveillance and monitoring data and inform targeted mitigation
15 strategies. South Coast AQMD's production of complete address-level complaint data and odor
16 complaint descriptions will make it possible for Chiquita to provide the Hearing Board with a more
17 reliable and actionable assessments of alleged offsite impacts.

18
19 I declare under penalty of perjury under the laws of the State of California that the foregoing is
20 true and correct to my personal knowledge.

21 Executed on this 16 day of January 2026, in Carmichael, California.

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24 

25 _____
26 Patrick Sullivan
27 Senior Vice President
28 SCS Engineers