

1 4. This declaration is made for the status and modification hearing being held on October 29
2 and November 12, 2025 on the Stipulated Order for Abatement in Case No. 6177-4 with the South Coast
3 Air Quality Management District (“South Coast AQMD”), most recently modified on June 24, 2025
4 (“Modified Stipulated Order”).

5 **Compliance with the June Modified Stipulated Order**

6 5. The Modified Stipulated Order contains 101 conditions, many with multiple subparts,
7 requiring Chiquita to take a wide range of actions designed to slow and stop the landfill reaction, and
8 mitigate any impacts.

9 6. The chart attached hereto as **Attachment 1** lists conditions that I have been involved with
10 at Chiquita, their requirements, and the current status of compliance.

11 7. On June 3, 2025, the Reaction Committee submitted a determination on the need for
12 Chiquita to bring a third portable thermal oxidizer (“TOX”) unit onsite pursuant to **Condition 22**. A true
13 and correct copy of the determination is attached hereto as **Exhibit A**. In March 2025, Chiquita started
14 utilizing a second TOX unit (the “Parnel TOX”) as a back-up unit to the first TOX unit. The TOX units
15 are better at processing the reaction gas than the permanent flares, which need high quality gas in order
16 to operate effectively. Recently, an extensive network of piping has been installed on the leachate tanks,
17 routing lower quality leachate vapors to the flare station and limiting the flares’ ability to intake poor
18 quality reaction gas. Destroying both leachate vapors and reaction gas limits the flares’ ability to operate
19 properly. As such, Chiquita was frequently using both TOX units together to handle the reaction gas. As
20 a result, the Reaction Committee observed that the Parnel TOX would be more useful operating on a
21 full-time basis to supplement the Zeeco TOX unit rather than as a back-up unit as originally intended. In
22 order to ensure more overall destruction capacity from the TOX units, the Reaction Committee
23 recommended that Chiquita procure a third TOX unit to serve as a back-up whenever one of the other
24 two TOX units are offline for maintenance or unscheduled downtime.

25 8. In accordance with this June 3 recommendation, Chiquita sought out and brought onsite a
26 new TOX unit. This new TOX unit, also referred to as the Hero TOX, is now installed and in operation
27 as of September 2025.

9. As required by **Condition 12(i)**, since my last declaration, the Reaction Committee conducted an additional flux chamber study on July 15-23, 2025. A revised protocol for the July 2025 study providing for new source categories on and around the geosynthetic cover area was submitted to South Coast AQMD on June 23, 2025. A true and correct copy of this revised protocol is attached hereto as **Exhibit B**. Following the study, I submitted a report to South Coast AQMD on September 4, 2025, summarizing the study and comparing the results of the study to the prior flux chamber studies. A true and correct copy of this report is attached hereto as **Exhibit C**. The table below summarizes the results of the site-wide emission rates for compounds tested in the July 2025 flux chamber study in comparison with the prior four studies conducted in August 2023, March 2024, November 2024, and March 2025.

Compound	Units	Event				
		1 (8/23)	2 (3/24)	3 (11/24)	4 (3/25)	5 (7/25)
Carbon dioxide	tons/yr	41,312	327,049	216,177	100,526	46,702
Methane	tons/yr	3,357	11,456	6,880	4,756	285
Total VOC	tons/yr	207	853	61	26.1	2.6
Ethanol	tons/yr	18.3	NQ	0.42	0.23	0.11
Acetone	tons/yr	17.6	51	1.30	1.38	0.54
Dimethyl sulfide	tons/yr	15.2	57.9	0.93	0.95	ND
Tetrahydrofuran	tons/yr	13.6	107	0.06	0.23	0.01
Benzene	tons/yr	9.33	104	0.27	0.90	0.14
Methanol	tons/yr	9.09	NQ	0.51	0.79	0.45
Methyl ethyl ketone (MEK)	tons/yr	9.06	51.2	0.24	0.30	0.07
Propylene	tons/yr	6.62	29.8	0.69	0.41	0.05
Isopropyl alcohol (IPA)	tons/yr	3.72	15.2	0.18	0.51	ND
Isopropyl toluene	tons/yr	3.25	13.7	0.25	0.42	0.11
Toluene	tons/yr	2.00	18.6	0.22	0.29	0.06
Total Xylenes	tons/yr	1.52	9.79	0.30	0.48	0.08
Ethylbenzene	tons/yr	1.14	10.1	0.16	0.20	0.03
Hydrogen sulfide	tons/yr	0.13	3.81	0.72	0.24	0.15
Note: NQ = Not Quantified, ND = Not Detected						

This table shows a trending decrease in emissions from August 2023 to July 2025 for almost every compound measured. This downward trend is likely attributable to Chiquita’s improvements in gas recovery and cover systems, including the installation of the 30-mil geosynthetic cover and 15 acres of the ethylene vinyl alcohol (“EVOH”) cover. I stated in my previous declaration that the laboratory results from the two latest studies in November 2024 and March 2025 were close to or below the

1 detection limits for most of the compounds tested, meaning that further reductions likely will not be
2 detected for those compounds. This remains accurate and is evidenced by the slight decreases since
3 March 2025 for many compounds, with dimethyl sulfide and isopropyl alcohol levels being below the
4 detection limit.

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

3 Executed on this 22nd day of October 2025, in Carmichael, California.
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7 Patrick Sullivan
8 Senior Vice President
9 SCS Engineers
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**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

**ATTACHMENT 1 TO DECLARATION
OF PATRICK SULLIVAN, BCES, CPP,
REPA**

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

Hearing Date: October 29 and November
12, 2025

Hearing Time: 9:30 A.M.

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

STIPULATED ORDER CONDITIONS CHART

Condition No.	Summary of Requirement(s)	Status
3	Expedite the replacement of granular activated carbon media in the Landfill Gas Treatment System.	Compliance ongoing.
3	Ensure adequate stock of all odor control products and supplies are maintained onsite.	Compliance ongoing.
3(a)	Monitor and record landfill gas temperature at least daily at the inlet of the Landfill Gas Treatment System.	Compliance ongoing.
4	Maximize landfill gas combustion and prioritize and maximize the use and operation of Flares 3 and 4 over Flares 1 and 2, and Flare 2 over Flare 1.	Compliance ongoing since November 15, 2023 when Flare 3 was put into operation.
5	Sample, analyze, and record the landfill gas sulfur compounds combusted in any landfill gas control equipment	Compliance ongoing; see Section W of Condition 8 reports, which are posted on Chiquita's Odor Mitigation website

Condition No.	Summary of Requirement(s)	Status
	operating onsite daily and weekly based on analytical method.	(https://chiquitacanyon.com/odor-mitigation/) .
5	Sample, analyze, and record monthly the landfill gas sulfur compounds and speciated organic compounds found in the raw, pre-treatment and pre-control, landfill gas collected from the Reaction Area.	Compliance ongoing; see Section W of Condition 8 reports, which are posted on Chiquita's Odor Mitigation website.
6	Maintain an adequate stock of appropriately ranged colorimetric tubes.	Compliance ongoing.
7	Maintain records of landfill gas flow combusted, landfill gas flow not flared, and sulfur sampling analysis, results, and readings.	Compliance ongoing; see Section B of Condition 8 reports, which are posted on Chiquita's Odor Mitigation website.
8	Submit monthly written reports containing information on landfill gas and leachate temperature, composition, and flow/quantity; leachate seepage; surface emissions monitoring; treatment of landfill gas and leachate; the landfill gas collection and control system; the leachate collection and management system; leachate disposal; landfill and geosynthetic covers; and excavation.	Compliance ongoing; most recently submitted on June 20, July 21, August 20 (revised on August 21), September 22 (revised on October 20), and October 20, 2025. True and correct copies of these reports are attached hereto as Exhibits D through H and are posted on Chiquita's Odor Mitigation website.
9	Conduct integrated surface emission monitoring across the Reaction Area at least three times per month and across the remainder of the landfill at least four times per quarter.	Compliance ongoing; see Section C of Condition 8 reports, which are posted on Chiquita's Odor Mitigation website.
10	Conduct instantaneous surface emissions monitoring across the Reaction Area at least three times per month and across the remainder of the landfill at least four times per quarter.	Compliance ongoing; see Section C of Condition 8 reports, which are posted on Chiquita's Odor Mitigation website.

Condition No.	Summary of Requirement(s)	Status
11	Continue operating the flares and landfill gas treatment system even if the emitted landfill gas exceeds Chiquita's limits on total reduced sulfur and sulfur oxides.	Compliance ongoing.
11	Submit deviation reporting associated with sulfur exceedances.	Compliance ongoing.
12(g)(i)	Submit expert report on known and possible methods for effective treatment of dimethyl sulfide ("DMS") and preventative mechanisms for DMS formation in landfill gas.	Completed; submitted on April 30, 2024 and posted on Chiquita's Odor Mitigation website.
12(g)(iii)	Submit expert report on the feasibility and availability of a continuous community emission monitoring system for DMS.	Completed; submitted report on December 1, 2023; submitted Reaction Committee recommendation on December 31, 2023. Both the report and the recommendation are posted on Chiquita's Odor Mitigation website.
12(i)	Submit a report documenting the findings of the initial flux chamber study conducted pursuant to the direction of the Los Angeles County Department of Public Health ("DPH").	Completed; submitted on October 31, 2023 and posted on Chiquita's Odor Mitigation website.
12(i)	Prepare testing protocols, provide notices of test dates, conduct studies, and submit reports for an additional and ongoing (once every four months) flux chamber studies for methane, non-methane organic compounds ("NMOC"), toxic air contaminants ("TAC"), total reduced sulfur ("TRS"), and speciated sulfur compounds.	Compliance ongoing; protocols most recently submitted on June 23, 2025; report most recently submitted on September 4, 2025. A true and correct copy of the June 23 protocol is attached hereto as Exhibit B . A true and correct copy of the September 4 report is attached hereto as Exhibit C and is posted on Chiquita's Odor Mitigation website.

Condition No.	Summary of Requirement(s)	Status
14	Monitor each landfill gas collection system well at least monthly for at least temperature pursuant to 40 CFR Part 63 Subpart AAAA and address wells with a temperature reading of at least 170 degrees Fahrenheit or greater.	Compliance ongoing.
14(a)	Ensure the operation of the landfill gas collection system equipment does not result in the release of raw landfill gas or condensate into the atmosphere.	Compliance ongoing.
14(b)	Report any breakdown or malfunction of the landfill gas collection system resulting in the emission of raw landfill gas and undertake immediate remedial measures.	Compliance ongoing.
15(k)	Operate gas extraction wells with less than 3 percent oxygen where feasible, and follow landfill best management practices to keep oxygen below 5 percent in interior wells.	Once additional/adequate gas extraction capacity is installed.
16	Submit a permit modification application for the Landfill Gas Collection System to increase the number of permitted wells in the wellfield.	Completed; submitted on October 5, 2023; updates submitted biweekly.
19	Submit a permit modification application to the Landfill Gas Condensate and Leachate Collection/Storage System to increase the landfill's liquid storage capacity.	Completed; submitted on October 4, 2023; updates submitted biweekly.
20	Increase landfill gas control capacity and install and begin operating Flare 3.	Compliance ongoing; Flare 3 was installed and in operation by November 15, 2023; notification submitted by November 17, 2023.
21	Submit a permit application for the new construction of Flare 4 to increase the landfill gas control capacity.	Completed; submitted on October 30, 2023; updates submitted biweekly.

Condition No.	Summary of Requirement(s)	Status
22	Continue to use one or multiple portable thermal oxidizers (“TOX”) that operate under a permit or temporary permit to operate until the Reaction Committee concludes they are no longer needed.	Compliance ongoing; notification re Envent TOX submitted on February 15, 2024; determination re Parnel TOX submitted on March 3, 2025; determination re Hero TOX submitted on June 3, 2025. A true and correct copy of the June 3 determination is attached hereto as Exhibit A and is posted on Chiquita’s Odor Mitigation website.
23	Continue to use one or both of Flares 1 and 2 when the Reaction Committee determines that such use is necessary due to insufficient flaring capacity or other such necessity-based situations, until Flare 5 is permitted and operational.	Compliance ongoing.
33	Follow DPH’s direction to expand and enhance Chiquita’s community air monitoring program and submit reports submitted to DPH under this program to South Coast AQMD.	Compliance ongoing; reports are posted on Chiquita’s Odor Mitigation website.
34	Provide South Coast AQMD with access to all real-time continuous monitoring data and post certain weekly concentration data on Chiquita’s website; make weekly data collected available upon request; in the event of downtime, provide indicators on Chiquita’s website.	Compliance ongoing; see Chiquita’s Community Air Monitoring Program website (https://chiquitacanyon.com/reports/community-air-monitoring-program/).
35	Provide all Standard Operating Procedures (“SOP”) and any other Quality Control and Quality Assurance (“QA/QC”) documents describing the operation and maintenance of all instruments used at the air monitoring stations.	Completed; submitted by January 19, 2024; see updates, calibration log, and maintenance activities in Section S of Condition 8 reports, which are posted on Chiquita’s Odor Mitigation website.
35(a)	Provide South Coast AQMD with the same access that Chiquita has to onsite and offsite monitoring equipment;	Compliance ongoing.

Condition No.	Summary of Requirement(s)	Status
	provide list of appropriate PPE upon request.	
35(b)	Implement quality control measures as specified by South Coast AQMD to ensure the accuracy of the monitoring network within 30 days of notification.	Compliance ongoing.
36, 36(a)	Install and maintain instrumentation within the nearby community capable of measuring hourly concentrations of certain pollutants above a given threshold; develop a monitoring plan and provide installation updates to South Coast AQMD; make data available on Chiquita's website.	Compliance ongoing; installation completed by May 1, 2024; monitoring plan completed on April 29, 2024; see Chiquita's Community Air Monitoring Program website.
36(b)	Until the MicroGCs are installed, increase the number of 24-hour time integrated canister samples for volatile organic compounds at the offsite stations to three times per week.	Completed.
36(c)	Make the MicroGCs installed pursuant to Condition 36 capable of measuring hourly concentrations of acrolein.	Completed; see Chiquita's Community Air Monitoring Program website.
41	Submit an application for a Rule 1150 Landfill Excavation Plan.	Completed; submitted on January 30, 2024.
42	Pending approval of Rule 1150 Landfill Excavation Plan, comply with additional requirements for all Rule 1150(a)(5) excavation.	Compliance ongoing.
44	Obtain, install, and maintain an onsite landfill meteorological station to measure wind speed and direction; record and preserve all available readings for 3 years and make available to the South Coast AQMD upon request.	Compliance ongoing; installation completed by October 31, 2023.
52	Reserve 60 minutes biweekly to host a virtual meeting between South Coast	Compliance ongoing.

Condition No.	Summary of Requirement(s)	Status
	AQMD technical staff and Chiquita / Chiquita's technical consultants.	
54	Collect, convey, and store any condensate collected after the sulfur treatment carbon absorbers separately from landfill leachate.	Compliance ongoing.
55	Immediately cease injection of landfill gas condensate into the landfill gas control flares, unless the condensate injection is initially performed for the purposes of a source test required under this condition.	Compliance ongoing.
56	Conduct sampling and analysis of vapors in the headspace of leachate tanks located in the Top Deck Tank Farm (Tank Farm #9) and submit a report on the parameters and results.	Completed; sampling conducted by April 4, 2024; report submitted on April 18, 2024; revised on April 24, 2024. The reports are posted on Chiquita's Odor Mitigation website.
57	Submit a permit modification application to increase the landfill's liquid storage capacity.	Completed; submitted by April 22, 2024; updates submitted biweekly.
58	Submit a permit application for the operation of the thermal oxidizer.	Completed; submitted by June 21, 2024; updates submitted biweekly.
59	Submit a permit application for treating hazardous liquid waste.	Completed; submitted by June 21, 2024; updates submitted biweekly.
60	Submit a permit modification application to include the tie-in of vapor vent lines to the Landfill Gas Collection System.	Completed; submitted by April 22, 2024; updates submitted biweekly.
61, 62	Submit permit modification applications to include the combustion of vapor vented from the hazardous liquid tanks.	Completed; submitted by May 21, 2024; updates submitted biweekly.
69	Conduct quarterly inspections and monitoring of the landfill's piping and any associated piping components; maintain records of this monitoring activity.	Compliance ongoing; most recently completed by October 19, 2025.

Condition No.	Summary of Requirement(s)	Status
69	Submit a recommendation to modify the frequency of such.	Completed; submitted on August 1, 2025. A true and correct copy of this recommendation is attached hereto as Exhibit I and is posted on Chiquita's Odor Mitigation website.
70	Submit an expert report on the landfill's current and projected landfill gas generation through the end of calendar year 2029.	Completed; submitted on June 28, 2024 and posted on Chiquita's Odor Mitigation website.
70(a)	Submit a permit application for the new construction of Flare 5, and modifications of Flares 1 through 4, to the extent necessary.	Completed; submitted by October 31, 2024; updates submitted biweekly.
71	Submit a permit application for the installation and operation of any above ground surface landfill gas collection system, or underground landfill gas collection system.	Completed; submitted by May 21, 2024; updates submitted biweekly.
72(a)	Conduct quarterly sampling and analysis of the vapor flow in the piping used to vent the liquid storage tanks and route the vapors to the landfill gas control system.	Compliance ongoing; see Section V of Condition 8 reports, which are posted on Chiquita's Odor Mitigation website.
72(b)	Submit a source test protocol for this testing.	Completed; submitted by May 17, 2024; revised on July 12, 2024.
72(b)	Conduct testing within 45 days of receiving approval of the source test protocol.	Compliance ongoing; most recently completed on September 15, 2025.
72(b)	Submit the final results in a source test report format within 30 days of testing.	Compliance ongoing; most recently submitted on October 15, 2025. A true and correct copy is attached hereto as Exhibit J and is posted on Chiquita's Odor Mitigation website.
72(c)	Within 30 days of submission of the source test report, submit a recommendation from the Reaction	Compliance ongoing; most recently submitted on May 16, 2025 and posted on Chiquita's Odor Mitigation website.

Condition No.	Summary of Requirement(s)	Status
	Committee on additional vapor flow testing.	
72(e)	Install flow meters within the HDPE piping headers for associated leachate tank farms; submit daily flow rate.	Compliance ongoing; installed by July 19, 2024; see Section V of Condition 8 reports, which are posted on Chiquita’s Odor Mitigation website.
73	Prepare and submit an inventory of all internal combustion engine equipment rated greater than 50 horsepower, permit applications for all such equipment not already permitted as of June 30, 2024, and permits for such equipment brought onsite on an ongoing basis.	Compliance ongoing; submitted inventory on May 21, 2024 and posted on Chiquita’s Odor Mitigation website; submitted initial permit application on June 30, 2024; updates submitted biweekly.
74	Expedite the procurement of the equipment needed to construct Flare 4; provide updates.	Compliance ongoing; see Section X of Condition 8 reports, which are posted on Chiquita’s Odor Mitigation website.
76	Install sample ports on all equipment onsite that requires sampling and collect samples from the sampling ports thereafter.	Compliance ongoing; initially installed by December 2, 2024.
77	Conduct aerial surveillance over the entire landfill surface on a monthly basis, and over the Condition 9(a) Reaction Area on a weekly basis.	Compliance ongoing; see Section C of Condition 8 reports, which are posted on Chiquita’s Odor Mitigation website.
79	Submit any submittal requiring South Coast AQMD review and approval with expedited processing/review requested.	Compliance ongoing.
80, 80(a)	Whenever South Coast AQMD permitted Various Location equipment or CARB Statewide Portable Equipment Registration (“PERP”) permitted equipment is brought onsite, operated, or removed from the site, notify South Coast AQMD in the corresponding Condition 8 monthly	Compliance ongoing; see Section Y of Condition 8 reports, which are posted on Chiquita’s Odor Mitigation website.

Condition No.	Summary of Requirement(s)	Status
	report; maintain a daily log of permitted equipment and submit in the monthly Condition 8 report.	
81	Provide notification to the community whenever any landfill gas collection and control equipment has planned or unplanned downtime anticipated to last 30 minutes or more.	Compliance ongoing; see Chiquita's Alerts website (https://chiquitacanyon.com/alerts/).
81(c)	Develop a system allowing members of the public to sign-up for notifications of such outages or downtime via email and deploy within 3 days of notification.	Developed by November 18, 2024; deployed by December 10, 2024; compliance ongoing.
82	Provide an initial notification and a follow-up report to South Coast AQMD whenever any landfill gas collection or control equipment has planned and/or unplanned downtime anticipated to last or lasting 30 minutes or more.	Compliance ongoing; see Chiquita's Odor Mitigation website.
83	Submit an expert report on specific landfill operational events and their potential emission impacts to the community.	Completed; submitted on March 31, 2025 and posted on Chiquita's Odor Mitigation website.
87	Chiquita is prohibited from conducting planned landfill gas combustion/control equipment downtime for 3 or more landfill gas control units at any one time, unless approved in writing by South Coast AQMD or where Chiquita is conducting certain specified installation or maintenance work.	Compliance ongoing.
88	Install equipment and implement operational procedures to prevent unplanned landfill gas	Compliance ongoing.

Condition No.	Summary of Requirement(s)	Status
	combustion/control equipment downtime.	
88(a)	Expedite and complete the connection of permanent grid power to the flare station.	Completed by December 31, 2024.
88(b)	Once the flare station is connected to permanent grid power, maintain the existing flare station generators.	Compliance ongoing.
88(b)	Install backup power at the Zeeco TOX.	Completed by December 5, 2024.
88(b)	Once the flare station is connected to permanent grid power and backup power connection safety disconnect is installed at the Zeeco TOX, minimize combustion/control equipment downtime as a result of power failure and follow required start-up procedures.	Compliance ongoing.
90	Submit a permit modification application to the Landfill Gas Condensate and Leachate Collection/Storage System for the relocated tank farm.	In progress; to be submitted within 30 days of the Department of Toxic Substances Control's ("DTSC") approval of the written workplan for the relocated tank farm.
91	Submit a permit application for each hazardous and non-hazardous liquid treatment system.	In progress; to be submitted within 30 days of DTSC's approval of the written workplan for the relocated tank farm.
94	Submit a permit application for the Parnel TOX.	Completed; submitted by May 30, 2025; updates submitted biweekly.
95	Submit a permit modification application to the Landfill Gas Condensate and Leachate Collection/Storage System to increase the landfill's liquid storage capacity and include the Canyon D tank farm.	Completed; submitted by April 30, 2025; updates submitted biweekly.

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Condition No.	Summary of Requirement(s)	Status
96	Submit an updated expert report on the landfill's current and projected landfill gas generation through the end of calendar year 2029.	Completed; submitted by April 30, 2025 and posted on Chiquita's Odor Mitigation website.