

**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

**STIPULATED ORDER CONDITIONS
CHART**

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

Hearing Date: June 4 and 17, 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	Witness
1, 2	Conduct community odor surveillance and maintain records.	Compliance ongoing.	Neal Bolton
3	Expedite replacement of granular activated carbon media and maintain supply of odor control products.	Compliance ongoing.	Patrick Sullivan
3(a)	Monitor and record landfill gas temperature at least daily.	Compliance ongoing.	Patrick Sullivan
4	Maximize landfill gas combustion and prioritize and maximize use and operation of newer flares.	Compliance ongoing since November 15, 2023 when Flare 3 was put into operation.	Patrick Sullivan
5, 6	Sample, analyze and record sulfur and speciated organic compounds in the landfill gas (LFG); report monthly; maintain stock of colorimetric tubes.	Compliance ongoing; see Section W of Condition 8 reports.	Patrick Sullivan
7	Maintain records of LFG flow combusted, LFG flow not flared, and sulfur readings, sampling, and analyses.	Compliance ongoing; see Section B of Condition 8 reports.	Patrick Sullivan
8	Submit monthly reports containing information on LFG and leachate temperature, composition, and flow/quantity; leachate seepage; surface emissions monitoring; treatment of LFG and leachate; the LFG collection and control system; the leachate collection and management system;	Compliance ongoing; most recently submitted on April 21, 2025 and May 20, 2025.	Patrick Sullivan

Condition No.	Summary of Requirement(s)	Status	Witness
	leachate disposal; landfill and geosynthetic cover; and excavation.		
9	Collect integrated landfill surface samples 3 times per month across the Reaction Area and 4 times per quarter across the remainder of the landfill.	Compliance ongoing; see Section C of Condition 8 reports.	Patrick Sullivan
9(a), (b)	Submit monthly Reaction Committee determinations and supporting evidence regarding the extent and boundaries of the Reaction Area.	Compliance ongoing; most recently submitted on April 10, 2025 and May 9, 2025.	Robert Dick
10	Conduct instantaneous landfill surface monitoring 3 times per month across the Reaction Area and 4 times per quarter across the remainder of the landfill.	Compliance ongoing; see Section C of Condition 8 reports.	Patrick Sullivan
11	Continue operating the flares and LFG treatment system and submit required deviation reporting.	Compliance ongoing.	Patrick Sullivan
12	Form a Reaction Committee of experts and submit names and resumes.	Completed; submitted on October 5, 2023; updated on April 5, 2024.	Robert Dick
12(f)	Host monthly meetings with the Reaction Committee and South Coast AQMD technical staff.	Compliance ongoing; most recently held on May 21, 2025.	Robert Dick
12(f)(i)	Submit proposed agenda 10 days prior to each meeting.	Compliance ongoing; most recently submitted on May 11, 2025.	Robert Dick
12(f)(i)	Submit meeting materials 2 days prior to each meeting.	Compliance ongoing; most recently submitted on May 19, 2025.	Robert Dick
12(f)(iv)	Post summary of each meeting on Chiquita's Odor Mitigation website 20 days after each meeting.	Compliance ongoing.	Robert Dick
12(g)(i)	Submit expert report on methods for effective treatment of dimethyl sulfide (DMS).	Completed; submitted on April 30, 2024.	Patrick Sullivan
12(g)(ii)	Submit expert report on the cause of the reaction and solutions to slow and stop the reaction.	Completed; submitted on December 8, 2023.	Robert Dick
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; Reaction Committee submitted recommendation on December 31, 2023.	Patrick Sullivan
12(g)(iv)	Submit expert report on landfill best management practices.	Completed; submitted on November 6, 2023.	Neal Bolton
12(g)(v)	Submit expert report on the known health risks from acute and long-term exposure to DMS.	Completed; submitted on January 15, 2024.	Dr. Pablo Sanchez-Soria

Condition No.	Summary of Requirement(s)	Status	Witness
12(g)(vi)	Submit expert report on the health impacts from exposure to specified air pollutants.	Completed; submitted on August 1, 2024.	Dr. Pablo Sanchez-Soria; Dr. Richard Pleus
12(g)(vii)	Develop a model to estimate the rate of liquid generation and total quality of liquid in the landfill and submit expert report on the model and results.	Completed; submitted on June 25, 2024.	Neal Bolton
12(g)(vii)(1)	Update the model and submit reports on the updated model and results on a semi-annual basis.	Compliance ongoing; most recently submitted on January 7, 2025.	Neal Bolton
12(g)(viii)	Submit expert report on landfill gas collection and conveyance piping materials.	Completed; submitted on June 21, 2024.	Srividhya Viswanathan
12(h)	Post all expert reports on Chiquita's Odor Mitigation website.	Compliance ongoing.	Robert Dick
12(i)	Submit expert report on initial LFG flux chamber study.	Completed; submitted on October 31, 2023.	Patrick Sullivan
12(i)	Conduct LFG flux chamber studies every 4 months and submit updated protocols and reports on each study.	Compliance ongoing; protocols most recently submitted on December 30, 2024; reports most recently submitted on May 15, 2025.	Patrick Sullivan
13	Expand LFG well system.	Compliance ongoing.	Srividhya Viswanathan
14	Monitor LFG wells monthly for temperature.	Compliance ongoing.	Patrick Sullivan
14(a)	Ensure operation of LFG collection system equipment does not result in releases of raw LFG or condensate into the atmosphere.	Compliance ongoing.	Patrick Sullivan
14(b)	Report any breakdown or malfunction of the LFG collection system resulting in emission of raw LFG.	Compliance ongoing.	Patrick Sullivan
15, 15(a), (b)	Evaluate and install vertical dual extraction wells to the desired depths at the required densities in the Reaction Area by August 17, 2026; comply with applicable Rule 1150.1 corrective action requirements during well installation.	Compliance ongoing; see Section M of Condition 8 reports.	Srividhya Viswanathan
15(c), (d)	Notify of well installation 1 week in advance.	Compliance ongoing; submitted weekly each Friday.	Srividhya Viswanathan
15(e), (f), (g), (h), (i), (j)	Implement additional specified measures to reduce potential emissions during well drilling.	Compliance ongoing.	Srividhya Viswanathan
15(j)	Replace damaged, blocked, pinched, or elevated temperature wells in the Reaction Area.	Following installation of additional wells pursuant to Conditions 15(a) and 15(b).	Srividhya Viswanathan
15(k)	Keep oxygen below 5 percent in interior wells.	Once additional/adequate gas extraction capacity is installed.	Patrick Sullivan

Condition No.	Summary of Requirement(s)	Status	Witness
15(l)	Install well boots seals on all wells in the Reaction Area.	Completed.	Srividhya Viswanathan
15(m)	Submit semi-annual as-built drawings.	Compliance ongoing; submitted weekly each Wednesday.	Srividhya Viswanathan
15(n)	All new vertical extraction wells must be dual extraction wells; install dewatering infrastructure.	Compliance ongoing.	Srividhya Viswanathan
15(o)	Determine monthly whether any existing wells in the Reaction Area can be drilled deeper.	Compliance ongoing; see Section M of Condition 8 reports.	Srividhya Viswanathan
16	Submit permit modification application to increase the number of wells.	Completed; submitted by October 6, 2023.	Patrick Sullivan
17, 17(a)	Expediently dewater; install dewatering sumps/pumps in at least 60% of the vertical wells that are capable of extracting liquids in the Reaction Area.	Installation completed; see Section N of Condition 8 reports for updates.	Srividhya Viswanathan
18	Submit Reaction Area dewatering guidelines and implementation procedures.	Submittals completed; submitted on December 5, 2023; revised on April 4, 2024; further revised on June 7, 2024; compliance ongoing.	Srividhya Viswanathan
19	Submit permit modification application to increase the landfill's liquid storage capacity.	Completed; submitted on October 4, 2023.	Patrick Sullivan
20	Increase LFG control capacity.	Compliance ongoing; Flare 3 was installed and in operation by November 15, 2023; notification submitted by November 17, 2023.	Patrick Sullivan
21	Submit permit application for the construction of Flare 4.	Completed; submitted on October 30, 2023.	Patrick Sullivan
22	Continue to use one or multiple portable thermal oxidizers (TOXs) 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.	Patrick Sullivan
23	Continue to use one or both of Flares 1 and 2 as necessary until Flare 5 is permitted and operational.	Compliance ongoing.	Patrick Sullivan
24	Prevent standing, pooling, or ponding leachate.	Compliance ongoing.	Neal Bolton
25	Mitigate odors and dispersion and exposure of leachate during discharges of pressurized leachate.	Compliance ongoing.	Neal Bolton
26	Submit expert report on the feasibility of temporary containment measures for leachate.	Completed; submitted on March 12, 2024.	Neal Bolton

Condition No.	Summary of Requirement(s)	Status	Witness
27(a)	Measure and record leachate temperatures within pipes.	Compliance ongoing; see Section Q of Condition 8 reports.	Srividhya Viswanathan
27(b)	Conduct and document leachate seep inspections twice daily.	Compliance ongoing.	Neal Bolton
27(c)	Submit leachate seep inspection logs and report any ongoing leachate seepage and pooling weekly.	Compliance ongoing; submitted weekly each Tuesday; see also Section Q of Condition 8 reports.	Neal Bolton
27(d)	Measure and record quantities of leachate sent off-site and treated on-site.	Compliance ongoing; see Section Q of Condition 8 reports.	Srividhya Viswanathan
27(e)	Report leachate leaks or spills separately from leachate seeps.	Compliance ongoing.	Neal Bolton
27(f)	Develop and implement Standard Operating Procedures (SOPs) for leachate tank operations; conduct daily inspections of leachate tanks and related equipment.	Implementation completed; submitted on September 23, 2024; revised on October 14, 2024 (resubmitted on October 18, 2024); compliance ongoing.	Neal Bolton; Srividhya Viswanathan
27(g)	Do not overfill leachate tanks.	Compliance ongoing.	Neal Bolton
28	Operate and maintain equipment with materials capable of handling gases and liquids at elevated temperatures.	Compliance ongoing.	Srividhya Viswanathan
29	Ensure capacity to accumulate leachate onsite and/or dispose offsite.	Compliance ongoing; see Section R of Condition 8 reports.	Srividhya Viswanathan
29	Comply with Leachate Management Plan (LMP) approved by EPA.	Compliance ongoing.	Neal Bolton
30	Visually inspect and repair landfill and geosynthetic covers.	Compliance ongoing; see Section L of Condition 8 reports.	Neal Bolton
31	Install geosynthetic cover over portions of the landfill.	Completed.	Neal Bolton
32, 32(a)	Submit expert report on odor and emissions transport.	Completed; submitted on December 1, 2023.	Neal Bolton
32(b)	Submit proposal for additional air modeling study.	Completed; submitted on January 15, 2024; revised on May 8, 2024 and May 16, 2024.	Neal Bolton
32(c)	Submit expert report on additional modeling.	Completed; submitted on September 2, 2024.	Neal Bolton
33	Expand and enhance the community air monitoring program; submit Department of Public Health reports.	Compliance ongoing.	Patrick Sullivan
34, 34(a), 34(b)	Provide access to and post on Chiquita's website real-time continuous monitoring and integrated canister sampling data.	Compliance ongoing.	Patrick Sullivan
34(c)	Develop, install, and operate email notification system for exceedances of specified air pollutants.	Installation completed; compliance ongoing.	Dr. Pablo Sanchez-Soria

Condition No.	Summary of Requirement(s)	Status	Witness
35	Provide SOPs and Quality Control/Quality Assurance documents for the air monitoring stations.	Compliance ongoing; initially submitted by January 19, 2024; see Section S of Condition 8 reports for updates.	Patrick Sullivan
35(a)	Provide access to on-site and off-site monitoring equipment; provide list of appropriate PPE upon request.	Compliance ongoing.	Patrick Sullivan
35(b)	Implement specified quality control measures for the air monitoring equipment.	Compliance ongoing.	Patrick Sullivan
36, 36(a)	Install and maintain two MicroGC air monitoring stations and make data available on Chiquita's website.	Compliance ongoing; installation completed by May 1, 2024; monitoring plan submitted on April 29, 2024.	Patrick Sullivan
36(b)	Increase 24-hour sampling and analysis until the MicroGCs are installed.	Completed.	Patrick Sullivan
36(c)	Upgrade MicroGCs to measure acrolein.	Completed.	Patrick Sullivan
37	Take and analyze 10 leachate samples from wells with pumps in the Reaction Area and submit results.	Completed; sampled by March 5, 2024; submitted results on March 15, 2024.	Srividhya Viswanathan
38	Take and analyze representative monthly samples of leachate and submit results.	Compliance ongoing; most recently submitted on May 12, 2025.	Srividhya Viswanathan
39	Maintain and regularly update Chiquita's Odor Mitigation webpage.	Compliance ongoing.	Robert Dick
40	Host monthly public community meetings.	Compliance ongoing; most recently held on April 24, 2025 and May 8, 2025.	Robert Dick
41	Submit application for a Rule 1150 Landfill Excavation Plan.	Completed; submitted on January 30, 2024.	Patrick Sullivan
42	Comply with enumerated list of requirements for all non-exempted Rule 1150(a)(5) excavation.	Compliance ongoing pending approval of Rule 1150 Landfill Excavation Plan.	Neal Bolton & Patrick Sullivan
43	Minimize working face and maintain fresh trash-related odor mitigation measures.	No longer applicable since there are no longer active operations.	Neal Bolton
44	Obtain, install, and maintain on-site meteorological station.	Compliance ongoing; installation completed by October 31, 2023.	Patrick Sullivan
45, 46, 47	Install, maintain, and operate Semi-Permanent Vapor Odor Control in the Reaction Area and a perimeter odor control misting system.	Compliance ongoing; installation completed by September 20, 2023.	Neal Bolton
48	Notify of any substantial operational changes to reduce odors.	Compliance ongoing.	Neal Bolton
50	Implement Master Work Plan under the EPA Unilateral Administrative Order.	Compliance ongoing.	Robert Dick
51	Permit South Coast AQMD inspections deemed necessary by compliance staff.	Compliance ongoing.	Neal Bolton

Condition No.	Summary of Requirement(s)	Status	Witness
51	Submit updates to the Health and Safety Plan.	Compliance ongoing.	Neal Bolton
51(a)	Maintain two 5-gas monitors onsite.	Compliance ongoing.	Neal Bolton
52	Host biweekly meetings between South Coast AQMD technical staff and Chiquita or Chiquita's technical consultants.	Compliance ongoing.	Patrick Sullivan
53	Submit weekly reports on leachate tanks, liquid collected and treated, and seeping, pooling, or ponding leachate collected.	Compliance ongoing; submitted weekly each Wednesday.	Srividhya Viswanathan
54	Collect, convey, and store condensate collected after sulfur treatment.	Compliance ongoing.	Patrick Sullivan
55	Cease injection of condensate into the flares, unless specified conditions are met.	Compliance ongoing.	Patrick Sullivan
56	Conduct sampling and analysis of leachate tank headspace vapors in Tank Farm 9.	Completed; sampling conducted by April 4, 2024; report submitted on April 18, 2024; revised on April 24, 2024.	Patrick Sullivan
57	Submit permit modification application to increase liquid storage capacity.	Completed; submitted by April 22, 2024.	Patrick Sullivan
58	Submit permit application for the operation of the TOX.	Completed; submitted by June 21, 2024.	Patrick Sullivan
59	Submit permit application for treating hazardous liquid waste.	Completed; submitted by June 21, 2024.	Patrick Sullivan
60	Submit permit modification application to include the tie-in of vapor vent lines.	Completed; submitted by April 22, 2024.	Patrick Sullivan
61, 62	Submit permit modification applications to include the combustion of leachate vapor.	Completed; submitted by May 21, 2024.	Patrick Sullivan
63	Submit schematic of the leachate treatment and storage system.	Completed; submitted by April 22, 2024.	Srividhya Viswanathan
64	Submit final LMP and any updates submitted to EPA.	Compliance ongoing; updates most recently submitted on January 11, 2025.	Neal Bolton
65	Provide weekly summaries of leachate dewatering pump installation activities.	Compliance ongoing; submitted weekly each Friday.	Srividhya Viswanathan
66	Increase monitoring for temperature and pressure at Reaction Area wells to twice monthly.	Compliance ongoing.	Robert Dick
66(a) [Old 66]	Investigate remote monitoring system (RMS) for well pressure and LFG temperature at the wellhead.	Completed; submitted by April 19, 2024.	Robert Dick
[Old 66]	Finalize contracts to install and operate the RMS.	Completed; contract finalized by June 21, 2024.	Robert Dick
66(a), 66(a)(i), 66(a)(ii)	Finalize contract to install and operate the RMS, and submit the finalized contract and specified information.	Completed; contract finalized and all required information submitted by September 17, 2024.	Robert Dick
66(a)(iii), 66(a)(iv)	Contact vendors requesting recommendations for each of the RMS identified issues/concerns; submit findings.	Completed; correspondence submitted by October 11, 2024;	Robert Dick

Condition No.	Summary of Requirement(s)	Status	Witness
		findings submitted by October 30, 2024.	
66(a)(v)	Determine and submit the location for installation of an RMS; install and operate system.	Completed; determination submitted by October 15, 2024; installed and in operation by December 31, 2024.	Robert Dick
66(a)(vi)	Submit proposal to assess the viability and functionality of an RMS for temperature and pressure within a Reaction Area well with a pump; conduct feasibility assessment and submit results and recommendations.	Completed; proposal submitted on January 31, 2025.	Robert Dick
67	Designate an Inspection Liaison.	Completed.	Robert Dick
68	Install differential pressure gauges on each leachate storage tank; monitor and record daily pressure readings.	Installation completed; compliance ongoing; see Section V of Condition 8 reports.	Srividhya Viswanathan
69	Conduct quarterly inspections and monitoring of the landfill's piping network and submit frequency recommendation following 4 completed inspections.	Compliance ongoing; most recently completed by April 18, 2025.	Patrick Sullivan
70	Submit expert report on the landfill's current and projected LFG generation.	Completed; submitted on June 28, 2024.	Patrick Sullivan
70(a)	Submit permit application for the construction of Flare 5.	Completed; submitted by October 31, 2024.	Patrick Sullivan
71	Submit permit application for the LFG collection system under the geosynthetic cover.	Completed; submitted by May 21, 2024.	Patrick Sullivan
72(a)	At least quarterly, sample and analyze the vapor flow in the leachate piping.	Compliance ongoing; see Section V of Condition 8 reports.	Patrick Sullivan
72(b)	Submit source test protocol for the vapor flow testing; conduct testing; submit final source test report.	Completed; submitted by May 17, 2024; revised on July 12, 2024; testing most recently completed on March 20, 2025; report most recently submitted on April 18, 2025.	Patrick Sullivan
72(c)	Submit Reaction Committee recommendations on additional vapor flow testing.	Compliance ongoing; most recently submitted on May 16, 2025.	Patrick Sullivan
72(d)	Until the pressure gauges are installed, conduct pressure testing and monitoring within the HDPE headers.	Completed.	Srividhya Viswanathan
72(e)	Install flow meters within the HDPE piping headers and submit daily flow rate.	Compliance ongoing; installed by July 19, 2024; see Section V of Condition 8 reports.	Patrick Sullivan
73	Submit inventory of internal combustion engine equipment onsite rated greater than 50 HP ; submit permit applications for equipment as needed.	Compliance ongoing; submitted inventory on May 21, 2024; submitted initial permit application on June 30, 2024;	Patrick Sullivan

Condition No.	Summary of Requirement(s)	Status	Witness
		responded to request for additional information on May 16, 2025.	
74	Expedite the procurement of the equipment needed to construct Flare 4 and provide updates.	Compliance ongoing; see Section X of Condition 8 reports.	Patrick Sullivan
76	Install and utilize sample ports on all equipment that requires sampling.	Compliance ongoing; initially installed by December 2, 2024.	Patrick Sullivan
78	Install a 60-mil liner under the leachate tanks or tank farms; inspect it twice-daily; maintain inspection and maintenance records.	Compliance ongoing.	Neal Bolton
79	Always request expedited processing/review.	Compliance ongoing.	Patrick Sullivan
80	Notify of and log permitted Various Location or CARB Statewide PERP equipment.	Compliance ongoing; see Section Y of Condition 8 reports.	Patrick Sullivan
81, 82	Notify of and report LFG equipment downtime.	Compliance ongoing.	Patrick Sullivan
81(c)	Develop, install, and operate public downtime notification system.	Completed; developed by November 18, 2024; deployed by December 10, 2024.	Patrick Sullivan
83	Submit expert report on specific landfill operational events and potential emission impacts.	Completed; submitted on March 31, 2025.	Patrick Sullivan
84	Submit expert report evaluating the installation of windbreaks and/or wind flow disrupters along the western and northern borders of the facility, and/or ridgeline.	Completed; submitted by November 15, 2024.	Neal Bolton
85	Operate additional odor control equipment and submit reports while conducting west slope excavation and toe drain termination projects.	Completed.	Neal Bolton
86, 86(a)	Comply with additional operational requirements until final approval of leachate equipment permits.	Compliance ongoing.	Srividhya Viswanathan
87	Do not conduct planned downtime for 3 or more flares/TOXs at any one time unless the work is exempted or the downtime is otherwise approved.	Compliance ongoing.	Patrick Sullivan
88	Prevent unplanned downtime to maximum extent feasible.	Compliance ongoing.	Patrick Sullivan
88(a)	Connect the flare station to permanent grid power.	Completed.	Patrick Sullivan
88(b)	Maintain existing generators as backup power for the flare station.	Compliance ongoing.	Patrick Sullivan
88(b)	Install backup power at the Zeeco TOX.	Completed.	Patrick Sullivan

Condition No.	Summary of Requirement(s)	Status	Witness
88(b)	Minimize downtime as a result of power failure and follow required startup procedures.	Compliance ongoing.	Patrick Sullivan
89	Comply with additional requirements for equipment subject to permit applications until permit approval.	Compliance ongoing.	Srividhya Viswanathan
90	Submit permit modification application for the relocated tank farm within 30 days of DTSC approval of the written workplan for the relocated tank farm.	In progress.	Patrick Sullivan
91	Submit permit application for each hazardous and non-hazardous liquid treatment system within 30 days of DTSC approval of the written workplan for the relocated tank farm.	In progress.	Patrick Sullivan
92	Submit files larger than 35 MB via shared link.	Compliance ongoing.	Robert Dick
93	Install hydrostatic liquid level transmitters on all tanks capable; monitor tank levels.	In progress.	Neal Bolton
94	Submit permit application for the Parnel TOX.	Completed; submitted by May 30, 2025.	Patrick Sullivan
95	Submit permit modification application to include the Canyon D tank farm.	Completed; submitted by April 30, 2025.	Patrick Sullivan
96	Submit updated expert report on the landfill's current and projected LFG generation.	Completed; submitted on April 30, 2025.	Patrick Sullivan
97	Visually inspect all connection points, seams, and seals of the geosynthetic cover weekly and promptly repair any issues identified; maintain and submit inspection and repair logs.	Compliance ongoing; see Section Z of Condition 8 reports.	Neal Bolton