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** Health and Safety Code § 41700, and District Rules 402, 431.1, 3002, 203, 1150 Hearing Date: October 28 and 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.

Background and Experience

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 36 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.

3. I serve on the Reaction Committee as the subject matter expert for the landfill gas collection and control system and air quality compliance.

4. This declaration is made for the status and modification hearing being held on October 28 and 29, 2026 on the Stipulated Order for Abatement in Case No. 6177-4 with the South Coast Air

Quality Management District ("South Coast AQMD"), most recently modified on June 3, 2026 ("Modified Stipulated Order").

Objective Data Show Steady Improvement and Reduced Potential for Offsite Impacts

5. Based on my review of the onsite and offsite monitoring data and complaint data since 2023, conditions related to landfill gas emissions and air quality impacts are continuing to improve and stabilize at the Landfill. Onsite data such as landfill gas recovery data and surface emissions data from aerial surveillance and flux chamber studies show that the potential emissions from the Landfill are continuing to decrease below levels seen in 2023-2024 and otherwise are consistent with emissions from a typical, large, non-reaction landfill. Offsite air quality data show that the ambient air quality in the communities surrounding the Landfill is continuing to improve and stabilize and rarely, if ever, exceeds health protective thresholds.

6. In my opinion, the improvements in the onsite and offsite monitoring data are a result of the mitigation measures that Chiquita has implemented under the Stipulated Order and other enforcement orders from other regulators. These measures include installing landfill covers across a large portion of the Landfill, expansion/improvements of the landfill gas collection system, installation of additional landfill gas control devices for redundancy, and improvements to the management of leachate and leachate vapors, among other related mitigation measures. Both onsite and offsite data show that conditions at the Landfill are continuing to improve, and the mitigation measures Chiquita has implemented and continues to implement are working.

Onsite Data

7. My team and I have reviewed Chiquita's landfill gas recovery data collected between January 1, 2023 and October 16, 2026 and have summarized it in the graph attached hereto as **Exhibit A**. As depicted in this graph, while there have been some fluctuations in landfill gas recovery over time, Chiquita has significantly increased its total recovery since the start of 2023, reaching the highest level of landfill gas recovery in October 2026.

8. In accordance with **Condition 70**, on July 10, 2026, my team and I submitted to South Coast AQMD an updated report on Chiquita's current and projected landfill gas generation and control capacity. The total current and projected estimated landfill gas generation and control capacity shows an

expected maximum generation of 17,331 cubic feet per minute ("cfm") in 2026, 16,986 cfm in 2027, 16,652 cfm in 2028, 16,319 cfm in 2029, and 15,997 cfm in 2030. These estimates include the additional estimated landfill gas generated as a result of the ongoing reaction. The values decline over time due to the fact that the Landfill has been closed to outside waste since January 1, 2025, and methanogenesis and landfill gas generation decreases in a landfill after closure based on the first-order decay rate equation contained within the U.S. Environmental Protection Agency's ("EPA") Landfill Gas Emissions Model ("LandGEM").

9. The Landfill currently has a control capacity of 26,000 cfm between the three existing flares (Flares 1, 2, and 3) and five existing thermal oxidizers ("TOXs") at 2,500 cfm (Zeeco 7), 2,000 cfm (Parnel), 2,500 cfm (Hero), and two new Zeeco TOX units (Zeeco 1 and Zeeco 6), each rated at 2,500 cfm.

10. Flare 4 (6,000 cfm) and an additional new TOX unit (2,500 cfm) are anticipated to come online by the fourth quarter of 2026 or the first quarter of 2027, and one of the current TOX units (the Hero TOX) is expected to be deactivated. During the installation of Flare 4, the entire flare station (Flares 1, 2, and 3) must be temporarily shut down. To provide backup during this installation process, five TOX units, with a combined capacity of at least 12,000 cfm, will remain online until Flare 4 is operational, in accordance with **Condition 70(b)**. After these changes, there will be four flares and five TOX units onsite, for a total control capacity of 32,000 cfm, with the Parnel TOX unit available onsite as a backup unit. Two TOX units (Zeeco 2 and 7) will be in the North TOX station, and two TOX units (Zeeco 1 and 6) will be in the South TOX station. This will allow redundancy at each TOX station, the flare station, and additional backup capacity with the Parnel TOX.

11. Based on this, Chiquita will have adequate capacity to control the estimated landfill gas generation once Flare 4 is installed, continuing through 2030, even if Flare 1 is decommissioned. Chiquita had previously planned to install Flare 5, but due to the Landfill's closure and declining gas generation, Flare 5 is no longer necessary. A true and correct copy of this report is attached hereto as **Exhibit B**.

12. The updated Landfill Gas Generation and Capacity Report contemplates decommissioning the Parnel TOX unit. After further review, Chiquita has elected to keep the Parnel

TOX unit onsite for additional back-up capacity if needed. This determination to keep the Parnel TOX unit was based on the need for additional control capacity during the installation of Flare 4 and the other TOX units. Chiquita will reassess the status of the Parnel TOX once these installations are complete. **Table 1** below shows the current projected generation and control capacity, as of October 16, 2026.

Landfill Gas Generation and Control Capacity Chart

Year		2026				2027	2028	2029	2030
		Q1	Q2	Q3	Q4				
LandGEM LFG Generation	(cfm)	15,070	15,070	15,070	15,070	14,770	14,480	14,190	13,910
LFG Generation (with reaction gas increase)	15%	17,331	17,331	17,331	17,331	16,986	16,652	16,319	15,997
LFG Generation (with 6000 scfm redundancy)		**23,331**	**23,331**	**23,331**	**23,331**	**22,986**	**22,652**	**22,319**	**21,997**
Flare 1 (FL-1995)[1]	(cfm)	4,000	4,000	4,000	4,000	4,000	-	-	-
Flare 2 (FL-2009)		4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
TOX (Zeeco 7)		2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Flare 3 (FL-2023)		6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Flare 4		-	-	-	6,000	6,000	6,000	6,000	6,000
TOX (Parnel)		2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
TOX (HERO)		2,500	2,500	2,500	-	-	-	-	-
Flare 5[2]		-	-	-	-	-		-	-
New TOX #1 (Zeeco 1)		-	2,500	2,500	2,500	2,500	2,500	2,500	2,500
New TOX #2 (Zeeco 6)		-	2,500	2,500	2,500	2,500	2,500	2,500	2,500
New TOX #3 (Zeeco 2)		-	-	2,500	2,500	2,500	2,500	2,500	2,500
Flare/TOX Capacity		**21,000**	**26,000**	**28,500**	**32,000**	**32,000**	**28,000**	**28,000**	**28,000**
Ameresco	(cfm)	-	-	-	-	-	-		
Total Capacity	(cfm)	**21,000**	**26,000**	**28,500**	**32,000**	**32,000**	**28,000**	**28,000**	**28,000**

Existing units as of end of June 2026

[1] Flare 1 will likely continue thru 2027 until Flare 5 has completed is operating full time, after which Flare 1 will be taken offline. If Flare 5 is no longer determined to be necessary, Flare 1 will be decomisioned in 2028.

[2] Flare 5 is currently listed at a capacity of 6,000 scfm; however, with the landfill closure, a smaller capacity may be capable of meeting the redundancy criterion or it may not be needed at all.

Table 1. Landfill Gas Generation and Control Capacity Chart.

13. Chiquita's surface emissions data obtained from regular drone flyovers conducted pursuant to Condition 77 of the Stipulated Order and flux chamber studies conducted pursuant to Condition 12(i) similarly reflect a decreased potential for offsite emissions from the Landfill. A graph of the Sniffer drone data from January 10, 2024 through October 14, 2026, is attached hereto as **Exhibit C**. This graph depicts exceedances of the methane emissions thresholds for corrective action as measured by the Sniffer drone. There are two limits displayed, over 500 parts per million by volume ("ppmv") and between 200 and 500 ppmv. The bar graph shows the number of exceedances of these limits during the

stated time period, comparing quarterly data from the same quarters in 2024, 2025, and 2026. These data illustrate that there has been a substantial reduction in exceedances between 2024 and 2025, and that exceedances have remained low throughout 2026 thus far. In fact, during the last two weekly drone flyover events, from October 6-7 and October 13-14, there were a total of 5 (2.5 per event) exceedances across the entire monitoring area, which is a very low number for the size of the Landfill.

14. Recently, we have seen an overall decrease in the number of exceedances per event as landfill gas recovery has increased. The majority of the exceedances that have occurred in 2026 have been due to upset conditions related to the landfill gas system or construction activities that have disturbed the landfill surface, such as the ethylene vinyl alcohol ("EVOH") cover installation process, which are unavoidable. Very few exceedances are related to inadequacies of the onsite systems. Furthermore, as we review the location and assess the root cause of each exceedance, the vast majority of the exceedances in the last two quarters of 2026 have been due to EVOH cover installation activities, specifically the preparation of the surface, which includes disconnecting the existing landfill gas system components, removal of the existing cover, grading, and other construction activities that disturb the surface.

15. Note that although I use the term "exceedance," this does not mean that there has been a violation of any rule or regulation. This is just an exceedance of a regulatory threshold. Once an exceedance is detected, as required by Condition 77, we conduct follow-up corrective actions to address and remediate the exceedance. Corrective actions are determined as appropriate based on an analysis of the situation, and include activities such as geosynthetic cover maintenance or repair, landfill cover maintenance or repair, wellfield vacuum adjustments, and piping/gas component maintenance or repair. If necessary, Chiquita may also improve infrastructure, such as drilling a new well or installing new headers or interceptors. The data show that Chiquita's reaction mitigation efforts have been effective at reducing surface emissions exceedances. Because of the conditions of the Modified Stipulated Order and the quick response actions of the onsite teams, most exceedances are corrected on the same day as detection or, at worst, within several days.

16. The flux chamber study data similarly illustrate significant improvements in surface emissions since 2024. These flux chamber studies show an overall downward trend in surface emissions

rates for almost every compound measured, demonstrating that Chiquita's reaction mitigation efforts are effective. The most recent study was conducted from July 20 through July 24, 2026, and the report was submitted to South Coast AQMD on September 15, 2026. A true and correct copy of that report is attached hereto as **Exhibit D**. **Table 2** below summarizes the results of the site-wide emission rates for compounds tested in the July 2026 test event (Test Event 8) in comparison with the seven prior studies conducted since August 2023.

		Test Event							
		1	2	3	4	5	6	7	8
Compound	**Units**	**Aug-23**	**Mar-24**	**Nov-24**	**Mar-25**	**Jul-25**	**Nov-25**	**Mar-26**	**Jul-26**
Carbon dioxide	tons/yr	41,312	327,049	216,177	100,526	46,702	92,157	98,854	**12,697**
Methane	tons/yr	3,357	11,456	6,880	4,756	285	2,979	6,055	**163**
Total VOC	tons/yr	207	853	61	26	2.6	4.39	19.04	**3.93**
Trichloroethene (TCE)	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	1.07	0.04	**4.58**
Ethanol	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	<0.05	<0.05	**1.73**
Acetone	tons/yr	17.64	50.66	1.30	1.38	0.54	0.69	2.33	**1.43**
Methanol	tons/yr	9.09	<4	0.51	0.79	0.45	0.34	5.59	**0.63**
Hexane	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	0.09	0.05	**0.55**
2-Butanone (MEK)	tons/yr	9.06	51.20	0.24	0.30	0.07	0.14	1.15	**0.43**
Isopropyltoluene	tons/yr	3.72	15.23	0.18	0.51	<0.05	0.14	0.72	**0.43**
2-Hexanone	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	<0.05	<0.05	**0.30**
Hydrogen Sulfide	tons/yr	0.13	3.81	0.72	0.24	0.15	0.40	0.21	**0.23**
Acrolein	tons/yr	NA	NA	NA	NA	0.05	0.07	0.16	**0.20**
Dimethyl Sulfide	tons/yr	15.2	57.9	0.9	1.0	ND	0.84	0.91	**0.20**
Benzene	tons/yr	9.33	104.31	0.27	0.90	0.14	0.20	2.05	**0.19**
Total Xylenes	tons/yr	1.52	9.79	0.30	0.48	0.08	0.10	1.17	**0.19**
Toluene	tons/yr	2.00	18.64	0.22	0.29	0.06	0.11	0.85	**0.12**
Chloromethane	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	<0.05	<0.05	**0.11**
Ethylbenzene	tons/yr	1.14	10.07	0.16	0.20	0.03	0.05	0.80	**0.10**
Propylene (Corrected)	tons/yr	6.62	29.82	0.69	0.41	0.05	0.08	0.24	**0.10**
Chloroform	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	0.05	0.10	**0.081**
Nonane	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	0.05	0.28	**0.069**
Octane	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	0.05	0.20	**0.035**
Tetrahydrofuran	tons/yr	13.62	106.99	0.06	0.23	0.01	0.12	1.02	**0.031**
n-Heptane	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	0.05	0.23	**0.026**
Chloroethane	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	0.03	0.03	**0.016**
1,2-Dichloroethane	tons/yr	<0.1	<4	<0.05	<0.05	<0.05	0.02	0.04	**0.013**

Table 2. Flux Chamber Study Comparison.

This table shows an overall downward trend in emissions from August 2023 to July 2026 for almost every compound measured. This overall 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 over 100 acres of the 60-mil EVOH cover.

17. I stated in my previous declaration that the laboratory results from the more recent studies were close to or below the detection limits for most of the compounds tested, meaning that further reductions likely will not be detected for those compounds. This remains accurate. The results of the July 2026 study show the lowest detected emission rates for methane and carbon dioxide, the two primary constituents of landfill gas and reaction gas, since the flux testing began in 2023.

18. In total, the onsite data show substantial and sustained improvement in conditions at the Landfill, including increased landfill gas recovery and significant reductions in surface emissions. In my opinion, these trends demonstrate that Chiquita's mitigation measures have been effective, with the most recent emissions data generally consistent with conditions expected at a large landfill not experiencing an elevated temperature landfill ("ETLF") event. The flux testing team, who have done numerous flux chamber studies for landfills across the state, concur with this finding.

Offsite Data

19. In addition to onsite data, my team and I have reviewed and analyzed offsite air monitoring data, which includes over four million lines of data. Based on our review and analysis, the overall trend for concentrations of various constituents has improved significantly since 2024, when Landfill emissions appeared to be at their highest, which supports that Chiquita's mitigation measures are effectively managing surface air emissions.

20. Attached as **Exhibit E** is a graph of hydrogen sulfide concentration data from February 20, 2024 to October 16, 2026. Hydrogen sulfide concentrations have steadily decreased since 2024.

21. Attached as **Exhibit F** is a graph of benzene concentration data recorded from April 21, 2024 to October 16, 2026. Concentrations of the constituent have also decreased since 2024. **Exhibit G** is a graph comparing Chiquita's on- and offsite benzene monitoring data compared with data from South Coast AQMD's Multiple Air Toxics Exposure Study ("MATES") V monitoring locations. Since the MATES data are 24-hour averages, I averaged the hourly Chiquita data to derive equivalent 24-hour averages for comparison. Based on this comparison, the Chiquita average data, including from onsite air monitoring stations, is lower than the average data at all of the MATES stations tested. This suggests that benzene concentrations around the Chiquita Canyon Landfill are no worse than, and may actually be lower than, what the South Coast AQMD has detected throughout the South Coast Air Basin.

22. We have also compared this air monitoring data to health protective thresholds—the applicable reference exposure levels, or RELs. Attached as **Exhibit H** is a chart showing the number of times there have been exceedances of the acute RELs for the constituents shown from June 20, 2024 to October 16, 2026. This chart shows the number of times that a given compound has been measured above its acute REL offsite. As shown on this chart, most of these compounds have never been measured at a level above their acute REL during this time period. Only benzene and acrolein have exceeded their applicable acute RELs during this time period. For benzene, there have only been three such exceedances out of 102,631 data points, which equates to 0.003% of the total number of data points. For acrolein, there have been only two such verified exceedances out of 65,873 data points, which equates to approximately 0.003% of the total number of data points. The numbers show that these acute RELs are rarely, if ever, exceeded, meaning that there have been significantly few events where concentrations of these constituents reached levels where there may be adverse health effects.

23. Taken together, these data demonstrate how conditions have improved not just at the Landfill, but in the surrounding community as well.

Odor Surveillance Data

24. My team and I have reviewed and analyzed over 70,000 odor surveillance data points. Our analysis of the data found that the odor surveyors did not find any odors in the community over 80% of the time. Further, less than 5% of the odor detections showed an odor intensity of three or greater, which is the threshold at which South Coast AQMD determines that an odor rises to the level of a nuisance. A histogram of the intensity of the odors logged since the Stipulated Order first went into effect in September 2023 through October 13, 2026 is attached hereto as **Exhibit I**. This data further indicates that surface emissions—which may contain odorants—are only rarely reaching the surrounding community. This provides further support that the mitigation measures being implemented at the Landfill are effective.

Odor Complaint Data

25. 2025 and 2026 odor complaint and Rule 402 NOV counts are significantly lower than they were in 2024, when Landfill emissions appeared to be at their highest, demonstrating that Chiquita's mitigation efforts have been effective at reducing the impact of odors to the community.

Although there can be individual onsite conditions that can cause an increase in odor complaints over a short period of time, the long-term trend has seen a marked decrease in overall complaints and NOVs since 2024.

26. A graph of the monthly odor complaint counts from 2023 through September 4, 2026 is attached hereto as **Exhibit J**. The 2023 data is depicted by the blue vertical bars, the 2024 data is depicted by the orange vertical bars, the 2025 data is depicted by the green vertical bars, and the 2026 data is depicted by the purple vertical bars. This graph shows a clear decrease in complaint counts in 2025 and 2026 as compared with 2024.

27. While there have been some increases in total monthly complaints from 2026 compared to 2025 for the same months, the long-term trends show improvement. During April 2026, there was major downtime for the landfill gas system that resulted in a reduction in the average landfill gas recovery rate, which was 15,173 cfm in March 2026 but dropped to 13,469 cfm in April 2026. This decrease was caused by issues with the landfill gas blowers (devices that provide vacuum for extraction of gas from the Landfill) and major pipeline relocation work that was necessitated by preparations for the West Toe project, ongoing EVOH cover installation work, and relocation of the TOX units. In July 2026, the West Toe project was in full construction mode, which resulted in removal of the landfill cover in the area, disconnection of the under-cover gas collectors, and related disturbances to the cover and landfill gas system.

28. These examples demonstrate that as long as ongoing construction activity is occurring at the site to implement site improvements and/or comply with agency directives, which affect the landfill gas collection system or disturb the cover, we may see short-term odor impacts. With the completion of the West Toe project, the completion of additional cover installation, and improvements to the landfill gas system, we have seen a marked improvement in the number of complaints. Chiquita has received only 347 complaints since the end of excavation for the West Toe project (August 4, 2026) through September 4, 2026. In contrast, Chiquita received 1,527 complaints between July 4, 2026 and August 4, 2026, a reduction of almost 80%.

29. A similar trend can be seen with the Rule 402 NOV data. A graph of the number of Rule 402 NOVs issued by South Coast AQMD from 2023 through October 16, 2026 is attached hereto as

Exhibit K. As with the odor complaint data, the 2023 data is in blue, the 2024 data is in orange, the 2025 data is in green, and the 2026 data is depicted in purple. This graph shows that the number of Rule 402 NOVs received in 2025 and 2026 is significantly less than the number of Rule 402 NOVs received in 2024. The data show that in the past 60 days, Chiquita has only received one Rule 402 NOV, strongly suggesting that site conditions have improved significantly, despite wind conditions being least favorable during the late summer months.

30. The long-term data trends unambiguously show that, despite ongoing site work and upset conditions, residents of nearby communities are complaining less and Chiquita is receiving fewer NOVs since it has implemented mitigation measures designed to curb emissions from the ETLF event. This strongly suggests that the current mitigation measures have been and continue to be effective. However, as long as site improvements are occurring, which can disrupt ongoing mitigation measures, there can be periods of short-term odor increases. We expect this trend to continue until the site reaches a state of stability when the EVOH cover installation is complete, Flare 4 and the two TOX stations are online and operating, and other improvements to the landfill gas collection system are implemented.

Covering the Entire Main Canyon Will Have Little to No Effect on Reaction Emissions

31. Installing geomembrane cover is a mitigation measure designed to prevent surface emissions from escaping the Landfill. The cover works as a sort of barrier, trapping gases and landfill gas constituents that would otherwise be potentially released into the air and allowing the gas collection and control system more time to collect and destroy these gases.

32. The installation of the geomembrane cover has been a successful way that Chiquita has mitigated the effects of the ETLF event.

33. However, the benefits of expanding the geomembrane cover to areas of the landfill where gas generation, chemical concentrations, and emissions are low will have little to no effect on fugitive emissions. The landfill releases few fugitive gas emissions from the non-reaction area portions of the Landfill that currently have soil cover rather than membrane cover. Thus, expanding the geomembrane cover would have little to no additional beneficial impact.

34. Flux chamber study data and instantaneous surface emissions monitoring ("SEM") data show that the Landfill releases little fugitive gas from the non-reaction areas that currently have interim

soil cover as opposed to geomembrane cover. For example, during the 5th (July 2025) and 6th (November 2025) flux chamber testing events required by Condition 12(i), surface emission rates from the membrane-covered reaction area, soil-covered reaction area, and soil-covered non-reaction area were each tested and calculated separately.[1] These two studies both show that surface emission rates from the soil-covered non-reaction area are less than both the membrane-covered and soil-covered reaction areas. To calculate the differences between each area, I compared the area-based flux (surface emission rate), averaged between the two tests, for each of these areas for key reaction constituents to assess the percentage difference among the three areas. Based on this analysis and comparison, total volatile organic compound ("VOC"), benzene, and dimethyl sulfide ("DMS") emission rates from the soil-covered non-reaction area are 18.7%, 58.2%, and 31.3% less than from the soil-covered reaction area, respectively, and 37.8%, 76.7%, and 9.2% less than from the membrane-covered area, respectively, as depicted in **Table 3** below. This means that the flux emissions for key reaction constituents are already lower in the non-reaction, soil-covered areas of the Main Canyon than they are in areas that already have the geomembrane cover installed, indicating that there is no need to install the cover over these areas.

	Average of Flux Events 5 and 6			***Non- Reaction Area Comparison to:***	
Key Reaction Chemical	**Soil-Covered Reaction Area**	**Membrane-Covered Reaction Area**	**Soil-Covered Non-Reaction Area**	**Soil-Covered Reaction Area***	**Membrane-Covered Reaction Area****
Flux Rate (milligrams per square meter per minute (mg/m2-min))					
Total VOC	0.00564	0.00737	0.00459	-18.71%	-37.75%
Benzene	0.00034	0.00060	0.00014	-58.21%	-76.67%
DMS	0.00039	0.00030	0.00027	-31.28%	-9.15%

*Non-Reaction Area to Soil-Covered Reaction Area (% Less Than Soil-Covered Reaction Area Data)
**Non-Reaction Area to Membrane-Covered Reaction Area (% Less Than Membrane-Covered Area Data)

Table 3. Chart of flux chamber study data from the soil-covered non-reaction area, the soil-covered reaction area, and the membrane-covered reaction area. Data was taken from the July and November 2025 testing events.

[1] This declaration does not use the more recent flux chamber study data here because recent revisions to the testing protocols have changed the test areas such that these areas are no longer differentiated.

36. Similarly, I reviewed the instantaneous SEM data from all monitoring events in 2024 through August 2026 across the Main Canyon. In my analysis, I totaled the number of exceedances for two areas—the membrane-covered ETLF area and the 66-acre contested area, and normalized the exceedance data on a per acre monitored basis since each of these areas is of a different size. Based on the results of this analysis, which are depicted below in **Table 4**, the 66-acre area of the Main Canyon shows an average instantaneous exceedance rate of 0.22, 0.30, and 0.22 exceedances per acre in 2024 through August 2026, respectively. This is contrasted to the exceedance levels of 0.45, 0.37, and 0.26 exceedances per acre for the membrane-covered area. Thus, the soil-covered 66-acre area already has lower surface emissions, as measured through regulatorily-required SEM, than the membrane-covered area affected by the reaction.

Area	**2024 Initial Instantaneous SEM Exceedances**	**2025 Initial Instantaneous SEM Exceedances**	**2026 Initial Instantaneous SEM Exceedances (January – August)**
	(average #/acre)	(average #/acre)	(average #/acre)
Area Chiquita Proposes Not to Cover (66 acres)	0.22	0.30	0.22
Membrane-Covered Reaction Area	0.45	0.37	0.26

Table 4. Chart of average instantaneous exceedance rates across the membrane-covered reaction area and the 66-acre area.

37. Therefore, the flux chamber study data and traditional SEM data both evidence that expanding the geomembrane cover over the 66 acres at issue is unnecessary and will have little to no effect on overall fugitive emissions.

38. Further, in accordance with Conditions 9, 10, and 77 of the Stipulated Order, Chiquita conducts more extensive surface emissions and cover integrity monitoring than required under the regulations, both in magnitude and frequency. In combination, these three conditions mean that Chiquita conducts surface emissions monitoring using multiple methods across the area of the Landfill every week. Based on my knowledge and experience, Chiquita has the most aggressive program in the country of any landfill for finding and repairing cover integrity issues. This allows Chiquita to maintain the soil cover in excellent condition despite typical settlement, rainfall, erosion, or slope movement.

39. Based on my review of recent landfill gas composition data from the 66-acre area, which is depicted below in **Table 5**, the landfill gas present in this area shows no signs of ETLF event activity and bears no resemblance to the gas produced in the area of the Landfill affected by the reaction. The methane concentration of the 66-acre area gas is over 50%, suggesting strong, typical methanogenic activity. The ratio of methane to carbon dioxide is 1.32, which also suggests healthy methanogenic activity. Hydrogen, a common product of an ETLF reaction, is present at less than 1%, which suggests no hydrogen production is occurring due to ETLF conditions. Carbon monoxide, which is created by both ETLFs and subsurface oxidation events, is at 21 ppm, which indicates no evidence of ETLF or oxidation activity. Based on my knowledge of and experience with landfills and landfill gas, concentrations of reduced sulfur compounds are all within the range of typical landfill gas, and there is no evidence of atypical DMS production, which is common for ETLFs. Finally, concentrations of selected VOCs, which are known to increase in concentration with an ETLF, are also present at concentrations in the range for typical landfill gas, again based on my knowledge and experience. Collectively, these data show no evidence of ETLF conditions and no evidence of increased concentrations of toxic chemicals that would warrant the installation of the 60-mil cover.

Constituent	Units	ETLF Area	66-Acre Area	Difference between 66-Acre Area and ETLF Area
Methane	%	2.32	51.80	95.53%
Carbon Dioxide	%	63.00	39.20	-60.71%
Hydrogen	%	14.50	0.61	-2292.74%
Carbon Monoxide	ppmv	1275.00	21.00	-5971.43%
Dimethyl Sulfide	ppmv	2075.00	28.32	-7226.98%
Hydrogen Sulfide	ppmv	127.93	147.60	13.33%
Methyl Mercaptan	ppmv	727.50	11.38	-6292.79%
Benzene	ppmv	265.00	7.20	-3580.56%
Isopropyl Alcohol	ppmv	142.50	88.60	-60.84%
Acetone	ppmv	1412.50	81.80	-1626.77%
2-Butanone	ppmv	732.50	61.20	-1096.90%
Tetrahydrofuran	ppmv	530.00	36.20	-1364.09%
Ethyl Acetate	ppmv	50.50	19.53	-158.58%

Table 5. Chart comparing the composition of landfill gas from the reaction area with landfill gas from the 66-acre area based on samples collected and analyzed in March 2026.

40. Taken together, the data do not demonstrate a need to install geomembrane cover across the additional 66-acre area. The existing intermediate soil cover is performing as expected, and Chiquita's monitoring programs are designed to identify localized surface emissions or cover integrity issues so that they can be promptly investigated, corrected, and re-monitored. I have not identified evidence showing that the 66-acre area is a source of offsite odors. In my opinion, Chiquita should continue installing or repairing cover where data demonstrate that additional cover is warranted, rather than undertaking blanket cover installation in an area that does not exhibit ETLF indicators and where the installation work itself could impair landfill gas and liquid collection.

41. Further, when compared to other similarly situated landfills in California, Chiquita has historically had low emissions. We can see this by examining **Exhibit L**, which shows historic methane emissions of large landfills in California (including Chiquita prior to the reaction). Large methane emissions at landfills can be indicative of poor cover integrity or gas collection, among other things. These data indicate that Chiquita has historically had strong cover integrity and gas collection. Similarly,

more recent flux chamber data show that the non-reaction areas at Chiquita continue to have emissions consistent with a non-reaction Landfill. Further, the gas generation rate in the non-reaction areas is actually declining since the Landfill stopped accepting waste as of January 1, 2025. Therefore, there is simply no reason to install a geomembrane cover on the non-reaction areas, which are likely producing less emissions than most, if not all, other large landfills in California.

Installing Additional Cover Would Be Detrimental to Chiquita's Mitigation Efforts

42. In fact, further expansion of the cover could interfere with Chiquita's successful mitigation measures. Each time membrane cover is installed, portions of the landfill gas system must be taken offline to accommodate the site preparation, base layer installation, installation of surface gas collectors, membrane cover installation, and related modification of the landfill gas well and piping network. For example, during a previous membrane installation effort, the Landfill was forced to take up to 50 extraction wells as well as over 30 liquid pumps offline to complete the construction process and meet the agency's timeline. During these periods, which can last several months depending on the extent of the area to be covered, the Landfill will have lower gas recovery, which could lead to additional surface emissions exceedances and potential offsite impacts. Based on my analysis, previous 60-mil liner installation, which involved taking approximately 40 wells offline at the same time, reduced gas recovery by an average of approximately 500 cfm of landfill gas over the course of the four to five months of cover installation. The impact of this downtime can be seen in the map attached as **Exhibit M**, which illustrates the void in collection capacity due to taking this infrastructure offline. This reduction was calculated by assessing the measured loss in landfill gas flow (flow loss) from wells taken offline for cover installation with flow-capable wells (300 cfm) and extrapolating that to include flow loss from additional wells offline without flow-capable wellheads, assuming an average flow rate of 8 cfm per well or horizontal collector. Any landfill gas not collected in the area where the wells are offline (approximately 11.7 acres during the last liner installation project) (see **Exhibit M**) could result in a major increase in surface emissions during the time period in any areas where these wells were or are offline. For this reason, it is imperative that the cover is installed in carefully, scientifically determined phases to balance the need to install the cover as expeditiously as possible with the need to minimize the

acreage and duration of time during which portions of the landfill gas and dewatering systems must be taken offline.

43. Installing the cover over non-reaction areas would unnecessarily increase emissions and offsite impacts without any requisite benefit derived from the cover installation and taking the landfill gas and liquids extraction infrastructure offline would further hamper efforts to remove heat from the Landfill to slow the ETLF event.

Compliance with the Modified Stipulated Order

44. The Modified Stipulated Order contains 110 conditions, many with multiple subparts, requiring Chiquita to take a wide range of actions designed to slow and stop the landfill reaction, and mitigate any impacts.

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

46. Supplemental Fuel System: On July 31, 2026, SCS provided written confirmation from John Zink Company LLC, the manufacturer of Flares 1, 2, and 3, of the minimum landfill gas methane content necessary to ensure destruction efficiency of methane and non-methane organic compounds consistent with regulatory requirements as required under **Condition 104(a)**. The written confirmation letter notes that gas streams with methane content less than 30% by volume and/or with low flow rates may "potentially" require supplemental fuel to reliably start combustion and maintain temperature and will require supplemental fuel at methane percentages of 20% or 25%. A true and correct copy of the written confirmation is attached hereto as **Exhibit N**.

47. Based on operational experience, however, it would appear that Flares 1, 2, and 3 can operate down to 25%, 27%, and 26%, respectively, before operational issues start to occur, including vibration and reductions in operating in low temperature. Successful source testing of Flares 2 and 3 in 2025 and 2026 have occurred at methane percentages ranging from 21.6% to 29.5%, and Flare 1 was tested to operate at 29.2% methane in 2025. Recently, the flare station has been operating at an average of approximately 30% methane on a consistent basis.

48. On October 19, 2026, EPA issued an additional work letter pursuant to the Unilateral Administrative Order, requiring Chiquita to implement modifications to the collection and routing of

landfill gas and leachate vapors, improvements to the flare and TOX systems, and additional gas treatment measures. As required by this letter, Chiquita must redirect all leachate vapors to the South TOX station. Once this redirection is completed, we expect the methane content at the flare station to increase further.

49. In accordance with **Condition 104(b)**, SCS has been working with equipment manufacturers and suppliers to develop a proposed timeline for installation of the supplemental fuel system outlined in Condition 104. On September 9, 2026, SCS submitted a summary plan and supporting documentation addressing procurement, installation, testing, and commissioning of the system. The plan includes a timeline that estimates four weeks for procurement and delivery of the required materials and equipment; five weeks for preparation of the propane tank pad, placement of the tank, and installation of piping, valves, the flow meter, and support structures, with installation beginning while procurement and delivery are still underway; one week for installation and programming of the propane-flow recording system; and one week for testing, verification, and final commissioning. In total, SCS estimates that it will take approximately ten weeks from commencement of the work to fully install and commission the supplemental fuel system. A true and correct copy of the timeline and supporting documentation is attached hereto as **Exhibit O**.

50. Post-Combustion Sulfur Control System: On August 28, 2026, my team and I submitted a report detailing the results of an investigation into known and possible post-combustion sulfur oxide ("SOx") control systems, including the viability and feasibility of such systems, as required by **Condition 3(d)**. This report details the results of this investigation and considers expected SOx control performance, site-specific operating conditions, potential limitations, required equipment, and a preliminary implementation approach.

51. Wet and dry SOx control systems have been used for many years on boilers, incinerators, and other combustion sources. However, I am unaware of any post-combustion treatment that has been developed and installed for the treatment of landfill gas, necessitating further analysis and study into which systems may work best at Chiquita. Landfill gas composition, moisture content, siloxanes, variable sulfur loading, flow conditions, site conditions (e.g., space, ground conditions, slopes, etc.), and operation of multiple flares and thermal oxidizers are impediments to design and installation that must

be considered before determining which technology is practical at the Chiquita Canyon Landfill. Based on the information reviewed, we identified counter-current, wet packed-bed scrubbing; wet spray scrubbing; and semi-dry and dry sorbent systems as commercially available post-combustion SOx control technologies that may warrant further consideration. Among the technologies evaluated, counter-current wet packed-bed scrubbing currently appears to be the leading candidate to carry forward for further site-specific evaluation and design at the Landfill, in particular because of its established use for acid gas control and its potential to achieve high SOx removal.

52. We then recommended several steps to follow up on the feasibility study, including further review of emissions and source test data (including upcoming testing of TOX units), conducting representative sampling of raw landfill gas and combustion exhaust for key compounds not normally tested (e.g., siloxanes, acid gases, particulates), and developing SOx control system designs based on the results of gas analysis and other considerations in consultation with vendors. We also recommended space planning with consideration of various layout options based on space limitations at the Landfill as well as an evaluation of the retrofits required of existing flares and TOXs to accommodate the control system. Given the necessary coordination with multiple third parties, space concerns, and complex testing and design requirements for a SOx control system, the report provided a preliminary estimated schedule of up to 2.5 years to design and install the system, longer if a pilot testing study is determined to be necessary. This timeline includes evaluation of the selected technology, equipment lead times, pilot testing, and site-specific construction considerations, all of which require methodical analysis and planning. A true and correct copy of this report is attached hereto as **Exhibit P**.

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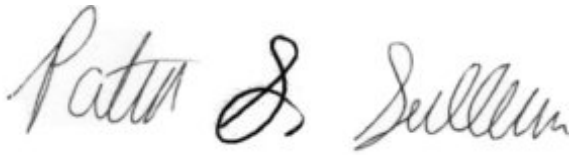
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to my personal knowledge.

Executed on this 21st day of October 2026, in Carmichael, California.



Patrick Sullivan
Senior Vice President
SCS Engineers

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 28 and 29, 2026
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(d)	Investigate and submit report on known and possible post-combustion sulfur oxide control systems, viability, and feasibility.	Completed; submitted on August 28, 2026. A true and correct copy of this report is attached hereto as **Exhibit P** and is posted on Chiquita's Odor Mitigation website (https://chiquitacanyon.com/odor-mitigation/).
4	Maximize landfill gas combustion and prioritize and maximize the use and operation of Flares 2, 3 and 4 (once operational) 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 and gas heat rating for the combined landfill gas/leachate vapor that is combusted in any landfill gas control equipment operating onsite daily based on analytical method.	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
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 Mitigation 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.	Completed.
7	Maintain records of landfill gas flow combusted, landfill gas flow not flared, sulfur sampling analysis, results, and readings, and gas heat ratings.	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 22, July 20, August 20, and September 21, 2026. True and correct copies of these reports are attached hereto as **Exhibits Q through T** and are posted on Chiquita's Odor Mitigation website.
9	Conduct integrated surface emission monitoring across the Reaction Mitigation 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 Mitigation 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.
11	Continue operating the flares and landfill gas treatment system even if the emitted landfill gas exceeds Chiquita's	Compliance ongoing.

Condition No.	Summary of Requirement(s)	Status
	limits on total reduced sulfur and sulfur oxides.	
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 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 May 11, 2026. This protocol was approved on June 17, 2026. The most recent report was submitted on September 15, 2026, a true and correct copy of which is included as **Exhibit D**. Both the protocols and report are posted on Chiquita's Odor Mitigation website.
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	Compliance ongoing.

Condition No.	Summary of Requirement(s)	Status
	result in the release of raw landfill gas or condensate into the atmosphere.	
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.	Not yet in effect; 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 provided 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 provided biweekly.
20	Increase landfill gas control capacity and install and begin operating Flare 3.	Completed; 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 provided biweekly.
22	Continue to use one or multiple TOXs, including as directed by EPA and submit any work plans submitted to EPA relating to the TOXs.	Compliance ongoing.
22(a)	Source test non-permitted equipment that has not undergone an initial source test onsite. Notify South Coast AQMD at least one week prior to the scheduled source test and provide notification of	Compliance ongoing.

Condition No.	Summary of Requirement(s)	Status
	any rescheduled date at least 7 days prior.	
22(b)	Submit source test protocols no later than 90 days before the proposed test date.	Compliance ongoing; protocols most recently submitted on August 6 (Zeeco Mini TOX), August 11 (Zeeco #7 and Parnel TOXs), August 26 (Zeeco #1 and #6), and September 24, 2026 (Hero TOX). True and correct copies of these protocols are attached hereto as **Exhibits U through Z** and are posted on Chiquita's Odor Mitigation website.
22(c)	Submit the initial source test report no later than 180 days after start-up and each succeeding complete annual source test report no later than 45 days after the subject source test date.	Compliance ongoing.
22(d)	Submit source test reports no later than 45 days after completion of the source test.	Compliance ongoing; most recently submitted on October 12, 2026 for the Hero TOX. A true and correct copy of this report is included herein as **Exhibit AA**.
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.	Completed.
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	Compliance ongoing; see Chiquita's Community Air Monitoring Program website (https://chiquitacanyon.com/reports/community-air-monitoring-program/).

Condition No.	Summary of Requirement(s)	Status
	event of downtime, provide indicators on Chiquita's website.	
34(c)	The third-party developer of the automatic electronic notification system shall revise the system to provide an automatic electronic notification every hour during which the applicable time weighted average continues to be above the applicable REL.	Completed; developed by December 31, 2025; compliance ongoing; see Chiquita's Community Air Monitoring Program website.
34(c)(i)	Revise the system under Condition 34(c) to provide an automatic electronic notification every hour during which the applicable time weighted average continues to be above the applicable REL and to provide notifications via text.	Completed; developed by December 31, 2025; compliance ongoing; see Chiquita's Community Air Monitoring Program website.
34(d)	Investigate and submit reports on any measurement which results in an exceedance notification being distributed as defined in Condition 34.	Compliance ongoing; reports most recently submitted on August 18, 2026 and October 13, 2026. True and correct copies of these reports are attached hereto as **Exhibits BB and CC** and are posted on Chiquita's Odor Mitigation website.
34(e), 34(f)	Retain sufficient third-party support to ensure that all CH4, H2S, PM, meteorological sensors, and microGC instruments meet data quality objectives and are maintained, calibrated, and replaced in accordance with the instruments' standard operating procedures or quality assurance documentation; third party must provide instrument data for Condition 34(d) reports.	Completed; retained by December 31, 2025; compliance ongoing.
35	Provide updates on all Standard Operating Procedures ("SOPs") and any other Quality Control and Quality Assurance ("QA/QC") documents describing the operation and	Compliance ongoing; see Section S of Condition 8 reports, which are posted on Chiquita's Odor Mitigation website.

Condition No.	Summary of Requirement(s)	Status
	maintenance of all instruments used at the air monitoring stations.	
35(a)	Provide South Coast AQMD with the same access that Chiquita has to onsite and offsite monitoring equipment; provide list of appropriate PPE upon request.	Compliance ongoing.
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.
35(c)	Provide weekly summaries of the Landfill's air monitoring network.	Compliance ongoing; submitted weekly each Monday and posted on Chiquita's Odor Mitigation website.
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.
36(d)	Procure an additional microGC instrument package and two additional sensor modules to be used as spares and maintain in operational condition.	Procured by March 31, 2026; compliance ongoing.
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	Compliance ongoing.

Condition No.	Summary of Requirement(s)	Status
	1150(a)(5) excavation, except to the extent limited by U.S. EPA.	
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 AQMD technical staff and Chiquita / Chiquita's technical consultants. Ensure attendance of at least one person able to speak to landfill gas, air monitoring, leachate, onsite operational improvements, and daily on-the-ground operations.	Compliance ongoing.
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 provided biweekly.
58	Submit a permit application for the operation of the thermal oxidizer.	Completed; submitted by June 21, 2024; updates provided biweekly.

Condition No.	Summary of Requirement(s)	Status
59	Submit a permit application for treating hazardous liquid waste.	Completed; submitted by June 21, 2024; updates provided 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 provided 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 provided 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 August 17, 2026.
69	Submit a recommendation to modify the frequency of such.	Completed; submitted on August 1, 2025 and 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	Submit an updated report on the landfill's current and projected landfill gas generation through the end of calendar year 2029.	Completed; submitted on July 10, 2026. A true and correct copy is attached hereto as **Exhibit B** and is 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 provided biweekly.
70(b)	During planned installation of additional/replacement flares, ensure sufficient redundant control capacity to maintain a total minimum flow of no less than 12,000 cubic feet per minute during downtime.	Compliance ongoing.
70(c)	During installation of Flare 4, add redundant header capacity.	Not yet in effect.

Condition No.	Summary of Requirement(s)	Status
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 provided biweekly.
72(a)	Conduct semi-annual 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; updated protocols submitted on July 30, 2026. A true and correct copy is attached hereto as **Exhibit DD** and posted on Chiquita's Odor Mitigation website.
72(b)	Conduct testing within 45 days of receiving approval of the source test protocol.	Compliance ongoing; most recently completed on March 30, 2026.
72(b)	Submit the final results in a source test report format within 30 days of testing.	Compliance ongoing; most recently submitted on April 28, 2026 and 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 Committee on additional vapor flow testing.	Completed; submitted on May 16, 2025 and posted on Chiquita's Odor Mitigation website.
72(e)	Install flow meters within the HDPE piping headers for associated leachate tank farms; submit daily flow rate.	Completed; 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 provided biweekly.

Condition No.	Summary of Requirement(s)	Status
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 Main Canyon 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 report; maintain a daily log of permitted equipment and submit in the monthly Condition 8 report.	Compliance ongoing; see Section Y of Condition 8 reports, which are posted on Chiquita's Odor Mitigation website.
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 and resumed operation via email and deploy within 3 days of notification.	Developed by November 18, 2024; deployed by December 10, 2024; compliance ongoing.
81(d)	Provide a follow-up notification after any landfill gas collection and control	Compliance ongoing; see Chiquita's Alerts website.

Condition No.	Summary of Requirement(s)	Status
	equipment has resumed operation.	
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.
83(a)	Conduct a continued study of specific landfill operational events and their potential emission impacts; prepare and submit report detailing the landfill operational events, data, and study findings.	Completed; submitted on January 30, 2026.
87	Do not conduct 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 and has sufficient redundant control capacity to maintain control capacity during downtime.	Compliance ongoing.
88	Install equipment and implement operational procedures to prevent unplanned landfill gas combustion/control equipment downtime.	Compliance ongoing.
88(a)	Expedite and complete the connection of permanent grid power to the flare station.	Completed by December 31, 2024.

Condition No.	Summary of Requirement(s)	Status
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 permanent 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 permanent relocated tank farm.
94	Submit a permit application for the Parnel TOX.	Completed; submitted by May 30, 2025; updates provided 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 provided biweekly.
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.
102	Submit a permit application for the removal of tank farm #9, and	Completed; submitted by December 31, 2025; updates provided biweekly.

Condition No.	Summary of Requirement(s)	Status
	relocation, construction, and operation of tanks in tank farm #13.	
103	Submit a permit application for the hazardous and/or non-hazardous liquid treatment system constructed and operating in tank farm #13.	Completed; submitted by December 31, 2025; updates provided biweekly.
104(a)	Provide written confirmation from the flare manufacturer of the minimum landfill gas methane content necessary to ensure destruction efficiency.	Completed; submitted on July 31, 2026. A true and correct copy is attached hereto as **Exhibit N** and is available on Chiquita's Odor Mitigation website.
104(b)	Provide written documentation from a qualified installer stating the proposed timeline for installing a supplemental fuel system.	Completed; submitted on September 9, 2026. A true and correct copy is attached hereto as **Exhibit O** and is available on Chiquita's Odor Mitigation website.
104(c)	Begin installation of the supplemental fuel system(s) per the timeline established in Condition 104(b)	Once the data collected results in an average weekly methane content in the combined gas being routed to Flares 1, 2, and 3 within 2.5 percentage points of the minimum required content pursuant to Condition 104(a).
105	Provide requested and available landfill gas and leachate vapor collection and control equipment records within 3 working days of request.	Compliance ongoing.
106	Provide South Coast AQMD staff with continuous web access to all well, mapping, probe, and test port data in SCS eTools, and data query and temperature monitoring probe data in RMC; provided to additional staff within 30 days of written request.	Access initially provided by June 26, 2026; compliance ongoing.