REGION 9

SAN FRANCISCO, CA 94105

March 17, 2026

Mr. Kevin Green
District Manager
Chiquita Canyon, LLC
29201 Henry Mayo Drive
Castaic, CA 91384-2705

RE: Additional Work required under UAO for Leachate Treatment System Improvements

Dear Kevin Green:

This letter directs Chiquita Canyon, LLC ("CCL") to implement additional work under Paragraph 90 of the Unilateral Administrative Order, EPA Docket No. RCRA 7003-09-2024-0001 and CERCLA 106-09-2024-05, In the Matter of Chiquita Canyon, LLC, issued February 21, 2024 (the "UAO"), by the U.S. Environmental Protection Agency ("EPA"). Paragraph 90 of the UAO allows EPA to direct additional work consistent with the objectives of the UAO.

The overall objectives of the UAO are set forth in Paragraph 1 of the UAO as the performance of response actions to address off-site impacts and ongoing subsurface reactions causing off-site impacts, in connection with the Chiquita Canyon Landfill ("Landfill") in Castaic, California, including identifying, investigating, remedying, and/or preventing the potential endangerment to human health or the environment from activities involving solid and hazardous waste. The objectives of the UAO specifically include the objectives of the Master Work Plan (as defined in the UAO) set forth in Paragraph 22 of the UAO as:

> (1) remedy[ing] and prevent[ing] off-Site impacts caused by odors, emissions, leachate or other waste streams; and
>
> (2) deploy[ing] measures to delineate, fully characterize, prevent the expansion of, contain, and reduce the smoldering or the subsurface reaction occurring at the Landfill.

A. Additional Work

EPA has determined that the following additional work ("Additional Work") is necessary to meet the foregoing objectives:

1. CCL shall take all necessary measures to resume and maintain operation of the leachate extraction pumps at the Landfill. Such measures shall include:

    a. Aeration Testing and Treatment

        i. Within five days of the date hereof, CCL shall submit to EPA: (i) the testing protocol for the bench scale trial of the aeration step in the treatment train; (ii) the analytical results of the bench scale trial of the aeration step; (iii) a summary comparison of treated, non-hazardous leachate that is not subject to aeration and treated, non-hazardous leachate that is subject to aeration; (iv) a list of typical Underlying Hazardous Constituents ("UHCs") of the leachate and the supporting data for identification of UHCs; (v) an analysis of whether the treated, non-hazardous leachate subject to aeration would be subject to, and meet, land disposal restrictions ("LDRs") under the Resource Conservation and Recovery Act (RCRA), including whether the leachate meets Universal Treatment Standards; (vi) a discussion of facilities identified by CCL that may be potential new disposal outlets for the treated, non-hazardous leachate subject to aeration, based on the analytical data, including the types of facilities; and (vii) a discussion of any proposed modifications to the aeration treatment suggested by the bench scale trial results (note that material modifications to the aeration treatment may require submission of an Alternative Treatment Plan at EPA's request under 1.b.ii., below).

        ii. CCL shall immediately modify its leachate treatment tanks as necessary to conduct the aeration treatment step and adjust and scale up the aeration treatment step, with any such modifications as deemed appropriate by EPA and CCL. Initial installation of the aeration treatment step in the leachate treatment train shall be completed, and the initial aeration treatment step shall be operational, no later than six weeks from the date hereof; and, final scale-up of the aeration treatment step in the leachate treatment train shall be completed, and the final scaled-up aeration treatment step shall be operational, no later than eight weeks from the date hereof.

        iii. CCL shall make best efforts to secure commitments from new disposal facilities to accept the treated, non-hazardous leachate subject to aeration promptly after initial operation of the aeration treatment step in the treatment train. Within

eight weeks of the date hereof, CCL shall submit to EPA a list of facilities contacted for disposal and the status of those discussions.

b. Alternative Treatment Plan

i. CCL shall promptly, concurrent with the measures described under 1.a., above, make best efforts to identify any treatment methods, other than the aeration treatment discussed in 1.a, that could (i) supplement the aeration treatment, or (ii) serve as an alternative to the aeration treatment.

ii. If directed by EPA, CCL shall submit to EPA a plan for supplemental and/or alternative treatment within thirty days of EPA's direction. This plan shall provide procedures and a timeline for testing the treatment, providing an analysis of the testing results to EPA, and implementing the treatment. CCL shall implement the supplemental and/or alternative treatment plan upon EPA's approval.

c. Collection of Off-Gases from Treatment

i. To the extent treatment provided for under 1.a or 1.b, above, would generate waste gases and vapors, CCL shall ensure any waste gases/vapors are collected and destroyed in the Landfill's gas collection and control system and are not vented to the atmosphere.

ii. CCL shall ensure that there is sufficient supplemental fuel to ensure that operation of the gas control system is not disrupted or made less efficient (destruction efficiency) due to the quality of any waste gases and vapors from the leachate treatment system.

B. Basis for Determination

EPA has determined, based on leachate data showing the Landfill's consistent production of hazardous leachate, available disposal capacity for Landfill leachate, and the Landfill's recent suspension of operation of certain leachate pumps, as described below, that the Additional Work is necessary to meet the objectives of the Master Work Plan and the UAO.

Due to reaction conditions at the Landfill, the Landfill has experienced "rapidly increased leachate production," including the production of certain liquids that are hazardous under RCRA. CCL reported, "Prior to the reaction, the Landfill produced approximately 100,000 gallons of leachate per week. That amount is increasing." *See* **Enclosure A**. CCL stated verbally during EPA's site visit on March 5, 2026, that CCL estimates CCL extracts approximately 250,000 gallons of leachate per day, in a ratio of approximately 25% non-hazardous and 75% hazardous leachate. CCL manages the leachate by operating a network of approximately 150[1] leachate pumps in vertical landfill gas extraction wells, in

[1] CCL reported that as of January 16, 2026, CCL had 149 active pumps placed and operating in vertical landfill gas extraction wells.

addition to leachate sumps, to remove leachate from the waste mass and disposing of the leachate according to its classification as hazardous or non-hazardous waste: "CCL disposes of some of this liquid at facilities capable of accepting hazardous liquids. For the remaining liquid that is characteristically hazardous, CCL treats the liquid onsite and then disposes of the treated non-hazardous liquid offsite at non-hazardous waste facilities."

CCL's leachate "treatment units use sand filtration and bag filtration to remove solids from the leachate before the leachate is passed through a series of [Granular Activated Carbon ('GAC')] vessels." While the treatment is successful at rendering the treated leachate non-RCRA hazardous, a high proportion of the treated leachate remains contaminated at levels unacceptable to potential receiving facilities. First, the amount of pre-treatment facilities that will accept the leachate has been limited due to the presence of solids in the leachate. CCL has stated, "[t]he principal remaining contaminant in the treated leachate is total dissolved solids ('TDS')." *See* **Enclosure A.** Additionally, certain treated, non-hazardous leachate does not meet RCRA LDRs due to the presence of volatile organic compounds remaining in the treated leachate.[2] CCL cannot dispose of the treated, non-hazardous leachate that does not meet LDRs in land-based units. Thus, the amount of leachate that can be removed from the Landfill and properly disposed of has been constrained by disposal capacity.

To date, CCL has identified only three facilities capable of accepting treated, non-hazardous leachate that fails to meet LDRs, with a maximum disposal capacity of approximately 105,000 gallons per day, and only three facilities capable of accepting hazardous leachate, with a maximum disposal capacity of up to approximately 60,000 gallons per day. Further, CCL has reported that facilities are consistently unable to accept up to their stated maximum capacities. CCL stated that as of January 23, 2026, "the average amount actually accepted per day for the facilities that accept non-hazardous leachate is 174,750 gallons, and 24,633 gallons for the facilities that accept characteristically hazardous leachate (weekdays only)." *See* **Enclosure A**.

On February 17, 2026, CCL notified EPA that it had suspended operation of approximately 123 leachate extraction pumps as of February 15, 2026, due to a lack of disposal capacity, which CCL attributed, in large part, to "Chiquita's inability to dispose of liquids at Avalon Environmental Services." *See* **Enclosure B**. CCL maintained that "[o]n February 5, 2026, Chiquita received notice that Avalon Environmental Services, Chiquita's largest and most consistent outlet for its treated, non-hazardous leachate, would no longer be able to accept shipments from Chiquita consistently."

In response to CCL's February 17, 2026, notification, EPA requested additional information from CCL to clarify why the disposal capacity of receiving facilities, as reflected in CCL's contracts with such receiving facilities, has consistently exceeded the actual volumes of leachate disposed of at such facilities and to confirm whether CCL implemented contingency measures for managing excess leachate prior to suspending operation of the pumps. Specifically, EPA directed CCL to "explain why the contingencies proposed in Appendix A-1 of CCL's 2025-01-10 Leachate Management Plan submittal were not implemented and CCL instead chose to initiate the 'final step, to be taken in only the most extreme circumstances, . . . to temporarily reduce well pumps.'" *See* **Enclosure C**.

[2] CCL told EPA verbally on March 5, 2026, that it estimates approximately 50% of the treated leachate does not meet LDRs.

Under its draft leachate contingency plan ("Contingency Plan"), CCL provided that, in the event of a contingency such as "if a facility (or any combination of facilities) stopped accepting waste tomorrow," CCL would implement treatment of hazardous leachate on-site prior to suspension of leachate pumps. *See* **Enclosure D**. CCL further stated that it was in the process of seeking approval to test Dissolved Air Flotation ("DAF") and clarifier systems after the granular activated carbon systems. CCL indicated that the DAF and clarifier systems, if effective, could expand disposal facility options by approximately 205,000 gallons, by allowing CCL to "re-evaluate additional disposal outlets," and potentially reducing volatiles thereby allowing CCL to "meet the Universal Treatment Standards (UTS) under the Land Disposal Restrictions (LDR), which has the potential to allow for greater disposal options with solidification, evaporation ponds, and deep well injection." *See* **Enclosure D**. However, in a letter to EPA dated January 10, 2025, CCL stated that it would not pursue DAF for treatment following testing: "Based on testing and analytical results, CCL determined that the DAF will not be used for onsite treatment." *See* **Enclosure E** and **Enclosure F**, at Footnote 11. EPA understood that the DAF/clarifier treatment testing failed to suggest any potential for improving leachate treatment outcomes.

On February 23, 2026, CCL responded to EPA's request for additional information regarding CCL's implementation of measures in the Contingency Plan. Contrary to EPA's understanding that the DAF/clarifier treatment failed to identify additional treatment options, CCL indicated that the testing had revealed that an additional treatment mechanism could improve outcomes if installed prior to the granular activated carbon system (as opposed to following the granular activated carbon system, as tested with the DAF and clarifier treatment): "The bench trial showed [CCL] that to be effective, [CCL would] need to add an additional treatment mechanism pre-GAC, which would take years to permit given DTSC's permitting restrictions." *See* **Enclosure C**. During a videoconference with EPA on March 2, 2026, CCL clarified that CCL had identified aeration pre-granular activated carbon treatment as a potential method for improving treatment. Further, during a site visit on March 5, 2026, CCL explained that the additional aeration treatment step has the potential to reduce the content of volatiles in the treated non-hazardous leachate, which would have the potential to open up additional disposal options. CCL estimated that, absent permitting issues and once the requisite equipment is procured, it can install the additional treatment mechanism into the treatment operation at Tank Farm #13 in approximately one-week.

CCL acknowledges that continuing to operate the leachate extraction pumps, treating leachate on site, and utilizing all available disposal capacity for leachate is critical for mitigating various threats resulting from the Landfill reaction, including: preventing leachate seeps and potential discharges, including seeps with "the potential to commingle with stormwater, which could result in the off-site discharge of hazardous constituents"; mitigating slope stability issues that could result from "[t]he build-up of pressure and liquids resulting from reduced or limited pumping"; and ensuring that the "[r]emoval of landfill gas" is not "impeded if there is too much liquid in the landfill has extraction wells." *See* **Enclosure A.**

CCL has also stated that removing leachate is a critical part of its strategy for preventing the propagation of the reaction: "To mitigate an ETLF event, heat must be removed from the waste. Removal of heat is most effectively accomplished through the removal of leachate and landfill gas. Removal of landfill gas can be impeded if there is too much liquid in the landfill gas extraction wells, thus further demonstrating the need to continue and increase liquids removal." *See* **Enclosure A.**

EPA concurs that removing leachate from the waste mass and either directly disposing of it as hazardous waste, as appropriate, or rendering it non-hazardous via treatment on-site prior to disposal, is a necessary and appropriate measure to prevent off-site impacts caused by odors, emissions, and leachate. EPA has found that the significant reduction in vertical gas well pump usage is likely to allow an accumulation of leachate within the landfill reaction area and within the gas collection wells. This accumulation will significantly impair the gas collection and control system and the leachate collection system. If CCL continues to inadequately collect leachate, harmful effects may include leachate seeps, cover damage, and gas collection system inefficiencies. These effects may lead to off-liner discharge, leachate-stormwater commingling, and increased fugitive emissions from the landfill cover.

EPA agrees that removing and managing leachate from the waste mass would be expected to remove heat produced by the subsurface exothermic reaction, which may prevent or mitigate the expansion of the reaction occurring at the Landfill, in addition to mitigate the symptoms of the reaction including leachate seeps and fugitive emissions caused by the impacts to the gas collection system.

The Additional Work is necessary to ensure that leachate is treated to levels that is acceptable to potential receiving facilities with adequate disposal capacity and thus allow for dewatering to continue unabated. The Additional Work, therefore, serves the dual objectives of the Master Work Plan and the UAO, as set forth above.

Moreover, the Additional Work is necessary to meet the broader objective of the UAO to address the imminent and substantial endangerment to the public health or welfare from the Landfill resulting from the release or threatened release of a hazardous substance.

C. Submittal of Work Plans and Opportunity to Meet and Confer

EPA directs CCL to submit a Work Plan, including an expeditious schedule, for the Additional Work within fifteen (15) days of this letter to EPA for approval, in accordance with Paragraph 90 of the UAO. Concurrent with the submission of the Work Plan for the Additional Work, CCL shall submit a revised detailed written estimate(s), in current dollars, of the cost of hiring a third party to perform the Work, in accordance with Paragraph 77 of the UAO.

Within five (5) days after the receipt of this letter, CCL shall have the opportunity to meet or confer with EPA to discuss the Additional Work.

Pending approval of the Work Plan for the Additional Work by EPA, CCL shall continue, and shall not delay due to the pending approval required by this letter and the UAO, the actions described in 1.a-c., above. CCL shall take into consideration the progress and/or completion of any such ongoing work when preparing its expeditious schedule for the Additional Work. If CCL considers any directive from any other agency as inconsistent with one or more conditions of this Additional Work letter, CCL shall immediately notify EPA requesting a call to resolve the inconsistency. Following EPA's approval or modification of the Work Plan for the Additional Work, Respondent shall implement the Work Plan in accordance with the schedule and provisions contained therein, and the Work Plan for the Additional Work shall be incorporated by reference into the UAO.

If you have any questions or comments regarding this letter, or if you wish to exercise the opportunity to meet and confer, please contact Laura Friedli, EPA Attorney Advisor, at (415) 972-3325 or Friedli.Laura@epa.gov.

Sincerely,

Amy C. Miller-Bowen, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 9

Michael Montgomery, Director
Superfund and Emergency Management Division
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Enclosures
Enclosure A – Off-Site Rule Emergency Exemption Request (January 2026)
Enclosure B – February 17, 2026, Correspondence
Enclosure C – EPA Inquiries and CCL Response Regarding Disposal Facilities
Enclosure D – Draft Leachate Contingency Plan (Revision 0) August 2024
Enclosure E – January 10, 2025, Letter Regarding Resubmission of Leachate Management Plan
Enclosure F – Draft Leachate Management Plan (Revision 3) January 2025

cc: John Perkey, Waste Connections
Jim Little, Waste Connections
Kurt Shaner, Waste Connections
Dylan Smith, Waste Connections
Sarah Phillips, Waste Connections
Megan Morgan, Beverage & Diamond
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Allyn Stern, Beverage & Diamond
Alana Mathews, California Environmental Protection Agency
Todd Sax, California Environmental Protection Agency
Sophia Carillo, California Environmental Protection Agency
Karen Gork, Los Angeles County Department of Public Health, acting as the Local Enforcement Agency
Thanne Berg, California Department of Toxic Substances Control
Dylan Clark, California Department of Toxic Substances Control
Zanalee Zmily, California Department of Toxic Substances Control

Enclosure A – Off-Site Rule Emergency Exemption Request (January 2026)

Enclosure B – February 17, 2026, Correspondence

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