



REGION 9

SAN FRANCISCO, CA 94105

March 13, 2025

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

RE: Off-Site Migration Prevention Plan Notice of Acceptance on Conditions

Dear Mr. Cassulo:

On March 27, 2024, the U.S. Environmental Protection Agency (“EPA”) received the received the Off-Site Migration Prevention Plan (the “Plan”), submitted as Attachment H to the Master Work Plan submitted by Chiquita Canyon, LLC (“CCL”) pursuant to 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”). On September 10, 2024, EPA provided a Notice of Deficiency to the Plan. On September 25, 2024, EPA received a letter from CCL to EPA regarding the Resubmission of the Plan (the “Resubmission Letter”) and a revised copy of the Plan (the “Revised Plan”).

EPA has reviewed the Resubmission Letter and the Revised Plan, and in accordance with Paragraph 31 of the UAO, EPA approves the submission, subject to the following conditions. Where the conditions of acceptance of a portion of the Revised Plan require modification(s) of the Revised Plan, CCL shall, within ten (10) business days of this notice (unless otherwise agreed in writing by EPA), resubmit the deliverable to EPA with the required modification(s).

I. Conditions to EPA’s approval of the Section titled, “Introduction”

- a. The Revised Plan states that “CCL understands that the Environmental Unit within the Multi-Agency Coordination Group is finalizing (i) the West Slope Contingency Secondary Containment Plan, and (ii) the West Slope Pre-Emptive Secondary Containment Plan (together, the ‘RMAC Contingency Plans’).” On March 13, 2025, a letter was issued to CCL acknowledging acceptance of (i) the West Slope Contingency Secondary Containment Plan, Chiquita Canyon Landfill, Castaic California, Montrose Environmental, October 2024, Revision v.1.3, and (ii) the West Slope Pre-Emptive Secondary Containment Plan, Chiquita Canyon Landfill, Castaic, California, Montrose Environmental, October 2024, Revision v1.3. CCL shall modify the Revised Plan to replace the above-referenced language with the following: “(i) the West Slope Contingency Secondary Containment Plan, Chiquita Canyon Landfill, Castaic California,

Montrose Environmental, October 2024, Revision v.1.3, and (ii) the West Slope Pre-Emptive Secondary Containment Plan, Chiquita Canyon Landfill, Castaic, California, Montrose Environmental, October 2024, Revision v1.3 (together, the ‘Off-Site Migration Contingency Plans’), are hereby incorporated by reference in the MPP.” CCL shall substitute references to the “RMAC Contingency Plans” with references to the “Off-Site Migration Contingency Plans.” CCL shall also make conforming changes in Section 3.2, “Leachate Management Plan and Leachate Monitoring.”

- b. The Revised Plan states that “the MPP will be updated as needed to conform to the directives of the Water Board, as amended or superseded from time to time.” To avoid requiring modifications of the Revised Plan upon issuance of each subsequent directive of the Water Board, CCL may remove the above-referenced language from the Revised Plan. This does not abrogate CCL’s obligations under Paragraph 22.b. of the UAO.

II. Condition to EPA’s approval of Section 3.2

- a. CCL shall modify the Revised Plan to reference the Leachate Management Plan, as approved by EPA, and to remove the reference to a separate RMAC LUMP.

III. Condition to EPA’s approval of Section 3.2.3

- a. The Revised Plan references the “Response Action Quality Assurance Project Plan (QAAP), dated March 27, 2024.” CCL shall modify the Revised Plan to reference the Response Action Quality Assurance Project Plan, as approved by EPA, rather than the March 27, 2024 draft.
- b. The Revised Plan references a summary comparison of “reaction area leachate and unaffected leachate based on testing performed between February and the ends of March 2024.” CCL shall modify the Revised Plan to clarify that the characterizations of “affected leachate” and “unaffected leachate” in the Revised Plan are the characterizations of CCL, and not of EPA (e.g, “Table 1 provides a summary comparison of leachate that CCL contractors believe is representative of leachate unaffected by the reaction to leachate that CCL contractors believes is representative of leachate affected by the reaction.”)

IV. Condition to EPA’s approval of Section 3.2.4

- a. Section 3.2.4 states: “the scope of the analytical testing program and frequency of sampling may be reduced over time with consent from the receiving facilities or increased/reduced in response to changing conditions related to the ETLF.” CCL shall modify the Revised Plan to specify that the scope of the analytical testing program and frequency of sampling may be reduced over time “with the prior written approval of EPA.”

EPA retains the right to modify or develop the Plan and the UAO.

If you have any questions or comments regarding this letter, please contact Laura Friedli, EPA Attorney Advisor, at (415) 972-3325 or Friedli.Laura@epa.gov.

Sincerely,

Tyler Holybee
EPA Project Coordinator

Enclosures

cc: John Perkey, Waste Connections
Jim Little, Waste Connections
Kurt Shaner, Waste Connections
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Megan Morgan, Beverage & Diamond
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