



July 21, 2025

Via E-Mail

Daniel V. Ziarkowski, Branch Chief
Peter Ruttan, Project Manager
Department of Toxic Substances Control
Site Mitigation and Restoration Program
Legacy Landfills Office
8800 Cal Center Drive
Sacramento, CA 95826
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Re: Chiquita Canyon, LLC Response to July 14, 2025 DTSC Data Request

Dear Mr. Ziarkowski and Mr. Ruttan:

This letter constitutes Chiquita Canyon, LLC's (Chiquita) response to the Department of Toxic Substances Control's (DTSC) July 14, 2025 request for data pursuant to section 6.11 of the Imminent and Substantial Endangerment Determination and Order issued by DTSC to Chiquita on April 2, 2025 (the Order), in which DTSC requested the following information:

Sampling, Data and Document Availability. Respondents shall permit DTSC and its authorized representatives to inspect, and review, and Respondents shall provide in electronic format, as requested, any and all copies of all sampling, testing, monitoring, or other data, including raw data, generated by Respondents or on Respondents' behalf, in any way pertaining to work undertaken pursuant to this Order, or related to monitoring the SET event and associated conditions at the Site. Such data includes, but is not limited to:

- a) All raw data generated regarding temperature data at CCL, and any prepared graphs, in .txt format;
- b) All raw data generated regarding down well temperatures;
- c) All raw data generated regarding gas well head temperatures;
- d) All raw data generated regarding leachate production and any characterization;
- e) All raw data generated regarding landfill gas production and any characterization;
- f) All raw data generated via unmanned aerial vehicles (UAVs);
- g) All raw data generated regarding perimeter gas wells;
- h) All raw data generated regarding landfill gas pressures;

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- i) All raw data and reports generated regarding slope stability;*
- j) All raw data regarding survey benchmark and monuments, including process used to establish the datum;*
- k) All aerial or photographic images, surveys, and scans of the facility, fissures, tension cracks, cover tears, leachate outbreaks or pools, and storage tanks taken since January 2022;*
- l) All raw landfill gas data including notes;*
- m) A copy of all current Standard Operating Procedures (SOPs), including but not limited to, the SOPs for landfill gas and leachate collection and treatment;*
- n) Continuous web access to all data stored online including TMPs, FLIR images, and gas data.*

DTSC requested that Chiquita provide a schedule, in table format, with delivery dates for both the data and web access requests listed above. Chiquita provides a proposed data delivery schedule, where applicable, in **Attachment A**, subject to the following conditions and points of clarification:

1. Chiquita asserts all privileges it may have with respect to data or information potentially responsive to DTSC's July 14, 2025 data request, including the attorney-client privilege, work-product doctrine, all privileges applicable to materials generated in anticipation of litigation, and any other privilege under law. Chiquita will not produce such data or information, and Chiquita does not intend to waive any such privilege as to any data, information, or document subject to privilege that is produced, inadvertently or otherwise, in response to DTSC's July 14, 2025 data request.
2. Chiquita interprets DTSC's data requests as limited to data or information within the scope of DTSC's authority under the Order and relevant state law.
3. Chiquita's proposed data delivery schedule is based on its interpretations of DTSC's data requests as specified in **Attachment A**.
4. Where data or information has previously been provided to DTSC or another regulatory agency and is accessible on Chiquita's Odor Mitigation website, Chiquita's Landfill Response Support-California, 7.0-Leachate Disposal Unit (Teams Channel), a regulatory database, or is otherwise publicly available, Chiquita has noted as much in **Attachment A** and provided the web address or other instructions for accessing that data or information.
5. The time periods for the data that Chiquita will provide in response to this data request (including data that Chiquita has already provided to DTSC or other regulatory agencies and that is available on Chiquita's website, a regulatory database, or is otherwise publicly available, and collectively referred to as "previously provided data") are the time periods reflected by the previously provided data.

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6. Regarding data request a) (“all raw data generated regarding temperature data at CCL, and any prepared graphs, in .txt format”), Chiquita objects to this request as vague and overbroad; nonetheless, Chiquita identifies responsive data in **Attachment A**.
7. Regarding data request b) (“[a]ll raw data generated regarding down well temperatures”), Chiquita notes that it does not collect this data, and asks for clarification on the scope of this request to better understand what data is being sought.
8. Regarding data request e) (“all raw data generated regarding landfill gas production and any characterization”), Chiquita objects to this request as vague and overbroad; nonetheless, Chiquita identifies responsive data in **Attachment A**.
9. Regarding data request f) (“[a]ll raw data generated via unmanned aerial vehicles (UAVs)”), as previously stated to the Local Enforcement Agency (LEA) and the California Environmental Protection Agency (CalEPA) and noted in **Attachment A**, Chiquita is unable to provide online access to third-party systems.
10. Regarding data request h) (“[a]ll raw data generated regarding landfill gas pressures”), Chiquita requests clarification regarding the scope of “all raw data” for this request. Nonetheless, Chiquita initially interprets this request to include gas and pressure data submitted to the LEA each month pursuant to the LEA’s June 6, 2024 Compliance Order. This data is available on Chiquita’s Odor Mitigation website as specified in **Attachment A**.
11. Regarding data request j) (“[a]ll raw data regarding survey benchmark and monuments, including process used to establish the datum”), Chiquita requests clarification regarding the scope and purpose of this request.
12. Regarding data request n) (“[c]ontinuous web access to all data stored online including TMPs, FLIR images, and gas data”), as previously stated to the LEA and CalEPA and noted in **Attachment A**, Chiquita is unable to provide online access to third-party systems. If there is certain other data needed, please explain and Chiquita will assess whether there is a way to provide that data.

We look forward to further discussing DTSC’s July 14, 2025 data request, including its scope and parameters. If you have any questions, please do not hesitate to contact me at (346) 807-5547 or Kate.Logan@WasteConnections.com.

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Sincerely,

Kate Logan

Kate Logan
Regional Engineer
Chiquita Canyon Landfill

cc: Steve Cassulo, Chiquita Canyon
Dylan Smith, Chiquita Canyon
Sarah Phillips, Chiquita Canyon
Nicole Ward, Chiquita Canyon
Amanda Froman, Chiquita Canyon
John Perkey, Chiquita Canyon
Thanne Berg, Department of Toxic Substances Control
Tim Crick, Department of Toxic Substances Control
Diane Barclay, Department of Toxic Substances Control
Christopher Kane, Department of Toxic Substances Control
Johnathon Crook, Department of Toxic Substances Control
Lisa Winebarger, Department of Toxic Substances Control

ATTACHMENT A

DTSC ISE Order – Chiquita Canyon Landfill
Proposed Data Delivery Schedule Responsive to DTSC’s July 14, 2025 Data Request

Proposed Delivery Schedule for Data and Web Access Requests		
DTSC Request	Chiquita Response	Proposed Delivery Date (Subject to Change)
a) All raw data generated regarding temperature data at CCL, and any prepared graphs, in .txt format	Chiquita objects to this request as vague and overbroad. In an attempt to respond to this request, Chiquita responds that we interpret this request as seeking temperature monitoring probe (TMP) data and graphs. Chiquita has submitted TMP data and graphs to the Local Enforcement Agency (LEA) on a weekly basis since May 2024 pursuant to the LEA’s April 5 and May 29, 2024 letters and the June 6, 2024 Compliance Order.	The referenced weekly TMP reports, with data and graphs, can be accessed on Chiquita’s Odor Mitigation website. ¹
b) All raw data generated regarding down well temperatures	Chiquita does not believe that it collects this data. We would like to further discuss this request to better understand what data is sought.	30 days after DTSC approval of the schedule, subject to clarification and agreement on the request’s scope and confirmation that Chiquita does collect this data.
c) All raw data generated regarding gas well head temperatures	Chiquita submits well head temperature data to the South Coast Air Quality Management District (SCAQMD) each month pursuant to Condition 8 of the Stipulated Order for Abatement in Case No. 6177-4 (SOFA).	The referenced monthly SOFA Condition 8 reports, with well head temperature data, can be accessed on Chiquita’s Odor Mitigation website.
d) All raw data generated regarding leachate production and any characterization	Chiquita submits data regarding leachate production, as well as sampling results and other updates, on a daily basis as part of Chiquita’s leachate extraction “dashboards” submitted to DTSC and other agencies via the Response Group, Landfill Response Support-California, 7.0-Leachate Disposal Unit (Teams Channel). In addition, Chiquita has submitted all characterizations since May 2024 via the Teams Channel.	The referenced reports can be accessed on Chiquita’s Odor Mitigation web site or via the Teams Channel.

¹ See <https://chiquitacanyon.com/odor-mitigation/stipulated-order-for-abatement/>.

Proposed Delivery Schedule for Data and Web Access Requests		
DTSC Request	Chiquita Response	Proposed Delivery Date (Subject to Change)
	<p>In addition to the data and information submitted via the Teams Channel, Chiquita submits and posts the following data and reports to our Odor Mitigation website:</p> <ul style="list-style-type: none"> • Leachate sampling results submitted to SCAQMD each month pursuant to SOFA Condition 38; • Leachate extraction data submitted to SCAQMD each week pursuant to SOFA Condition 53; and • Quantities of leachate extracted, treated onsite, or sent offsite for disposal or treatment submitted to SCAQMD each month pursuant to SOFA Condition 8. 	
e) All raw data generated regarding landfill gas production and any characterization	<p>Chiquita objects to this request as vague and overbroad. In an attempt to respond to this request, Chiquita responds that we submit landfill gas data and composition analysis to SCAQMD each month pursuant to SOFA Condition 8.</p>	<p>The referenced monthly SOFA Condition 8 reports, with data regarding landfill gas production and characterization, can be accessed on Chiquita's Odor Mitigation website.</p>
f) All raw data generated via unmanned aerial vehicles (UAVs)	<p>Chiquita interprets this request as seeking the following data:</p> <ul style="list-style-type: none"> • Drone measurements of settlement submitted to the LEA, and now also DTSC, on a bi-weekly basis as part of the landfill cover inspections report pursuant to the LEA's June 6, 2024 Compliance Order; • Forward-looking infrared (FLIR) thermal images and analysis submitted to the LEA, and now also DTSC, on a bi-monthly basis also pursuant to the LEA's June 6, 2024 Compliance Order; and • Methane data to be submitted to SCAQMD each month pursuant to SOFA Condition 8, beginning on August 20, 2025. 	<p>The referenced data, images, and reports submitted to the LEA can be accessed on Chiquita's Odor Mitigation website. The methane data to be submitted to SCAQMD will be posted on Chiquita's website once available. Chiquita is unable to provide online access to third-party systems.</p>

Proposed Delivery Schedule for Data and Web Access Requests		
DTSC Request	Chiquita Response	Proposed Delivery Date (Subject to Change)
g) All raw data generated regarding perimeter gas wells	<p>Chiquita interprets this request as seeking the following data:</p> <ul style="list-style-type: none"> • Methane readings at GP-13 and GP-15 submitted to the LEA each week pursuant to the June 6, 2024 Compliance Order and May 8, 2024 letter; and • Perimeter probe data submitted to SCAQMD each quarter pursuant to Rule 1150.1. 	<ul style="list-style-type: none"> • The probe data submitted to SCAQMD can be accessed on Chiquita's website on the "Landfill Reports" page accessible at https://chiquitacanyon.com/reports/landfill-reports/#1611907502099-98584490-e995eeb6-78834291-8a9f. • The weekly methane readings submitted to the LEA can be accessed on Chiquita's Odor Mitigation website.
h) All raw data generated regarding landfill gas pressures	<p>Chiquita requests clarification regarding the scope of "all raw data" for this request. Nevertheless, in an attempt to respond to this request, Chiquita interprets this request as seeking the following data:</p> <ul style="list-style-type: none"> • Gas and pressure data submitted to the LEA each month pursuant to the June 6, 2024 Compliance Order. 	The referenced monthly report submitted to the LEA, with gas and pressure data, can be accessed on Chiquita's Odor Mitigation website.
i) All raw data and reports generated regarding slope stability	Chiquita interprets this request as seeking data and reports prepared by Chiquita's consultant, Geo-Logic Associates, regarding slope stability.	These referenced reports can be accessed on Chiquita's Odor Mitigation website.
j) All raw data regarding survey benchmark and monuments, including process used to establish the datum	Chiquita requests clarification regarding the scope and purpose of this request and what data is being sought.	30 days after DTSC approval of schedule, subject to clarification and agreement on the request's scope.
k) All aerial or photographic images, surveys, and scans of the facility, fissures, tension cracks, cover tears, leachate outbreaks or pools, and storage tanks taken since January 2022	<p>Chiquita objects to this request as vague and overbroad. In an attempt to respond to this request, Chiquita responds that we interpret this request as seeking the following:</p> <ul style="list-style-type: none"> • Drone measurements of settlement submitted to the LEA, and now also DTSC, on a bi-weekly basis as part of the landfill cover inspections report pursuant to the LEA's June 6, 2024 Compliance Order; 	The referenced reports can be accessed on Chiquita's Odor Mitigation website and/or were submitted to DTSC pursuant to the June 20, 2025 Compliance Requirements letter.

Proposed Delivery Schedule for Data and Web Access Requests		
DTSC Request	Chiquita Response	Proposed Delivery Date (Subject to Change)
	<ul style="list-style-type: none"> Forward-looking infrared (FLIR) thermal images and analysis submitted to the LEA, and now also DTSC, on a bi-monthly basis also pursuant to the LEA's June 6, 2024 Compliance Order; Cracks and fissures inspection logs and geosynthetic cover inspection logs with photographs submitted to the LEA each week pursuant to Milestone 2B of the June 6, 2024 Compliance Order; Seep and pooling inspection logs with photographs submitted to SCAQMD each week pursuant to SOFA Conditions 27(c) and 27(e). Reports submitted to the Los Angeles Regional Water Quality Control Board pursuant to Chiquita's Waste Discharge Requirements (WDRs). 	
l) All raw landfill gas data including notes	Chiquita interprets this request as duplicative of request e). As such, Chiquita interprets this request to be the same as request e).	N/A ²
m) A copy of all current Standard Operating Procedures (SOPs), including but not limited to, the SOPs for landfill gas and leachate collection and treatment	Chiquita previously submitted the requested information to DTSC pursuant to the following: <ul style="list-style-type: none"> Standard Operating Guidelines for leachate management: Submitted May 1, 2025; Leachate Management Plan: Submitted May 9, 2025 and again July 1, 2025; Sampling and Analysis Plan: Submitted May 9, 2025; and Leachate Contingency Plan: Submitted July 1, 2025. 	Please see the referenced submittals to DTSC for the requested information.

² Notes related to landfill gas data are created on a discretionary, ad hoc basis. As such, Chiquita is unable to provide this information.

Proposed Delivery Schedule for Data and Web Access Requests		
DTSC Request	Chiquita Response	Proposed Delivery Date (Subject to Change)
n) Continuous web access to all data stored online including TMPs, FLIR images, and gas data	N/A	N/A ³

³ Chiquita is unable to provide online access to third-party systems. If there is certain other data needed, please explain and Chiquita will inquire whether there is a way to provide that data.