CHIQUITA CANYON
A Waste Connections Company

May 27, 2026

Via E-Mail
Tyler Holybee, Project Coordinator
Enforcement and Compliance and Assurance Division (ENF-2-2)
U.S. Environmental Protection Agency, Region IX
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Re: CCL – Update to April 1, 2026 Draft West Slope Improvements Work Plan in Response to EPA's Comments, Docket No. RCRA 7003-09-2024-0001 and CERCLA 106-09-2024-05

Mr. Holybee:

Chiquita Canyon, LLC ("CCL") writes in response to the United States Environmental Protection Agency's ("EPA") May 22, 2026 email comments on the West Toe Buttress Work Plan (revised May 15, 2026). CCL has further updated the Work Plan in response to EPA's comments as set forth below and hereby resubmits a revised Work Plan ("Second Revised Work Plan").

1. **"Project Summary" Section – CCL added to its description of the project: "There is no indication of a traditional slip-plane failure nor flow failure at the western toe; the project is intended to proactively address operational and infrastructure needs at the western slope while supporting continued safe and efficient landfill operations."**

   a. *EPA is not endorsing this statement or similar statements in the Plan relating to the basis for the work, the slope stabilty [sic] or instability, or the status or location of reaction or reaction related conditions when approving this Plan.*

   CCL acknowledges this comment. CCL has reviewed and updated the Project Summary for clarity and consistency.

2. **"Project Summary" Section – CCL included a schedule with the following milestones/targets: initiation of work on the northern portion of the project area; commencement of construction of lower buttress; first excavation into waste mass to locate existing anchor trench; target completion of excavation; commencement of upper buttress construction and liner installation; and completion.**

a. *EPA requested a timeline with milestones for <u>each</u> of the phases addressed under "Installation Process." The following phases are not addressed in the current timeline and must be added: removing existing concrete drainage structure; South Levee construction; and construction of new drainage pathway.*

The Second Revised Work Plan has been updated as directed.

CCL has decided to overlay the buttress, maintaining the existing concrete drainage structure underneath, rather than remove it. This work began the week of May 11 and is reflected in the Second Revised Work Plan. In addition, CCL notes that the dates identified in the Second Revised Work Plan are preliminary and remain subject to change based on site conditions and overall project progression. CCL will continue keeping EPA informed of such changes through its updates.

Final construction drawings for the South Levee are currently being prepared. Following issuance of those drawings, CCL expects to be in a better position to estimate the anticipated construction timeline.

CCL anticipates implementing an "assembly line" construction sequence in which installation of the new drainage pathway within a given area will begin shortly after the anchor trench is located and the new liner section is welded to the existing liner. The current estimated date for commencement of drainage pathway construction is June 3, 2026.

3. "Relocation of Gas and Liquids Infrastructure" Sections – CCL qualified its commitments to minimize emissions during work: "Any affected gas or leachate piping will be managed in a manner intended to prevent the piping from being left open to the atmosphere during construction activities."

a. *The "intended to" language is not appropriate. CCL should commit to prevent the piping from being left open to the atmosphere during construction activities, something entirely within CCL's control during gas and leachate infrastructure modifications in any way.*

The Second Revised Work Plan has been updated as directed.

b. *CCL should also commit to returning operation to existing leachate and gas collection infrastructure as soon as possible as portions of the EVOH liner are completed to minimize the duration of downtime for any given collection device.*

The Second Revised Work Plan has been updated as directed.

4. **"Locate existing anchor trench" Section – provides that if existing bottom liner requiring repair is encountered, "CCL will follow best management practices consistent with the Remedial Action Work Plan for the cover, using materials and methods appropriate for existing bottom liner."**

   a. *EPA is not aware of the "Remedial Action Work Plan" CCL is referencing here. Please clarify. CCL should ensure that if any material deficiencies identified relating to the existing bottom liner are identified, CCL will take corrective and remedial actions to repair, replace, and/or remediate the affected area during trenching and construction.*

   The reference to the "Remedial Action Work Plan" was a typographical error that has been corrected to "Removal Action Workplan" in the Second Revised Work Plan. CCL prepared a draft Removal Action Workplan in response to the April 2, 2025 Imminent and Substantial Endangerment Determination and Order ("ISE Order") issued by the Department of Toxic Substances Control ("DTSC"), an updated version of which was provided to EPA on February 27, 2026 in response to EPA's Notice of Deficiency dated January 13, 2026.

   As clarified in the Second Revised Work Plan, if existing bottom liner requiring repair is encountered, CCL will implement repair methods and utilize materials appropriate for the specific liner system encountered, consistent with applicable engineering and installation practices reflected in the draft Removal Action Workplan and related project specifications.

   CCL has also attached to this correspondence the draft Removal Action Workplan (March 2026) for EPA's reference.

5. **"Construct the new drainage pathway" Section – states that "The toe drain is anticipated to include 12-inch leachate collection pipe within gravel and risers placed with approximately 200-foot spacing. Additionally, a 6-inch perforated gas recovery line will be placed in the gravel."**

   a. *CCL should submit a final design for the new leachate collection infrastructure within the new toe drain.*

   CCL is continuing to finalize the design details for the new leachate collection infrastructure near the new toe drain and will provide the final design specifications once complete.

6. **"Construct Upper Buttress" Section – unlike the "Construct Lower Buttress" Section, this section doesn't include or reference (i) detailed specifications addressing static and dynamic stability (Appendix D) or (ii) detailed soil specifications (Appendix E).**

   a. *CCL should clarify whether the appendices apply to the Upper Buttress, as well, or if these specifications are forthcoming.*

      The static and dynamic stability specifications included in Appendix D address the design of both the Upper Buttress and Lower Buttress, as reflected on pp. 4-5 of the appendix. In addition, the soil specifications included in Appendix E apply to both the Upper Buttress and Lower Buttress.

      The Second Revised Work Plan has been updated to include references to Appendix D and Appendix E within the "Construct Upper Buttress" section for clarity.

7. **"Construct Upper Buttress" Section – states that a certified engineer will verify the constructions materials and confirm that construction of the upper and lower buttresses complies with the approved design specifications in final QA/QC report. Appendix E states that "Testing shall be performed in accordance with this Specification at locations to be determined by the CQA Consultant," and outlines the testing identified in Section 2.3.**

   a. *CCL should clarify if Appendix E will serve as the QA/QC plan for how the certified engineer will verify materials and construction complies with the design specifications, including methods for measuring as-built characteristics for comparison with design specifications.*

      CCL confirms that the intention is for Appendix E to serve as the basis for quality assurance for the buttress.

8. Appendix E – states that engineered fill shall be placed and compacted to a dry density not less than 90 percent of the maximum dry density.

a. CCL should update the earthwork specification for the lower buttress to require not less than 95 percent compaction, and make the necessary adjustments to Section 4.1 accordingly to raise the standards for related parameters. This aligns with EPA's previous comments on the West Slope Pre-Emptive Secondary Containment and Contingency Plans.

The earthwork compaction specifications included in the Second Revised Work Plan were developed by the Registered Engineer in consultation with geotechnical experts and are appropriate for the design and function of the proposed buttress.[1]

9. "Cap Upper Buttress with EVOH" Section

a. CCL should replace any disturbed or modified existing 30-mil liner with EVOH 60-mil liner throughout the construction area. At a minimum, CCL should replace the existing liner from the west toe edge (limited by the construction area) up to the first bench road above the top edge of the upper buttress with EVOH 60-mil liner.

The Second Revised Work Plan has been updated to specify that CCL will weld EVOH 60-mil liner to the existing 30-mil liner. Depending on site conditions and the specific location within the construction area, the tie-in location may occur at or below the first bench road above the upper buttress.

10. "Future Stormwater Routes and Controls" Section – CCL stated in its submission letter regarding the Plan that the Plan was updated to include final designs for the stormwater pathways: "The stormwater routing components, including routing to the Wast Basin and the South Basin, are incorporated into the buttress design plans and supporting engineering analyses included in the Revised Plan."

a. CCL should include the final designs (or draft if not yet finalized), to EPA for review prior to construction of the lower buttress.

The stormwater channel is integral to the grading plan, which CCL previously provided to EPA as Appendices A and B of the Work Plan submitted on April 1, 2026. The grading plan is also attached to the Second Revised Work Plan as Appendices B and F.

[1] On May 15, 2026, CCL submitted a response to EPA's comments regarding the West Slope Pre-Emptive Secondary Containment Plan (Revision v.1.4) and West Slope Contingency Secondary Containment Plan (Revision v.1.4). As explained therein, the proposed temporary soil berm in these plans is not a "dam" within the meaning of the California Water Code or the California Division of Safety of Dams' applicable definitions and, thus, not subject to the regulatory technical specifications for dams. Similarly, the lower buttress is not a dam and is therefore not subject to a 95 percent compaction requirement. CCL remains available to discuss if EPA has questions or concerns.

11. "Excavation Work Face" and "Downwind Property Line or Other Approved Locations" Sections

a. *CCL should replace the two holdover references to "South Coast AQMD approved cover," with "EPA approved cover".*

The Second Revised Work Plan has been updated as directed.

12. "Slope Stability Monitoring" Section – CCL stated that "manual total station monitoring or its equivalent" will be used during excavation "into waste mass and whenever personnel are working within the excavation near the toe of the excavation slope . . . CCL is continuing to evaluate and finalize additional slope monitoring measures consistent with EPA's requested specifications and anticipates implementing such measures in advance of any anticipated excavation into waste mass."

a. CCL has not committed to using real-time total monitor stations with monuments as directed by EPA. Separately, CCL has stated, in the Response to Dr. Stark's April 19, 2026 letter, that "Chiquita has begun the procurement process for real time slope movement monitoring devices to be used in areas where slope excavation activities are planned. These devices will be deployed during excavation to monitor for slope movement, enable timely detection of potential deformation or instability, and support rapid response actions, if needed." CCL should incorporate into the Plan CCL's plans for real time slope movement monitoring to correct the inconsistency and meet EPA's prior directive.

The Second Revised Work Plan has been revised accordingly.

Please let us know if you have any questions or if you would like to schedule a call to discuss.

Sincerely,

Kevin Green
District Manager
Chiquita Canyon Landfill

Attachments

cc: John Perkey, Chiquita Canyon
Jim Little, Chiquita Canyon

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