



**CHIQUITA CANYON**  
*A Waste Connections Company*

June 1, 2026

***Via E-Mail***

Jenny Newman  
Assistant Executive Officer  
Los Angeles Regional Water Quality Control Board  
320 W. 4th Street, Suite 200  
Los Angeles, CA 90013  
Jenny.Newman@waterboards.ca.gov

**Re: Supplemental Information Regarding Laboratory Reporting Limit  
Requirements in Amended Investigative Order No. R4-2024-0010-A01**

Dear Ms. Newman:

This letter provides additional factual information regarding the laboratory Reporting Limits (RLs) imposed by the Amended Investigative Order No. R4-2024-0010-A01 (Amended Order) issued by the Los Angeles Regional Water Quality Control Board (Regional Board) and again urges the Regional Board to promptly withdraw or revise the RLs, consistent with its commitment to do so during the parties' April 20, 2026 telephone conference.

Specifically, as of the date of this letter and in a good faith effort to comply with the Amended Order, Chiquita Canyon, LLC (Chiquita) and its consultants have contacted a total of eleven alternative commercial laboratories all located within a 2.5 hour drive of Chiquita's Landfill (a reasonable maximum distance related to allowable holding times for collected samples)<sup>1</sup>. *Not one* of these eleven laboratories is capable of meeting the full suite of RLs imposed under the Amended Order. Notably, this includes Babcock Laboratories (Babcock) and Physis Environmental Laboratories (Physis), both of which were specifically recommended by the Regional Board, yet neither can achieve the required RLs for all analytes.

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<sup>1</sup> In addition to Chiquita's standard commercial laboratory, Enthalpy Analytical (now Onterris), Chiquita reviewed RL capabilities at the following laboratories: (1) Eurofins; (2) Jones Environmental; (3) Zalco Laboratories; (4) Alpha Analytical Laboratories, Inc.; (5) Pat-Chem Laboratories; (6) LA Testing; (7) Capco Analytical Services, Inc.; (8) Weck Laboratories; (9) Pace Analytical; (10) Babcock Laboratories; and (11) Physis Environmental Laboratories.

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During our April 20, 2026 call between representatives from the Regional Board, the U.S. Environmental Protection Agency (EPA), and Chiquita, the Regional Board acknowledged that its laboratory is likewise incapable of meeting the Amended Order's RL requirements for multiple analytes, and committed to revising the analyte list and corresponding RLs. This commitment was further verified by your email dated April 21, 2026, in which you agreed that our April 20<sup>th</sup> call summary indicating that the Regional Board "would significantly revise the analytes and Reporting Limits" within the Amended Order "accurately reflect[ed] our discussion." To date, however, the Regional Board has not issued any revisions or withdrawn the unattainable RLs, instead leaving in place an Amended Order with which compliance is impossible. In fact, during a May 15<sup>th</sup> telephone call between Chiquita and the Regional Board, the Regional Board representative stated that an updated analyte list with revised/relevant RLs would not be issued any time soon.

Chiquita remains committed to working cooperatively with the Regional Board to implement a practicable and protective monitoring approach, but the Regional Board has placed Chiquita in the untenable (and unreasonable) position of being required to comply with RL requirements that the Regional Board itself has effectively acknowledged are not achievable in practice. Absent immediate revision or withdrawal of the Amended Order's RL requirements, Chiquita intends to supplement its pending Petition for Review and Request for Stay of the Amended Order (currently pending before the State Water Resources Control Board) with the additional factual information summarized herein and will continue to pursue all available administrative and judicial remedies. Continuing to litigate the enforceability of RLs that are demonstrably infeasible to achieve using available commercial laboratory capacity is not a good use of the agency's or Chiquita's resources, and we hope the Regional Board will promptly revise or withdraw them, as it committed to do over a month ago.

This letter provides the Regional Board with additional factual information and does not amend or supersede any requests in Chiquita's pending Petition.

Regards,



Kevin Green

Enclosure

Cc:

John Perkey, Chiquita Canyon  
Matt Breuer, Chiquita Canyon  
Dylan Smith, Chiquita Canyon  
Sarah Phillips, Chiquita Canyon  
Bill Haley, Chiquita Canyon  
Susana Arredondo, Los Angeles Regional Water Quality Control Board

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Enrique Casas, Los Angeles Regional Water Quality Control Board  
Pavlova Vitale, Los Angeles Regional Water Quality Control Board  
Russ Colby, Los Angeles Regional Water Quality Control Board  
Jim Kang, Los Angeles Regional Water Quality Control Board  
Catherine Hawe, Los Angeles Regional Water Quality Control Board  
Amy Miller, US EPA  
Laura Friedli, US EPA  
Tyler Holybee, US EPA  
Mark Anthony Relon, US EPA  
Rick Sakow, US EPA