



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

TELEPHONE
(213) 974-1900
FACSIMILE
(213) 680-2165
TDD
(213) 633-0901
E-MAIL
Dpavlovic@counsel.lacounty.gov

DAWYN R. HARRISON
County Counsel

September 1, 2023

VIA E-MAIL

Megan L. Morgan, Esq.
Beveridge & Diamond
201 North Charles Street, Suite 2210
Baltimore, Maryland 21201
Email: mmorgan@bdlaw.com

Re: Chiquita Canyon Landfill Nuisance Odors

Dear Ms. Morgan:

As you are aware, since April 2023, the County of Los Angeles ("County") and the South Coast Air Quality Management District ("AQMD") have received hundreds of public complaints regarding strong and persistent odor emanating from Chiquita Canyon landfill ("Landfill"), owned and operated by your client, Chiquita Canyon, LLC ("Chiquita"). Specifically, residents living near the Landfill, in Val Verde, Hasley Canyon, and Live Oak, have complained of chemical-like odors, which make them nauseous and produce vomiting, eye and throat irritation, and headaches. As a result, County and AQMD have issued multiple notices of violation to Chiquita.

On July 26, 2023, the County Department of Public Health ("DPH") declared the odor to be a public nuisance, and requested, among other things, that Chiquita undertake immediate steps to abate the nuisance to protect health and safety of the neighboring residents and hire experts to conduct a study on the potential sources and causes of the odor.

Recently, Chiquita reported that it believes that a chemical reaction is occurring within the buried waste mass of the older section of the Landfill, resulting in release of higher than normal levels of dimethyl sulfide gas. Chiquita further noted it retained consultants from several scientific fields to conduct a root cause analysis of the odor problem. This analysis is still ongoing and Chiquita is currently pursuing several corrective actions, including 1) installation of a

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geosynthetic cover over the suspected reaction area of the Landfill to limit the migration of odors from the site, 2) installation of additional portable thermal oxidizers or rental flares for additional gas control capacity, and 3) distribution of in-home air filtration devices to some of the impacted community members.

While the County acknowledges the efforts Chiquita has made in an attempt to bring the Landfill into compliance with the terms of the conditional use permit for operation of the Landfill ("CUP") and the relevant State and local laws, the nuisance odor has not subsided yet and number of complaints continues to increase on a daily basis. This is a concerning development, which requires immediate implementation of additional mitigation measures.

Condition 12 of the CUP requires Chiquita to maintain and operate the Landfill in full compliance with the conditions of the CUP, and any law, statute, ordinance, or other regulation applicable to any development or activity on Landfill. Furthermore, Condition 63 requires Chiquita to operate the Landfill in a manner that does not create a nuisance in the surrounding communities. Finally, Condition 15 authorizes the County to order certain operational restrictions in an event of a threat to public health, safety, and/or welfare.


Consequently, in accordance with Condition 15 of the CUP, the County hereby requests that Chiquita temporarily reduce its daily solid waste and other materials intake by 35% of the maximum daily tonnage capacity set forth in Condition 23(B) of the CUP (i.e. $12,000 \times 0.65 = 7,800$ tons) until the source and the cause of the odor problem are definitively established, the corresponding remedial measures implemented, and it becomes clear that the odors have been eliminated or reduced to such a level that there no longer exists an unacceptable threat to the health, safety, and/or welfare of the County's residents or the environment.

The County remains prepared and will continue to collaboratively work with Chiquita on resolving the ongoing odor problem in a most effective and expeditious manner possible. If you have any questions or would like to schedule a meeting to discuss this letter, please contact me at the above-listed phone number or email. I look forward to hearing from you.

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Very truly yours,

DAWYN R. HARRISON
County Counsel

By 
DUŠAN PAVLOVIC
Senior Deputy County Counsel
Affirmative Litigation & Consumer
Protection Division

DP:fg