



March 19, 2024

*Via E-Mail*

Ms. Erin Neal  
Environmental Scientist  
Office of Criminal Investigations  
Department of Toxic Substances Control  
California Environmental Protection Agency  
Erin.Neal@dtsc.ca.gov

**Re: Chiquita's Second Response to DTSC March 5, 2024, Request for Information: 2-27-2024 Site Visit Follow-Up**

Dear Ms. Neal:

On March 5, 2024, Chiquita Canyon, LLC ("Chiquita") received a request for information subsequent to the Department of Toxic Substances Control's ("DTSC") February 27, 2024, visit to the Chiquita Canyon Landfill (the "Landfill"). By letter dated March 8, 2024, Chiquita requested to a modified timetable with information being provided to DTSC on March 12, 19, and 26. DTSC accepted the proposed timetable on March 11. On March 12, 2024, Chiquita provided its response to the first set of requests.

In accordance with the approved timetable, Chiquita is providing responses to the portions of DTSC's request as described below. Due to the large number of documents, you are receiving access to the documents requested via an encrypted zip file using the large file sending service, Mimecast.

The encryption password for accessing the zip file is 33FT&\$Z5e&.

Documents responsive to each request are contained in a unique subfolder within the productions zip file.

***Waste determination documentation for waste leachate and waste condensate***

2024 laboratory reports that include samples taken of leachate and/or condensate for waste characterization purposes were previously provided to DTSC on March 12, 2024. As noted in that prior submittal, many of the laboratory reports may include analytical results for samples taken at various tanks for different reasons (e.g., post-treatment sampling) depending on which

tanks were sampled on a particular day and each report is not limited to waste characterization samples. As of this date, the most recent waste characterization sample was taken on March 9, 2024.

The “Waste Determination Information” subfolder contains a document listing tank numbers associated with specific tank groups, as well as copies of the draft Sampling and Analysis Plan (“SAP”), and draft Quality Assurance Project Plan (“QAPP”) previously provided to DTSC on March 15, 2024, as part of Chiquita’s response to the DTSC Summary of Violations dated February 15, 2024. As discussed in Chiquita’s March 15, 2024, response, final versions of the SAP and QAPP will be submitted to and are subject to EPA review and approval pursuant to the February 21, 2024, Unilateral Administrative Order. Pursuant to the draft SAP and QAPP, leachate waste determinations will be made for #2 East Perimeter, #4 LC Manifold, #6 North Perimeter, #7 Tank Farm (Group A), and #7 Tank Farm (Group B). A map of the facility and location of each of the tank farms is also included in the above-referenced subfolder. Additional details on waste determinations for leachate and condensate can be found in the draft SAP and QAPP. We are continuing to work with our third-party consultant to perform waste characterizations consistent with the SAP and QAPP, and will supplement this response with additional documentation as those waste determinations are made.

#### ***Waste determination for spent carbon***

The subfolder, “Waste Determination Information (Spent Carbon Media),” contains laboratory reports available for spent carbon media beginning in 2023. As discussed above, we are continuing to work with our third-party consultant to evaluate waste characterization data and make a waste determination for the spent carbon media consistent with the draft SAP and QAPP. We will supplement this response with additional documentation when the waste determination for spent carbon media is made.

#### ***Employee training records***

The subfolder, “Employee Training Records,” contains information concerning employee training records since January 1, 2023, the facility’s Hazard Communication Program, and the Emergency Action Plan. The subfolder also includes the Hazardous Material Business Plan, which is subject to change pending comments from the Certified Unified Program Agencies. DTSC also requests certain information regarding employees involved specifically in hazardous waste treatment or management. As discussed above, Chiquita is working with its third-party consultant to make waste determinations for leachate based on present circumstances in a constantly evolving situation. Notwithstanding the above and in response to DTSC’s request, operation of the injection treatment system for waste leachate generally is handled by a contractor, Streamline Innovations, Inc. A list of Chiquita employees involved in the management of waste leachate at the facility is provided as follows:

- Dave Matthews
- Wes Devilbiss
- Dylan Smith

- Chris Fear
- Mike Calleja
- Michael Hearn
- Amanda Froman
- Steve Cassulo
- Nicole Ward
- Jim Little
- Kevin Wilson

### *Contingency plan records*

The subfolder, “Contingency Plan Records,” contains a copy of the facility’s Hazardous Material Business Plan, as well as the Emergency Response Plan in place for the facility that is a component of the same. As DTSC is aware, Chiquita is currently working with its third-party consultant to develop and finalize a separate Hazardous Waste Contingency Plan (“HWCP”) and is incorporating comments and feedback as appropriate from various agencies on the HWCP. A copy of the final HWCP will be provided to DTSC.

### *Specification sheets*

The subfolder, “Specification Sheets,” contains copies of specifications sheets for hoses. Chiquita is working to assemble and obtain information as quickly as possible regarding storage tanks, and the response will be supplemented on or before March 29, 2024 with information that is available.

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Our responses to DTSC’s requests are based on our investigation and information available to date. We reserve and do not waive any rights in relation to the information or facts contained herein, and will supplement or modify this response as needed or if additional information becomes available.

Please let us know if you have any questions.

Regards,



Steve Cassulo  
District Manager

cc: ZanaLee Zmily, Department of Toxic Substances Control

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