



Los Angeles Regional Water Quality Control Board

April 9, 2024

Steve Cassulo
Waste Connections, Inc.
Chiquita Canyon Landfill
29201 Henry Mayo Drive
Castaic, CA 91384

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 9589 0710 5270 1463 4134 34**

Dan Schooler
Legal Responsible Person
Chiquita Canyon Landfill
29201 Henry Mayo Drive
Castaic, CA 91384

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 9589 0710 5270 1463 4134 41**

Becky Degeorge
Agent for Services of Process
1505 Corporation/CSC-Lawyers
2710 Gateway Oaks Drive
Sacramento, CA 91203

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 9589 0710 5270 1463 4134 58**

NOTICE OF VIOLATION: DISCHARGE PROHIBITIONS AND FAILURE TO DEVELOP A COMPLETE STORM WATER POLLUTION PREVENTION PLAN AND IMPLEMENT EFFECTIVE BEST MANAGEMENT PRACTICES – CHIQUITA CANYON LANDFILL, 29201 HENRY MAYO DRIVE, CASTAIC, CALIFORNIA (WDID NO. 4 19I022488)

Dear Steve Cassulo, Dan Schooler, and Becky Degeorge:

The State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities amended November 6, 2018 and effective July 1, 2020 (Order No. 2014-0057-DWQ amended by 2015-0122-DWQ), NPDES No. CAS000001 (Industrial General Permit¹) regulates stormwater runoff that discharges to surface water or to a storm sewer that flows to surface water. The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) is the state regulatory agency responsible for protecting water quality in Los Angeles and Ventura Counties.

Chiquita Canyon Landfill (Permittee) operates an industrial facility located at 29201 Henry Mayo Drive, in the unincorporated area of Castaic (WDID No. 4 19I022488) that is regulated

¹ The Industrial General Permit can be downloaded from the State Water Resources Control Board website at:
https://www.waterboards.ca.gov/water_issues/programs/stormwater/igp_20140057dwq.shtml

NORMA CAMACHO, CHAIR | SUSANA ARREDONDO, EXECUTIVE OFFICER

under the Industrial General Permit. The industrial activities at Chiquita Canyon Landfill consist of refuse systems and landfill operations. These activities are classified under Standard Industrial Classification (SIC) code 4953 – Refuse Systems.

On January 21, 2010, the Permittee signed a Notice of Intent (NOI) to be enrolled under the Industrial General Permit. In signing the NOI, the Permittee certified to the State of California that they have read the Industrial General Permit and will comply with all its requirements. As specified in the Industrial General Permit, the Permittee is required to develop a Storm Water Pollution Prevention Plan (SWPPP), in which the Permittee must identify potential sources of pollution and describe specific best management practices (BMPs) that shall be implemented to eliminate or reduce stormwater pollution from the facility. Also, the Industrial General Permit requires the Permittee to develop a Monitoring Implementation Plan (MIP) and include it in the SWPPP to ensure the elimination of the discharge of pollutants into stormwater from the facility.

On March 9, 2024, the California Environmental Protection Agency (CalEPA) complaint system received a complaint (COMP-60271) with photographs stating that the Permittee is conducting *'illegal dumping of leachate into the local waterway'* (Photograph 1).

On March 11, 2024, an email with photographs and a video was received by the Los Angeles Water Board stating that the Permittee was observed by the complainant twice *'pumping untreated water into the Santa Clara River'* on Friday nights. On the same day, Los Angeles Water Board Staff (Sean Lee) sent an email to the Permittee (Steve Cassulo) asking to stop the pumping and to remove the pumping equipment mounted on top of the south detention basin spillway (Photograph 2).

On March 12, 2024, another complaint (COMP-60288) was received through the CalEPA complaint system stating that *'local citizen groups noted that Chiquita Canyon Landfill has been discharging leachate ponds into the local waterway'* and that the activity was occurring at night.

On March 13, 2024, Los Angeles Water Board Staff (Sean Lee) sent a follow-up email to the Permittee (Steve Cassulo) asking if pumping stopped. The Permittee (Steve Cassulo) responded the same day via email stating that they *'utilize a floating pump in the south basin to conduct controlled stormwater discharges to provide further control over settling time'* and that the pumping of water from the south detention basin was conducted per the facility's SWPPP. Los Angeles Water Board Staff reviewed Sections 6.2 (Stormwater Containment and Discharge Reduction BMPs), 6.5 (Sediment Control), and 6.6 (Temporary BMPs for Leachate Seep Control) of the Permittee's SWPPP (dated February 2024) and no description of such pumping operations was noted. Even if such operations were noted in the SWPPP, they are not authorized by the Industrial General Permit.

On March 14, 2024, the Permittee (Steve Cassulo) provided a photograph showing the pump set up removed from the spillway structure. On the same day, Los Angeles Water Board Staff (Sean Lee) further requested, via email, for the Permittee to provide the SWPPP section referencing the pumping and discharge of water from the south detention basin as a BMP. Los Angeles Water Board Staff (Sean Lee) received an email from the Permittee (Steve

Cassulo) the same day, asking why pumping of stormwater from the south detention basin is not allowed to settle solids effectively.

On March 16, 2024, another complaint (COMP-60321) with photographs provided was received through the CalEPA complaint system stating that *'possible leachate and stormwater pumped offsite by Chiquita Canyon Landfill on multiple dates'* (Photographs 3-5). The photographs appear to show a vacuum truck discharging unknown water on the other side of the south detention basin's spillway which flows into the Santa Clara River.

Based on the above information and review of the Permittee's SWPPPs (posted in Stormwater Multiple Application & Report Tracking System on February 19, 2024 and March 20, 2024), the Permittee is in violation of the following provisions of the Industrial General Permit:

Discharge Prohibition Violations:

- 1) The Permittee discharged water from the south detention basin using pumping equipment and bypassing the primary outlets of the basin that control the release of water discharge. The pumping and discharge from the south detention basin occurred multiple times during February and March 2024. Pumping equipment was also observed on top of the spillway during the Los Angeles Water Board's inspection on January 29, 2024, suggesting that pumping was also conducted during January 2024. This is a violation of the Industrial General Permit Section III.A-C and Section XXI.E.
- 2) The Permittee discharged water from the vacuum truck with unknown contents into the local waterway that discharges into the Santa Clara River. The frequency of this practice and the sources of the vacuum truck water are unknown. This is a violation of the Industrial General Permit Section III.A-C.

SWPPP and BMP Violations:

1. Pumping of the south detention basin and discharge of water that bypasses the basin's designed primary outlet and spillway is not in accordance with the proper operation and maintenance of the BMP. This is a violation of the Industrial General Permit Sections X.C.1.b, X.D.2.a, X.H.4.a, and Section XXI.F.
2. The revised SWPPP (March 2024) failed to include or reference applicable plans, procedures, and regulatory compliance documentation. This is a violation of the Industrial General Permit Sections X.D.2.b and c.
3. Appendix G of the revised SWPPP (March 2024) failed to provide the south detention basin's facility-specific design information thereby failing to show the applicable design standard. This is a violation of the Industrial General Permit Section X.H.6.

Chiquita Canyon Landfill is required to take the following actions immediately:

1. Stop discharge of water into local waterways that flow into the Santa Clara River from the south detention basin and any other stormwater basins using pumping equipment that bypass the primary outlets of the south or other detention basin's design for controlled release of water.
2. Provide dates, times, and volumes of discharged water from the basins into local waterways using the pumping equipment.
3. Provide analytical data and other related information for each discharge of water using the pumping equipment from south detention basins that discharged into the Santa Clara River.
4. Stop the discharge of unknown water from vacuum trucks into the local waterway.
5. Provide dates, times, volumes, analytical data, and other related information of discharged water from the vacuum truck into local waterways that discharged into the Santa Clara River or into the detention basins.
6. Provide facility-specific design information for the south detention basin in the SWPPP. Properly operate and maintain the basin as a BMP.
7. Revise the facility's SWPPP to remove the practice of pumping and discharge of water into the Santa Clara River from the south detention basin and other facility basins as a BMP. Retain a copy of the updated SWPPP onsite, train employees, and post the updated SWPPP into SMARTS. A copy of the Permit can be found at:

[General Permit for Storm Water Discharges Associated with Industrial Activities \(ca.gov\)](#)

By **May 9, 2024**, the Permittee is required to submit a written response, with photographic evidence, identifying the measures taken to comply with the above items, that corrective actions are being implemented and monitored, and that you have amended and certified and uploaded a copy of your updated SWPPP into SMARTS. The response must be submitted as a pdf file format via email or disk to:

Sean Lee
Sean.Lee@waterboards.ca.gov
Los Angeles Regional Water Quality Control Board
Stormwater Compliance & Enforcement Unit
320 W. 4th Street, Suite 200
Los Angeles, CA 90013
(213) 620-2219

Failure to respond may result in enforcement action, including administrative civil liabilities of up to ten thousand dollars (\$10,000) per day of each violation plus \$10 per gallon discharged pursuant to California Water Code (Water Code) section 13385. These administrative civil liabilities may be assessed by the Los Angeles Water Board beginning with the date that the

violations first occurred. The Los Angeles Water Board may also refer this matter to the Attorney General's Office for further enforcement. This notice shall not be deemed to relieve the facility of liability for any penalties that may have already accrued. The Los Angeles Water Board reserves its right to take any further enforcement action authorized by law.

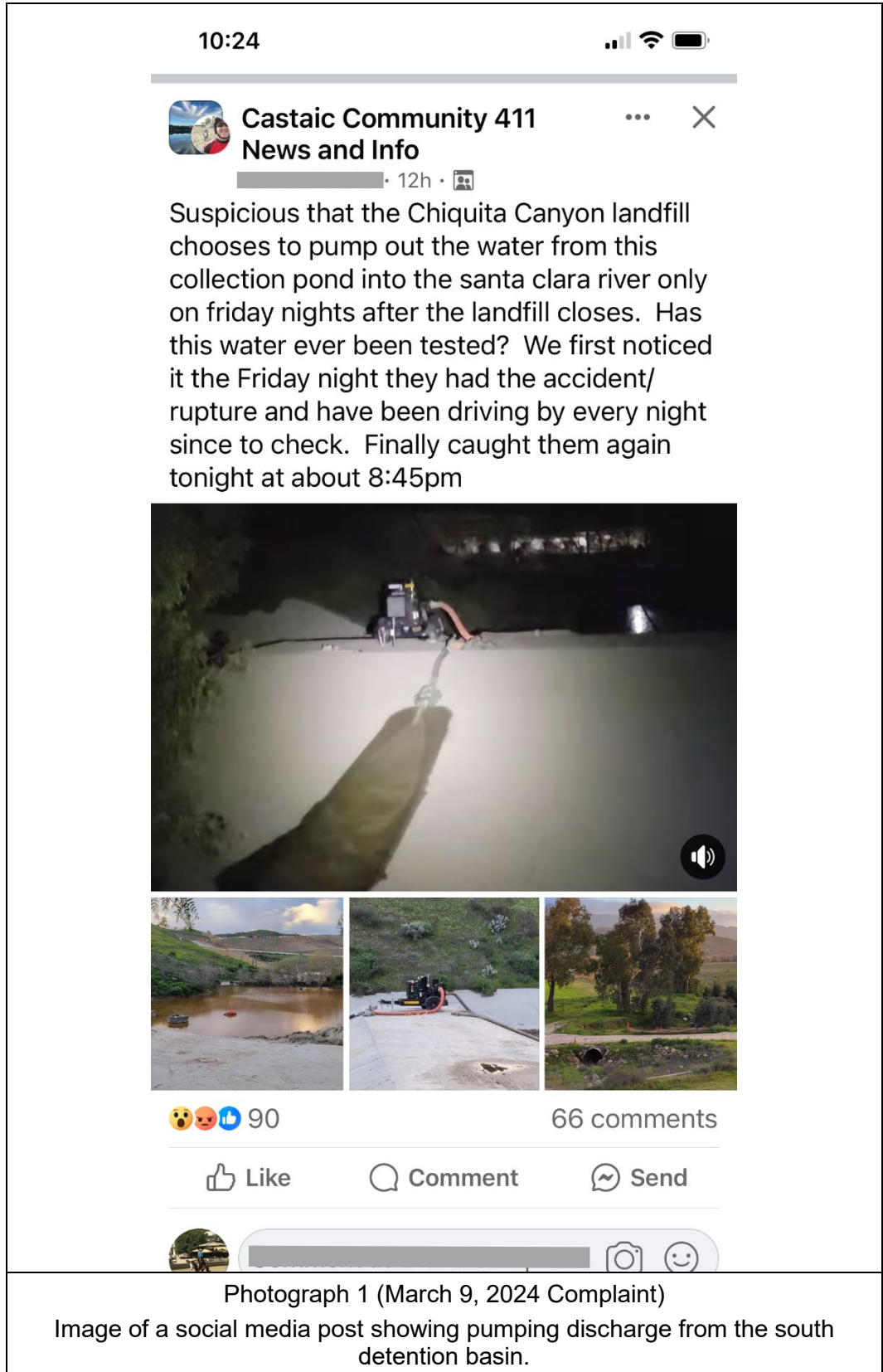
If you need assistance or have questions regarding this notice, please contact Sean Lee at (213) 620-2219, via email at Sean.Lee@waterboards.ca.gov or Nerissa Schrader at (213) 620-2237, via email at Nerissa.Schrader@waterboards.ca.gov.

Sincerely,

Russ Colby
Acting Assistant Executive Officer

Attachments: Complaint Photographs 1-5

cc: (via email)
Joe Baiocco, Couty of Los Angeles
Thanne Berg, United States Environmental Protection Agency
Rachel Zwillinger, California Environmental Protection Agency
Shikari Nakagawa-Ota, Los Angeles County, Environmental Protection Branch
Dorcus Hanson-Lugo, Los Angeles County Department of Public Health
Karen Gork, Los Angeles County Department of Public Health
Karlo Manalo, Los Angeles County Department of Public Works
Ramon Herman, Los Angeles County Department of Public Works
Wes Mindermann, California Department of Resources Recycling and Recovery
Janelle Heinzler, California Department of Resources Recycling and Recovery
Jeff Lindberg, California Air Resources Board
Vanessa Aguila, California Air Resources Board
Jack Cheng, South Coast Air Quality Management District
Larry Israel, South Coast Air Quality Management District
Abigail DeSesa
Sarah Olaguez
Lynne Plambeck, SCOPE
Bob Lewis, Chiquita Canyon Landfill Community Advisory Committee
Kelly Long, Fillmore and Piru Groundwater Sustainability Agency





Photograph 2 (March 11, 2024 email received by Los Angeles Water Board)
Pump equipment set up mounted on top of the south detention basin spillway
structure.



Add a Caption

Friday • Feb 23, 2024 • 4:05 PM

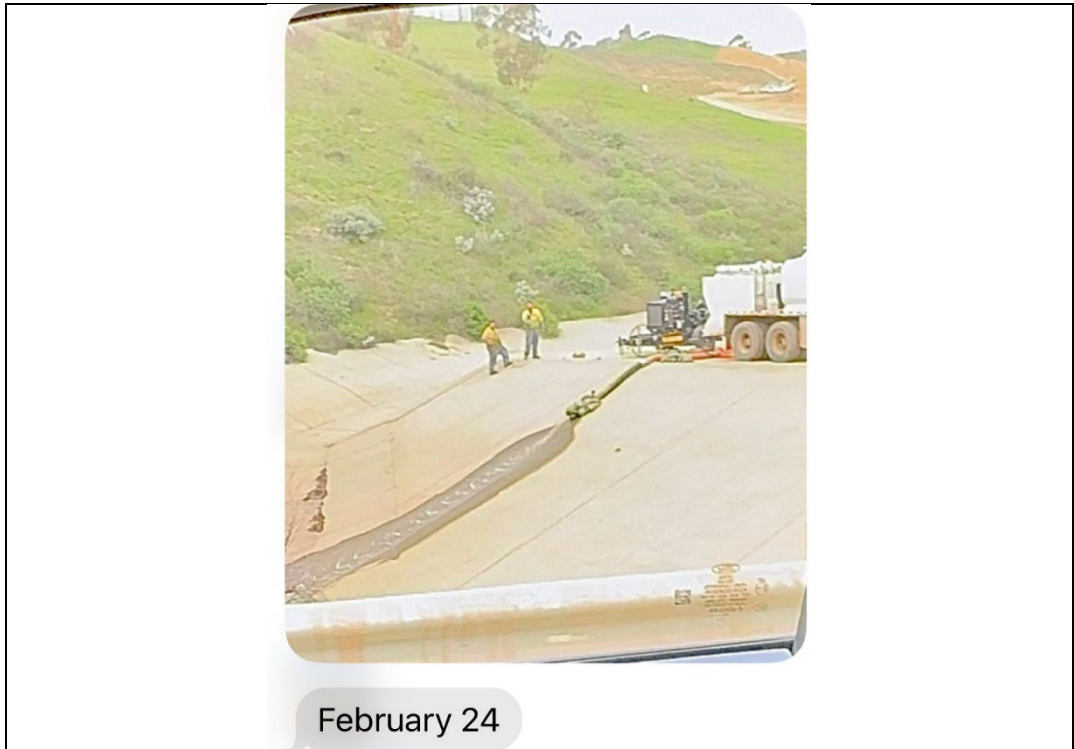
[Adjust](#)

 IMG_3783

Photograph 3 (March 16, 2024 Complaint, COMP-60321)
Photograph showing active pumping and discharge from the south detention basin posted on social media on February 23, 2024.



Photograph 4 (March 16, 2024 Complaint, COMP-60321)
Photograph showing active pumping and discharge from either the south
detention basin or the vacuum truck.



Photograph 5 (March 16, 2024 Complaint, COMP-60321)
Photograph showing active pumping and discharge from either the south
detention basin or the vacuum truck.