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July 31, 2026

Mr. Kevin Green and Mr. John Perkey
Chiquita Canyon, LLC
29201 Henry Mayo Drive
Castaic, CA 91384

RE: FORMAL DETERMINATION OF NON-COMPLIANCE WITH APRIL 14 DIRECTIVE AND MAY 8 RESPONSE LETTER; REQUIRED SUBMISSION OF REVISED COMMUNITY EXPOSURE MITIGATION PLAN

To Mr. Green and Mr. Perkey:

The Los Angeles County Department of Public Health (DPH) has reviewed your July 24, 2026, letter and June 12, 2026, Community Exposure Mitigation Plan (CEMP). After full evaluation, DPH issues this unconditional determination:

- The June 12 CEMP is not compliant with the Public Health Directive (directive) issued on April 14 and the response letter issued May 8, 2026.

This determination is final, does not require further clarification, and is not subject to further interpretation.

Your July 24 correspondence describes a range of actions associated with the West Toe Buttress Project, including notifications, Cool Zone access, shuttle availability, air purifier distribution, odor-control spray systems, construction safeguards, and monitoring activities. DPH acknowledges these project-specific measures. However:

- The directive does not concern the West Toe Buttress Project.
- The directive concerns potential community impacts from a slope failure anywhere on the landfill, and the worsening odor nuisance conditions associated with such a failure.

Your July 24 interpretations of the directive, characterizing the CEMP as intended solely for “unlikely catastrophic scenarios” and tied to project activity, are incorrect and will not be considered further. These interpretations do not alter and cannot alter the scope or intent of the required Plan.

Formal Findings of Non-Compliance

DPH has determined that the Plan submitted is non-compliant for the following reasons:

1. The Plan does not address slope-failure-related community impacts as required. The directive requires community protective measures for any slope failure at the landfill, regardless of location or current construction activity. The CEMP and your July 24 letter incorrectly frames the Plan as a project-specific contingency and as relevant only to catastrophic conditions.

2. The Plan relies on external agency determinations and emergency-response triggers. The directive requires CCL-implemented community protections for a worsening odor nuisance in the event of a slope failure. Reliance on EPA oversight, emergency responders, or regulatory determinations is not permitted.

3. The Plan substitutes construction-related and EPA-directed measures for the required community-facing nuisance-mitigation framework. Your July 24 letter emphasizes engineering controls, excavation limits, cover placement, slope stability observations, and other project-specific operational elements. These measures do not satisfy the directive.

4. The Plan does not consolidate existing community-facing protective measures into a stand-alone, integrated framework. Measures referenced in your July 24 letter, including Cool Zone operations, shuttles, air purifiers, expanded notifications, must be integrated into the CEMP as part of a unified nuisance-mitigation plan. They are not presented as such.

5. The Plan lacks explicit procedures for residents to access community exposure mitigation support. The directive requires detailed instructions for accessing community protections. The Plan does not include points of contact, implementation timelines, or communication procedures.

6. The Plan includes argumentation and factual disputes unrelated to compliance. Your July 24 letter contains disputes about slope stability, community perceptions, odor origins, and media statements. Such content is outside the scope of the April 14 Directive and is not part of the required Plan.

Required Corrections for Compliance

To be considered responsive, the revised Community Exposure Mitigation Plan must:

1. Address worsening odor nuisance conditions associated with potential slope failure anywhere at the landfill.

2. Remove all reliance on external agency triggers, emergency-response frameworks, or determinations.

3. Exclude project-specific operational measures and EPA-directed construction controls, which are not within the scope of the required Plan.

4. Consolidate all existing and ongoing community-facing measures, including those described in your July 24 letter, into a unified, stand-alone plan.

5. Include clear, direct access procedures for all community protective measures (e.g., temporary relocation, transportation, odor-relief resources, communication channels).

6. Exclude commentary disputing site conditions, slope stability, community reports, regulatory statements, or media coverage.

7. Be fully implementable by CCL regardless of current odor levels, construction timelines, or slope stability assertions.

8. Stand independently without cross-reference to external work plans, regulatory directives, or agency oversight.

Future Correspondence

All future correspondence related to this matter must focus exclusively on the revisions necessary for compliance.

DPH will not consider further attempts to reinterpret the directive, redefine its intent, or revisit project-related context.

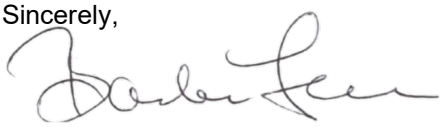
Failure to provide a compliant revision may trigger additional administrative action as appropriate.

Submission Deadline

Please confirm in writing receipt of this determination and, within 7 days of receipt of this letter, submit a revised and fully compliant Community Exposure Mitigation Plan to Nichole Quick, NQuick@ph.lacounty.gov.

The directive is clear and remains unchanged. The required Plan must correct the deficiencies identified above by addressing the community-facing protective actions required in the event of slope failure under the April 14 Directive and must not include or rely on any measures tied to the West Toe Buttress Project.

Sincerely,



Barbara Ferrer, Ph.D., M.P.H., M.Ed.
Director
Los Angeles County Department of Public Health

c: Kathryn Barger, Supervisor, 5th Supervisorial District