



October 9, 2024

The Honorable Gavin Newsom
Governor
State of California
1021 O Street, Suite 9000
Sacramento, California 95814

Re: Urgent Request for Chiquita Canyon Landfill State of Emergency Declaration Request

The undersigned are writing to renew our request for you to declare a state of emergency in Los Angeles County for an urgent and ongoing health and safety crisis impacting the communities surrounding the Chiquita Canyon Landfill. Since 2023, underground chemical reactions in a closed portion of the Chiquita Canyon landfill have not only resulted in emissions of toxic gasses, but also toxic leachate and runoff that has entered the surrounding areas. In March, Assemblywoman Schiavo and Congressman Mike Garcia led two separate requests for a state of emergency declaration – bringing together a bipartisan group of elected officials comprised of two Members of Congress, two State Senators, and three State Assemblymembers in a unified call for swift action from the Governor’s office.

The communities of Val Verde and Castaic (including nearby schools, schools and businesses) have endured prolonged exposure to dangerous noxious gasses, including methane and benzene, with neighbors reporting symptoms including headaches, nausea, asthma, nosebleeds, heart palpitations, vomiting, tumors, cancer, premature death of family pets, and more. A neighborhood located in Val Verde, bordering the hills of the landfill, now has a cancer cluster. Out of the approximately 14 homes closest to the landfill, four individuals were diagnosed with cancer in this last year bringing the total to seven in the last five to six years with one person dying as a result. These health issues have increased immensely since the beginning of this landfill’s toxic gas and leachate leaks and it is only getting worse.

To better personally understand the impact of this crisis, Assemblywoman Schiavo recently stayed the night at one of the residents’ houses on the street with the cancer cluster. In doing so, just for one night, she experienced difficulty breathing, burning eyes and skin, a headache, and the next morning she had a nosebleed. She was only exposed to the outside air for slightly more than an hour. These families live, work, go to school, and play here every day with daily long term exposure to toxic air.

A community survey conducted by Assemblywoman Schiavo's office found that residents have missed work and school, had to evacuate their homes, nearly a quarter had already personally spent over \$1,000 to address its impacts with some spending over \$5,000 to address air quality and health concerns. Nearly all 161 respondents have had direct health impacts to themselves or a family member.

The undersigned are calling for not only a State of Emergency, but also for a longitudinal health study to collect appropriate data and fully understand the impact of the toxic landfill on the health of the community.

Data from the Environmental Protection Agency clearly demonstrates there is an unhealthy amount of airborne chemicals coming from the landfill, as clearly demonstrated from the extreme level of precautions taken at the excavation sites - yet just a few hundred feet away, neighbors have no such protections. Within the span of a year, the amount of toxic leachate being pumped from underground has gone from 20,000 gallons a day to over 200,000 gallons a day. Over thirty million total gallons of leachate has been disposed of, with some of it qualifying as hazardous waste. The leachate and waste have started to create instability in the slopes that keep the landfill intact and there was fear that the slope could slide down the mountain because of the extreme liquefaction. While agencies are working to address slope instability, excavation is further releasing toxic gasses and leachate and this highlights the ever changing and dangerous nature of this disaster.

Despite drilling over 200 wells and 100 pumps to extract gasses and leachate over the past year, the temperature of the smoldering event has not decreased and we do not know if the underground conditions will improve or worsen, if the reaction location will move, and how the landfill stability will evolve. The undersigned have heard no indication that there is any way to end the reaction, except to continue pumping gasses and leachate and wait for it to burn out eventually. The underground reaction in all likelihood will be impossible to extinguish for many years. This means years of leachate removal, years of continued emissions, and years of community exposure to toxic air with cancer causing chemicals. Front of mind are the consequences to the surrounding residents due to current conditions and if there is any interruption in leachate and gas removal that could lead to eruptions seen earlier in the disaster.

In early February, the Los Angeles County Public Health Department declared Chiquita Canyon a public nuisance, finding elevated levels of benzene and carbon tetrachloride - both known and probable carcinogens respectively. Not only have these findings been validated from testing by the Department of Toxic Substances Control and the Los Angeles Regional Water Control Board, but also the corrective actions and violations issued to the Landfill - some elevated to DTSC's Office of Criminal Investigations - have raised concerns to the undersigned that the situation is not under control and community health is not being treated with the urgency this disaster requires. And these concerns are most recently affirmed. First, by the Los Angeles Regional Water Quality Control Board's denial of Chiquita Canyon's request to authorize expanded operations, citing that the landfill's revised Master Development Plan did not include "an adequate approach to contain the subsurface smoldering reaction." And second, in addition to violations from Los Angeles County, the U.S. EPA, the Los Angeles Regional Water Quality Control Board, and the Department of Toxic Substances Control, multiple violations a week from the South Coast Air

Quality Management District as recently as October 4th, citing discharge of “such quantities of air contaminants to cause injury, detriment, nuisance, or annoyance to a considerable number of persons.”

The Response Multi-Agency Coordination group are the agencies working day to day in Chiquita Canyon Landfill. They have confirmed that despite mitigation measures taken, the smoldering event is not improving. In February, the U.S. EPA issued a Unilateral Administrative Order, reserved for when the U.S. EPA finds there “may be an imminent and substantial endangerment to the public health or the environment.” While the U.S. EPA is leading a multi-agency critical action team to coordinate progress on the landfill site, the residents are in dire need of support due to the air pollution and toxic substances being released by the Chiquita Canyon Landfill. Though Chiquita Canyon has agreed to assist with relocation services, the situation is untenable for residents, and they need the full support of the county, state and federal powers for emergency assistance for relocation, state involvement to adequately study and track the full scope of health impacts of this disaster, inform community of dangers and support, relocation assistance and a full assessment of the disaster and impacts on the landfill site and surrounding community, and additional state action to mitigate its impact to residents.

We simply cannot wait as these resident’s health and well-being continue to deteriorate and be threatened. Every day we delay is another day their lives are put at risk by this crisis. We must act now to protect public and environmental health. We are asking you visit the neighbors and landfill, declare a state of emergency, request a federal emergency declaration, and bring the full resources of the state to address this public health and environmental disaster.

Thank you for your consideration of this urgent matter. We look forward to your rapid evaluation and response.

Sincerely,



Pilar Schiavo
Assemblymember, 40th District



Mike Garcia
Congressman, 27th District



Ben Allen
Senator, 24th District
Co-Chair Legislative Environmental Caucus
Chair, Environmental Quality Committee



Maria Elena Durazo
Senator, 26th District
Vice Chair, Los Angeles County Delegation



Eduardo Garcia
Assemblymember, 36th District
Chair, Environmental Safety &
Toxic Materials Committee



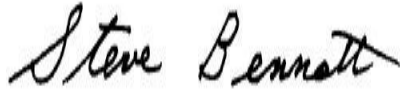
Laura Friedman
Assemblymember, 44th District
Co-Chair Legislative Environmental Caucus



Isaac Bryan
Assemblymember, 55th District
Chair, Natural Resources Committee



Lisa Calderon
Assemblymember, 56th District



Steve Bennett
Assemblymember, 38th District



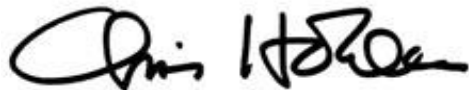
Juan Carrillo
Assemblymember, 39th District



Avelino Valencia
Assemblymember, 68th District



Corey Jackson
Assemblymember, 60th District



Chris Holden
Assemblymember, 41st District



Gregg Hart
Assemblymember, 37th District



Sharon Quirk-Silva
Assemblymember, 67th District



Josh Lowenthal
Assemblymember, 69th District



Mike A. Gipson
Assemblymember, 65th District

CC: Ana Melendez – Cal EPA

Bridget Kolakosky - Cal OES
Christine Aurre, Legislative Affairs Secretary
Grant Mack, Deputy Legislative Secretary
Los Angeles County Board of Supervisors