Barger says 'no' to closing Chiquita Canyon Landfill, lashes out at state legislators

A group of legislators sends a letter to state agencies, asking to meet on landfill problems

People hold signs during a news conference at Hasley Canyon Park in Castaic to announce the Citizens for Chiquita Canyon Closure filing a writ against the County to call for the immediate closure of the landfill, and mitigation of impacts on the community on Thursday, Feb. 22, 2024. (Photo by Hans Gutknecht, Los Angeles Daily News/SCNG)

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Minutes after residents protested and filed a lawsuit on Thursday demanding Los Angeles County close the Chiquita Canyon Landfill in Castaic due to continual toxic releases into the community that are making residents sick, they got their answer.

Supervisor Kathryn Barger, whose Fifth District includes the landfill and the Santa Clarita Valley, said any kind of closure is out of the question.

In a statement made shortly after the protest began, the same day the legal challenge was filed in Los Angeles County Superior Court, Barger wrote that based on current information about the landfill's problems, abatement efforts and health risk factors, "the County has not determined that closure of the landfill is currently warranted under the conditions of the County's CUP (conditional use permit)."

A group called Citizens For Chiquita Canyon Closure who live near the municipal landfill, and say they are affected by breathing the landfill's odors, argued in the court document that the county is violating its own CUP because the landfill has become a nuisance and a threat to public health.

Chiquita Canyon Landfill in Castaic on Wednesday, October 18, 2023. (Photo by Dean Musgrove, Los Angeles Daily News/SCNG)

Also on Thursday, the U.S. Environmental Protection Agency said the landfill was an "imminent and substantial danger" to the nearby communities. It ordered Chiquita Canyon LLC, landfill operators and part of the larger Waste Connections based in Texas, to take immediate steps to protect the residents.

Residents from Val Verde, Castaic, Live Oak and Hasley Canyon — areas near the 639-acre landfill in the Santa Clarita Valley — have reported asthma attacks, bloody noses, skin irritations, nausea and heart palpitations to authorities including the South Coast Air Quality Management District. The landfill operators have been issued 100 violations and have received more than 7,000 complaints from nearby residents.

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The problem stems from a "smoldering" event beneath an older section of the landfill that started almost two years ago, raising internal landfill temperatures and causing release of odors containing excessively high levels of dimethyl sulfide (DMS), one of the chemicals in odors that can spread miles in the air, according to the SCAQMD.

The landfill received a violation from the state Department of Toxic Substances Control on Feb. 15, 2024 for attempting to transfer leachate — chemical liquid from decomposing trash — to a non-hazardous waste treatment facility in Gardena that was found to have exceeded the toxicity level for benzene. The wastewater should have been classified as hazardous waste, the DTSC said. The Gardena plant is not equipped to take hazardous waste, but usually treats non-hazardous wastewater and sends the treated water into Los Angeles County sewers.

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Exposure to benzene, a known human carcinogen, has been linked to human cases of leukemia.

The landfill operators responded to the EPA in a statement posted on its website, first saying that the leachate releases are stemming from the problem area located in the older, non-active section of the landfill, not where waste is currently being buried.

"Chiquita, along with its various regulatory oversight agencies, has been working cooperatively to rapidly address these issues," wrote Steve Cassulo, district manager of the landfill in a statement on the website. "We welcome the opportunity to work with the EPA as a partner with our other regulators."

In this photo from Friday, Feb. 23, 2024, someone posted a handmade sign on a bulletin board at the intersection of San Martinez Road and Chiquita Canyon Road, against Supervisor Kathryn Barger, after a statement was released by Barger saying the county saw no reason to close the Chiquita Canyon Landfill. (photo courtesy of law firm Sethi, Orchid Miner LLP.)

Residents who spoke on Thursday blamed the county for granting expansion permits in 2017 and expressed dissatisfaction with the supervisor's response to their concerns about odors and health threats.

"The community is disappointed to see Barger actively supporting the Chiquita Canyon Landfill's continued operations in the midst of the serious health crisis the landfill has created for our community. Barger is still trying to downplay this serious health crisis referring to it as an odor issue," said attorney Orchid Oshea of Pasadena-based law firm Sethi Orchid Miner representings the residents, in an email on Friday.

But Barger said she has demanded accountability from the landfill operators and from county and state agencies. She has set up a fund for residents who have stayed indoors with their air conditioning turned on 24/7 to avoid odors to help them pay their electric bills.

Recently, Barger asked the landfill's operators to provide relocation assistance services for those who live near the landfill. Landfill operators said they are setting up a community benefit and relocation program.

In her statement on Thursday, Barger wrote that closure won't help stop the odors.

"Because the odors do not originate from active portions of the landfill and since the landfill's operator is actively working to abate odors, closing the Chiquita Canyon Landfill would have no effect on decreasing or eliminating odors," she wrote.

She added: "The County cannot unilaterally close the landfill without justification."

Oshea disagreed, saying a closure, even temporary, would allow everyone from the landfill operator to regulatory agencies to focus on one thing: eliminating the odors and leachate releases. "When a landfill gets shut down, they start remediation. With this being an imminent health threat, this needs to be an all hands on deck cleanup," Oshea said.

Barger pointed the finger at the region's state Assembly members, saying they should prod state regulatory agencies to do more. She said she's moved county resources to help the residents and was quick to respond to the crisis, but it's up to state legislators to oversee the responses from state agencies and to assess whether the landfill's closure is something to consider.

"I have yet to see my state counterparts take similar actions to urgently address these issues," she wrote.

On Thursday, five members of the Assembly wrote a joint letter, asking for a meeting with state regulatory agencies to talk over strategies for monitoring the landfill's air emissions, fixing the problem and coordinating efforts with the EPA. The letter was addressed to the heads of the DTSC, State Water Resources Control Board and SCAQMD.

"Without a rapid resolution to this crisis, prolonged release of toxic chemicals into the immediate environment and now potentially the greater Los Angeles region, will lead to mounting negative impacts to L.A. residents and the surrounding ecosystems," the letter concluded.

It was signed by legislators Pilar Schiavo, 40th Assembly District; Chris Holden, 41st Assembly District; Tina McKinnor, 61st Assembly District; Mike Gipson, 65th Assembly District; and Eduardo Garcia, 36th Assembly District. Schiavo and Holden spoke at the news conference along with Santa Clarita Valley residents on Thursday.

Holden is running against Barger for L.A. County Board of Supervisors, Fifth District in the March 5 primary.

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