

SUPPORT FOR ASSEMBLY BILLS 27 & 28 (SCHIAVO)

The Chiquita Canyon Landfill (CCL) is a sizable 639-acre landfill situated in the Santa Clarita Valley, and it is owned and operated by Chiquita Canyon, LLC. The ongoing odor incident, by which a noxious odor is being emitted by the landfill, has significantly affected quality of life for residents of the surrounding communities.

To address the financial challenges faced by residents and to help prevent and address future incidents of a similar nature in solid waste landfills, Assemblymember Schiavo has introduced Assembly Bill 27 (AB 27) and Assembly Bill 28 (AB 28).

AB 27 would provide much needed financial relief for residents who have been burdened by the CCL odor incident by creating an exclusion from gross income for amounts received, on or after March 1, 2024, as compensation for costs and losses related to the elevated temperature landfill event. As a tax levy, this bill would take effect immediately, and it would terminate on December 1, 2029.

Further, while the County of Los Angeles, in partnership with various state and local agencies, took multiple actions to address the issues at CCL, it is clear that closer monitoring by operators of solid waste landfills is needed to prevent future odor incidents. AB 28 would increase operator accountability, reporting requirements, and empower local enforcement agencies to take clear steps to address landfill gas and odor issues. This bill would require an operator to continuously monitor temperature sensors or flares for landfill gas temperature and share that data on its website and to its local enforcement agency. Operators would be required to take specified corrective actions if the gas temperatures exceed certain thresholds for longer than 60 days, which may include multiagency coordination to address and resolve sustained gas temperatures and the suspension or revocation of operating permits by local enforcement agencies.

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MOTION

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In the event corrective actions are not carried out, AB 28 requires local enforcement agencies to impose a penalty not to exceed \$10,000 per day and authorizes the revocation of permits. Local enforcement agencies would also be required to impose a penalty not to exceed \$1,000,000 for each week that gas temperature is 162 degrees Fahrenheit for longer than 60 days. Penalties would be deposited into the Landfill Subsurface Fire Mitigation Account, which would be created by this bill, and would be used upon appropriation by the Legislature for harm mitigation measures for persons or communities adversely impacted by solid waste landfill gas.

Together, these bills seek to support residents impacted by the CCL odor incident and help prevent future incidents from occurring.

I, THEREFORE, MOVE that the Board of Supervisors direct the Chief Executive Officer, through the Legislative Affairs and Intergovernmental Relations Branch, to support AB 27 and AB 28.

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