

1 ROB BONTA
Attorney General of California
2 DAVID ZAFT (SBN 237365)
ABIGAIL BLODGETT (SBN 278813)
3 Supervising Deputy Attorneys General
ELIZABETH SONG (SBN 326616)
4 SUSANA M. AGUILERA (SBN 341788)
CATHERINE WIEMAN (SBN 222384)
5 JESSICA DURNEY (SBN 326816)
BRENDAN HUGHES (SBN 333690)
6 Deputy Attorneys General
300 South Spring Street, Suite 1702
7 Los Angeles, CA 90013-1230
Telephone: (213) 269-6221
8 Fax: (916) 731-2128
E-mail: Elizabeth.Song@doj.ca.gov
9 Catherine.Wieman@doj.ca.gov

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10 *Attorneys for Plaintiff People of the State of*
11 *California*

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF LOS ANGELES
14

15
16 **PEOPLE OF THE STATE OF**
17 **CALIFORNIA,**

Plaintiff,

18
19 **v.**

20 **CHIQUITA CANYON, LLC, a Delaware**
21 **limited liability company; CHIQUITA**
22 **CANYON, INC., a Delaware corporation;**
WASTE CONNECTIONS US, INC., a
Delaware corporation,

23 Defendants.
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Case No.

**COMPLAINT FOR CIVIL PENALTIES
AND EQUITABLE RELIEF**

(Health & Saf. Code, §§ 25160, 25163,
25181, 25184, 25189, and 25189.2; Gov.
Code, § 12607; Bus. & Prof. Code, § 17200 et
seq.)

[VERIFIED ANSWER REQUIRED UNDER
CODE CIV. PROC., § 446]

1 Plaintiff, the People of the State of California (“People”), acting by and through Rob
2 Bonta, in his independent capacity as Attorney General of California, and by Katherine M. Butler,
3 Director of the California Department of Toxic Substances Control (“DTSC”), represented by the
4 Office of the California Attorney General, alleges as follows:

5 I. INTRODUCTION

6 1. Defendants Chiquita Canyon, LLC, Chiquita Canyon, Inc., and Waste Connections
7 US, Inc. (collectively, “Defendants”), have repeatedly, consistently, and pervasively failed to
8 lawfully manage hazardous waste at the Chiquita Canyon Landfill located at 29201 Henry Mayo
9 Dr., Castaic, California 91384 (the “Landfill”).

10 2. Since at least May 2022, an uncontrolled subsurface elevated temperature (“SET”)
11 event has rapidly expanded within the Landfill, which is located near several residential
12 communities, schools, and parks.

13 3. SET events, like the one occurring at the Landfill, threaten human health, safety,
14 and the environment. A SET event begins when temperatures in underground landfill waste
15 exceed normal operating temperatures. In addition to other factors, the United States
16 Environmental Protection Agency (“U.S. EPA”) states that a landfill temperature 131 degrees
17 Fahrenheit or above may indicate that a SET event is occurring. Similarly, Assembly Bill 28
18 defines a SET event as “an event where subsurface gas or waste temperatures at a solid waste
19 landfill persistently exceed 131 degrees Fahrenheit over a substantial area and meets other
20 performance criteria, as determined by the department.” (Pub. Resources Code, § 43031, subd.
21 (a)(3).)¹ Temperatures within the landfill waste can increase during a SET event, and, if left
22 uncontrolled, like the one currently expanding through the Landfill, can continue for years and
23 spread across an entire landfill.

24 4. Temperatures exceeding 170 degrees Fahrenheit have been regularly detected in
25 the Landfill, and data indicates that the SET event at the Landfill is continuing and spreading.

26 5. The SET event at the Landfill endangers Landfill infrastructure designed and
27 intended to protect the environment, including the Landfill cover, liner system (which separates

28 ¹ This definition takes effect on January 1, 2027.

1 the Landfill waste from the ground to protect the underlying soil and groundwater), gas and
2 leachate collection systems, and the stability of the Landfill itself. SET events can cause
3 excessive and rapid settlement of a landfill's surface and the collapse of its side slopes. Here,
4 settlement and possible slope collapse threaten to release smoldering waste and hazardous
5 leachate into the environment and further damage Landfill infrastructure.

6 6. The SET event at the Landfill has resulted in the release of gaseous volatile
7 organic compounds ("VOCs"), i.e., toxic air contaminants like benzene, and noxious odors,
8 which have negatively impacted and continue to negatively impact the surrounding communities.

9 7. The SET event has resulted in the generation of millions of gallons of hazardous
10 leachate. Leachate is a solution formed when liquid travels through or drains from solid waste,
11 thickening as it dissolves soluble compounds and draws out chemicals, suspended solids, or other
12 constituents, resulting in a highly contaminated, black, turbid liquid. The leachate that is
13 prevalent in the Landfill contains concentrations of benzene above hazardous waste thresholds
14 and, on occasion, methyl ethyl ketone ("MEK") above hazardous waste thresholds, as well as
15 other harmful constituents at varying concentrations. In addition, the SET event has generated
16 hazardous condensate (liquid generated from the gas collection and recovery process) containing
17 arsenic and pyridine above hazardous waste thresholds, among other hazardous waste
18 constituents. Exposure to these hazardous substances poses serious adverse health effects to
19 people and these substances threaten the environment, including groundwater and surface waters
20 in the area.

21 8. Lawful management of hazardous waste in compliance with the California
22 Hazardous Waste Control Law ("Chapter 6.5") (Health & Saf. Code, Div. 20, Ch. 6.5 § 25100 et
23 seq.), and its implementing regulations ("Title 22") (Cal. Code Regs., tit. 22, § 66260.1 et seq.), is
24 critical to minimize these dangers. (Collectively, Chapter 6.5 and Title 22 are referred to in this
25 Complaint as the "HWCL.")

26 9. Defendants have repeatedly and pervasively failed to manage hazardous waste at
27 the Landfill in compliance with the HWCL. Defendants' operation of the Landfill has resulted in
28 numerous spills and leaks of hazardous waste leachate into the environment, polluting and

1 impairing the natural resources of the state. Defendants have also repeatedly and pervasively
2 failed to comply with HWCL requirements intended to ensure the safe transportation, treatment,
3 storage, and disposal of hazardous wastes.

4 10. In addition to violating the HWCL, Defendants have violated California's Unfair
5 Competition Law, Business and Professions Code section 17200 et seq. ("UCL"), and have
6 caused the pollution, impairment, and/or destruction of the natural resources of the State of
7 California in violation of Government Code section 12607. For these violations, the People seek
8 civil penalties and equitable relief.

9 II. PLAINTIFF

10 11. Plaintiff is the People of the State of California. The People bring this action by
11 and through Rob Bonta, Attorney General of California, acting in his independent capacity, and
12 by Katherine M. Butler, Director of DTSC.

13 12. The Attorney General, as the chief law enforcement officer of the State of
14 California, is charged with ensuring that the laws of this state are adequately and uniformly
15 enforced. The Attorney General has broad independent powers under the California Constitution
16 and the California Government Code to participate in all legal matters in which the State is
17 interested, and he has special and explicit statutory authority to participate in cases involving the
18 protection of California's environment. (Cal. Const., art. V, § 13; Gov. Code, §§ 12511, 12600-
19 12612.) The Attorney General is authorized to seek equitable relief for violations of Government
20 Code section 12607. The Attorney General also is authorized by Business and Professions Code
21 sections 17204, 17206, and 17207 to enjoin any person who violates the UCL and to obtain civil
22 penalties for each act of unfair competition.

23 13. DTSC is a state agency organized and existing pursuant to Health and Safety Code
24 section 58000 et seq. DTSC is the state agency responsible for administering and enforcing the
25 HWCL.

26 14. Katherine M. Butler is the Director of DTSC.

27 15. Pursuant to Health and Safety Code sections 25181, subdivision (a), and 25182,
28 the Attorney General of California is authorized, at the request of DTSC, to commence an action

1 for civil penalties and injunctive relief under the HWCL in the name of the People of the State of
2 California. DTSC has made such a request to the Attorney General.

3 **III. DEFENDANTS**

4 16. Defendant Chiquita Canyon, LLC is now, and at all times relevant to this
5 Complaint has been, a limited liability company organized and existing under the laws of the state
6 of Delaware. Chiquita Canyon, LLC maintains an office at the Landfill and conducts business in
7 Los Angeles County, California.

8 17. Defendant Chiquita Canyon, Inc. is now, and at all times relevant to this
9 Complaint has been, a corporation organized and existing under the laws of the State of
10 Delaware. Chiquita Canyon, Inc. conducts business in Los Angeles County, California, and is the
11 sole member of Chiquita Canyon, LLC. On information and belief, Chiquita Canyon, Inc.
12 controls the Landfill's financial assurance mechanism required for the Landfill to operate.

13 18. Defendant Waste Connections US, Inc. ("Waste Connections") is now, and at all
14 times relevant to this Complaint has been, a corporation organized and existing under the laws of
15 the State of Delaware. Waste Connections conducts business in Los Angeles County, California,
16 and is the sole owner of Chiquita Canyon, Inc. Waste Connections was formerly known as Waste
17 Connections, Inc., and filed a statement with the California Secretary of State reflecting this name
18 change on November 18, 2016.

19 19. Each Defendant has, and at all times relevant to this Complaint has had, the same
20 principal place of business located at 3 Waterway Square PL #110, The Woodlands, Texas 77380.

21 20. Presently, and at all times relevant to this Complaint, Waste Connections and
22 Chiquita Canyon, Inc., have had the same corporate officers. The Chief Executive Officer of
23 Waste Connections and Chiquita Canyon, Inc., Ronald J. Mittelstaedt, is identified as the
24 "manager" or "member" of Chiquita Canyon, LLC.

25 21. Each Defendant is a "person" as defined by Health and Safety Code section 25118.
26 Each Defendant is a "generator" of hazardous waste at the Landfill and an "owner or operator,"
27 and is subject to the requirements of the HWCL. (See Cal. Code Regs., tit. 22, § 66260.10 et seq.)
28

1 22. The processes or acts of Chiquita Canyon, LLC, Chiquita Canyon, Inc., and/or
2 Waste Connections produce hazardous waste at the Landfill.

3 23. Upon information and belief, Defendants operate the Landfill, including by
4 managing, directing, and conducting operations related to the hazardous waste at the Landfill.

5 24. Upon information and belief, Waste Connections exercises significant control over
6 the Landfill, Chiquita Canyon, LLC, and Chiquita Canyon, Inc., including by managing,
7 directing, and conducting operations related to the transportation, treatment, storage, and disposal
8 of hazardous waste generated at the Landfill, and through the general management of the Landfill
9 and the daily activities taking place there.

10 25. Until approximately December 10, 2024, the Landfill's website stated that the
11 Landfill is "owned and operated by Waste Connections." Letterhead used for correspondence
12 purporting to be from Chiquita Canyon, LLC includes a large image that states, "Chiquita Canyon
13 A Waste Connections Company."

14 26. In 2018, Waste Connections was issued a Los Angeles Regional Water Quality
15 Control Board waste discharge permit for the Landfill. The Landfill's waste discharge permit lists
16 Waste Connections as the "discharger."

17 27. Waste Connections employees made and continue to make decisions about the
18 Landfill's management and disposal of hazardous waste and compliance with environmental laws
19 and government directives, and they have made and continue to make representations and
20 commitments on behalf of the Landfill to governmental entities, including DTSC, the public, and
21 the media, regarding hazardous waste management at the Landfill, as well as the Landfill's
22 compliance with environmental laws and government directives regarding the environment.

23 28. Waste Connections, Chiquita Canyon, Inc., and Chiquita Canyon, LLC at all
24 relevant times here had a unity of interest and ownership such that any individuality and
25 separateness between them have ceased, and each such entity is the alter ego of each other entity.
26 Injustice and unfairness would result if Defendants were recognized as separate corporate entities.

27 29. Each Defendant committed, conspired with the other Defendants to commit,
28 and/or ratified each of the acts and omissions alleged in this Complaint. Defendants, and each of

1 them, were the agents, servants, employees and/or joint venturers of each other and were acting
2 within the course and scope of their agency, service, employment and joint venture at all relevant
3 times regarding each of the acts and omissions alleged in this Complaint. All acts performed by
4 Defendants, and each of them, while acting as an agent, servant, employee and/or joint venturer
5 have been adopted and ratified by all other Defendants, and each of them.

6 30. When reference is made in this Complaint to any act or omission of Chiquita
7 Canyon, LLC, Chiquita Canyon, Inc., or Waste Connections, such allegations shall include the
8 acts and omissions of owners, officers, directors, agents, employees, contractors, affiliates, and/or
9 representatives of Chiquita Canyon, LLC, Chiquita Canyon, Inc., or Waste Connections,
10 respectively, while acting within the course and scope of their employment or agency on behalf of
11 Chiquita Canyon, LLC, Chiquita Canyon, Inc., or Waste Connections during the relevant time
12 periods.

13 **III. JURISDICTION AND VENUE**

14 31. The California Superior Court for the County of Los Angeles (“Court”) has
15 jurisdiction pursuant to Article VI, Section 10 of the California Constitution.

16 32. Venue is proper in this Court pursuant to Health and Safety Code section 25183,
17 and Business and Professions Code sections 17204, 17206, subdivision (a), and 17207,
18 subdivision (b), because the Landfill is located, and all or some of the violations occurred, in Los
19 Angeles County.

20 **IV. STATUTORY AND REGULATORY BACKGROUND**

21 **The HWCL**

22 33. The State of California has enacted a comprehensive “cradle to grave” statutory
23 and regulatory framework for managing the generation, storage, transport, and disposal of
24 hazardous waste. The Legislature enacted this framework to protect the public from the risks
25 posed by hazardous wastes and to protect the environment—i.e., soil, air, surface water,
26 groundwater—from contamination by hazardous wastes and their constituents. Except where
27 otherwise expressly defined in this Complaint, all terms shall be interpreted consistent with the
28 HWCL, including the Title 22 Regulations.

1 34. DTSC administers the HWCL pursuant to authorization from the U.S. EPA, in lieu
2 of federal administration of the federal Resource Conservation and Recovery Act, 42 U.S.C.
3 section 6901 et seq. (“RCRA”). (Health & Saf. Code, §§ 25101, subd. (d), 25159-25159.9.)
4 Federal law prohibits California from imposing any requirements less stringent than those
5 authorized under RCRA. (42 U.S.C. § 6929.) As authorized by applicable federal law, certain
6 provisions of the HWCL are more stringent or broader in scope than the analogous provisions of
7 RCRA.

8 35. The HWCL charges DTSC with the authority and responsibility to adopt standards
9 and regulations for the management of hazardous waste to protect human health and the
10 environment. (Health & Saf. Code, § 25150.) Accordingly, DTSC has promulgated the Title 22
11 Regulations, which implement the HWCL and set forth comprehensive requirements for the day-
12 to-day operations of hazardous waste generators, hazardous waste transporters, and hazardous
13 waste facilities.

14 36. The HWCL defines “waste” as “any solid, liquid, semisolid, or contained gaseous
15 discarded material that is not excluded by this chapter or by regulations adopted pursuant to this
16 chapter.” (Health & Saf. Code, § 25124, subd. (a).)

17 37. The HWCL defines “hazardous waste” as “waste” that meets any of the criteria
18 established by DTSC. (Health & Saf. Code, §§ 25117, 25141.) The criteria consist of lists of
19 particular hazardous wastes and of wastes exhibiting one or more of the following hazardous
20 characteristics: corrosivity, toxicity, ignitability, and reactivity. (Cal. Code Regs., tit. 22, §§
21 66261.20-24.)

22 38. A person who generates hazardous waste must comply with the HWCL, including
23 the Title 22 Regulations. (Cal. Code Regs., tit. 22, § 66262.10.)

24 39. Among other requirements, generators must comply with the requirements for
25 determining whether a waste is hazardous, and the requirements related to accumulation, labeling
26 and marking, manifesting, disposal, training, and preparedness and prevention. (See Cal. Code
27 Regs., tit. 22, § 66262.10 et seq.)
28

1 40. The HWCL authorizes the Court to impose civil penalties for violations of the
2 HWCL or any permit, rule, regulation, standard, or requirement issued or adopted under the
3 HWCL, under two distinct and alternative statutory provisions. First, the HWCL authorizes civil
4 penalties for any negligent or intentional violation. (Health & Saf. Code, § 25189.) Alternatively,
5 the HWCL authorizes strict liability civil penalties for any violation of the HWCL, or any permit,
6 rule, regulation, standard, or requirement issued or adopted under the HWCL without requiring a
7 showing of negligent or intentional conduct. (*Id.*, § 25189.2) A person may be held liable for a
8 civil penalty under Health and Safety Code section 25189 or Health and Safety Code section
9 25189.2, but not both, for the same conduct. (*Id.*, §§ 25189, subd. (g), 25189.2, subd. (f).)

10 41. The HWCL authorizes the Court to impose a civil penalty of up to seventy
11 thousand dollars (\$70,000) for each violation of a separate provision of the HWCL, or any permit,
12 rule, regulation, standard, or requirement issued or adopted under the HWCL, or, for continuing
13 violations, for each day the violation continues. (Health & Saf. Code, §§ 25189, 25189.2.)

14 42. The HWCL also authorizes and directs the Court to enjoin any ongoing or
15 potential violation of the HWCL, or any rule, regulation, permit, covenant, standard, requirement,
16 or order issued, promulgated, or executed thereunder. (Health & Saf. Code, §§ 25181, 25184.)

17 43. The HWCL provides that when DTSC determines that any person has engaged in,
18 is engaged in, or is about to engage in any acts or practices that constitute or will constitute a
19 violation of any provision of the HWCL or any rule or requirement issued or promulgated
20 thereunder, and when requested by DTSC, the Attorney General may make an application to the
21 superior court for an order enjoining such acts or practices, or for an order directing compliance,
22 and upon a showing by DTSC that such person has engaged in or is about to engage in any such
23 acts or practices, a permanent or temporary injunction, restraining order, or other order may be
24 granted. (Health & Saf. Code, § 25181, subd. (a).)

25 44. The HWCL further provides that in civil actions brought pursuant to the HWCL in
26 which DTSC seeks an injunction or temporary restraining order:

27 [I]t shall not be necessary to allege or prove at any stage of the
28 proceeding that irreparable damage will occur should the temporary
 restraining order, preliminary injunction, or permanent injunction

1 not be issued; or that the remedy at law is inadequate, and the
2 temporary restraining order, preliminary injunction, or permanent
3 injunction shall issue without such allegations and without such
4 proof.

(Health & Saf. Code, § 25184.)

Government Code Section 12607

5 45. Government Code section 12607 authorizes the Attorney General to bring an
6 action for equitable relief in the name of the People of the State of California against any person
7 for the protection of the natural resources of the state from pollution, impairment, or destruction.

8 46. “Natural resource” is defined to include “land, water, air, minerals, vegetation,
9 wildlife, silence, historic or aesthetic sites, or any other natural resource which, irrespective of
10 ownership contributes, or in the future may contribute, to the health, safety, welfare, or enjoyment
11 of a substantial number of persons, or to the substantial balance of an ecological community.”

12 (Gov. Code, § 12605.)

13 47. Government Code section 12603 states that “[t]his article shall be liberally
14 construed and applied to promote its underlying purposes.”

15 48. Government Code section 12610 further explains that, in “granting temporary and
16 permanent equitable relief, the court may impose such conditions upon the defendant as are
17 required to protect the natural resources of the state from pollution, impairment, or destruction.”

The UCL

19 49. Business and Professions Code section 17200 provides that “unfair competition
20 shall mean and include any unlawful, unfair or fraudulent business act or practice. . . .” Business
21 and Professions Code section 17203 provides that “(a)ny person performing or proposing to
22 perform an act of unfair competition within this state may be enjoined in any court of competent
23 jurisdiction.”

24 50. Business and Professions Code section 17206, subdivision (a), provides that any
25 person violating Section 17200 “shall be liable for a civil penalty not to exceed two thousand five
26 hundred dollars (\$2,500) for each violation, which shall be assessed and recovered in a civil
27 action brought in the name of the people of the State of California by the Attorney General or by
28

any district attorney.” Under Section 17205, these penalties are “cumulative to each other and to the remedies or penalties available under all other laws of this state.”

V. GENERAL ALLEGATIONS

The Landfill

51. The Landfill is a municipal solid waste landfill located on 639 acres in Castaic, California. The Landfill has been in use as a landfill since 1972. On or about December 31, 2024, Defendants announced that they would stop accepting waste at the Landfill effective January 1, 2025. This announcement followed the Los Angeles Regional Water Quality Control Board’s denial of Waste Connections’ request to open a new cell in the Landfill for disposal, which was based on the ongoing SET event and uncertainty regarding Landfill stability.

52. When the Landfill was accepting waste, its conditional use permit from the County of Los Angeles allowed the Landfill to receive up to 12,000 tons of waste per day. The Landfill was permitted to accept non-hazardous solid waste for disposal, including municipal solid waste, green waste for composting and recycling, construction and demolition debris, and e-waste for recycling. The permit allowed the Landfill to receive a maximum of 2.8 million tons of waste per year through December 2024, at which time the maximum annual capacity was to be reduced to 1.8 million tons per year. In 2021, the average daily tonnage of municipal solid waste disposed in the Landfill was reported to be 6,412 tons.

53. Several residential communities surround the Landfill, including the Val Verde, Hasley Canyon, Hasley Hills, North Bluffs, Live Oak, Stevenson Ranch, Hillcrest, and Williams Ranch communities. The Val Verde community is the closest and is located approximately 1,000 feet northwest of the developed area of the Landfill. These communities are home to thousands of residents and several schools, including Headstart Preschool, Playmakers Preschool, Live Oak Elementary, Santa Clarita Valley International Elementary School, Oak Hills Elementary School, Castaic Elementary School, Rancho Pico Junior High School, Castaic Middle School, Castaic High School, and West Ranch High School. Collectively, these schools serve approximately 6,700 students.

1 54. Any facility that stores, treats, or disposes of hazardous waste as described in the
2 HWCL must obtain a permit or a grant of authorization from DTSC.

3 55. The Landfill does not have a hazardous waste facility permit or interim status
4 authorization from DTSC.

5 **The Uncontrolled and Spreading Subsurface Elevated Temperature Event**

6 56. The Landfill has been experiencing an uncontrolled SET event since at least May
7 2022, and this SET event is growing and spreading throughout the Landfill. A SET event occurs
8 when temperatures in the landfill waste mass exceed normal operating temperatures. There are
9 several potential causes for SET events, including subsurface heat-generating chemical reactions
10 or combustion. A SET event expands by breaking down the subsurface waste mass, producing
11 hazardous waste leachate and gases, and creating subsurface voids which can cause subsidence
12 (e.g., settlement, sinkholes, fissures, fractures, surface depressions, troughs, etc.) and slope
13 instability and failure. SET events can continue to expand and spread through an entire landfill.

14 57. The SET event at the Landfill is expanding. Temperature gauges at the Landfill
15 have exceeded 212 degrees Fahrenheit in portions of the Landfill. The SET event has expanded
16 from an area of approximately 20 acres in 2022 to an area of approximately 90 acres, and
17 continues to expand.

18 58. Among other things, the SET event at the Landfill has generated, and continues to
19 generate, massive amounts of hazardous leachate; increased Landfill emissions of benzene,
20 hydrogen sulfide, VOCs, other air contaminants, and noxious odors; and caused Landfill surface
21 subsidence and slope instability. The Landfill has experienced, and continues to experience,
22 surface fissures, cracks, depressions, troughs, fractures, and sinkholes in its soil cover.

23 59. The SET event has caused noxious odors to permeate into surrounding
24 communities. Community members have lodged thousands of complaints reporting noxious odors
25 and health conditions such as headaches, dizziness, irritation of eyes, nose, skin, or throat,
26 coughing, wheezing or shortness of breath, nausea, vomiting, diarrhea, palpitations, and sleep
27 problems, all attributed to the Landfill. Based upon community survey results from October 2024
28 to February 2026 published by the Los Angeles County Department of Public Health, 37 percent

1 of community respondents experienced odors that were “highly offensive.” Over 44 percent of
2 community respondents reported noticing these odors on a daily basis; and over 40 percent
3 indicated that the odors affected their daily activities “a lot,” such as by restricting their ability to
4 move or exercise outdoors.

5 **Generation of Hazardous Waste Leachate and Condensate**

6 60. The SET event at the Landfill has generated, and continues to generate, massive
7 amounts of hazardous waste leachate containing hazardous concentrations of benzene and, on
8 occasion, MEK and other harmful constituents. Landfill leachate is formed when water or other
9 liquid travels through or drains from wastes placed in a landfill and leaches or draws out
10 chemicals or constituents from landfill wastes.

11 61. The SET event has also resulted in the production of hazardous waste condensate,
12 the liquid generated from the warm, moist landfill gas that cools within the landfill gas collection
13 and control system. Some condensate contains hazardous concentrations of arsenic, pyridine,
14 MEK, and/or other hazardous constituents.

15 62. Human exposure to benzene, MEK, arsenic, and pyridine can cause serious
16 adverse health effects.

17 63. Benzene is a clear, flammable liquid that is a known human carcinogen, which can
18 affect hematological, immunological, gastrointestinal, respiratory, hepatic, neurological, and
19 reproductive systems, and can produce myeloid leukemia, Hodgkin’s disease, and lymphomas, as
20 well as non-cancer adverse health effects. Benzene can volatilize into vapors in the air and can
21 easily leach from soil into groundwater. Benzene breaks down more slowly in water and soil than
22 it does in the air. Humans can be exposed to benzene from contaminated air, surface water,
23 groundwater, drinking water, and soil.

24 64. MEK is a chemical that can cause irritation to the eyes, nose and throat when
25 inhaled in acute (short-term) exposure in humans. Chronic (long-term) effects of MEK in humans
26 are not well known, but chronic inhalation studies in animals have reported neurological, liver,
27 kidney, and respiratory effects. At high concentrations, MEK can cause reversible central nervous
28

1 system depression in animals. In liquid form, MEK is flammable and can cause serious eye
2 damage/eye irritation, respiratory tract irritation, and narcotic effects.

3 65. Arsenic is a chemical element. Chronic ingestion of low levels of arsenic can cause
4 visible changes in the skin. Chronic exposure eventually causes disease across multiple body
5 systems, including peripheral neuropathy (numbness and tingling), enlargement of the liver and
6 spleen, diabetes, heart disease, cognitive impairment, and damage to the portal vein (non-cirrhotic
7 portal fibrosis and portal hypertension). Repeated arsenic exposure also increases the risk for
8 developing several cancers, particularly of the skin, lung, liver, bladder, prostate, and blood
9 vessels. The most common arsenic-induced skin cancer is squamous cell carcinoma in situ, which
10 typically occurs 2 to 20 years after arsenic exposure.

11 66. Pyridine is a colorless, flammable liquid that can cause damage to the liver,
12 neurological effects, renal effects, and irritation of the skin and eye. Symptoms of pyridine
13 exposure include nausea, vomiting, diarrhea, abdominal pain, headache, fatigue, dizziness,
14 lightheadedness, confusion, and even coma and death. Pyridine is highly flammable and may
15 react violently with other chemicals. Pyridine can enter the body by breathing in air, drinking
16 water, or eating food that contains pyridine, or by skin contact with this chemical.

17 67. Pursuant to the HWCL, when using the Toxicity Characteristic Leaching
18 Procedure (“TCLP”),² a waste is a hazardous waste exhibiting the characteristic of toxicity if
19 extracts from the waste contain a concentration of benzene equal to or greater than 0.5 milligrams
20 per liter (“mg/L”), a concentration of MEK equal to or greater than 200 mg/L, a concentration of
21 arsenic equal to or greater than 5.0 mg/L, or a concentration of pyridine equal to or greater than
22 5.0 mg/L. If the waste is already a liquid (i.e. has less than 0.5% filterable solids) then the waste
23 itself after filtering is considered to be the extract. (This is the case for landfill leachate which is a
24 liquid.) (Cal. Code Regs., tit. 22, § 66261.24(a).)

25
26
27 ² TCLP is a federal test method used to determine whether a waste is a hazardous waste
28 with the characteristic of toxicity. In general, the method is designed to determine whether
hazardous constituents, among other substances, will leach out of the sampled waste.

1 68. Defendants have detected concentrations of benzene in the Landfill leachate that
2 exceeded the 0.5 mg/L California regulatory threshold for benzene, including from August 2023
3 to May 2026.

4 69. Defendants have detected concentrations of arsenic in the Landfill condensate that
5 exceeded the 5 mg/L California regulatory threshold for arsenic, including from February 2024 to
6 July 2026.

7 70. Defendants have also detected concentrations of MEK and/or pyridine in the
8 Landfill leachate and/or condensate that exceeded California regulatory thresholds, including
9 from February to March 2024, and in June 2025.

10 **Extraction, Storage, Treatment, and Transportation of Hazardous Waste Leachate**

11 71. Defendants are continuously extracting hazardous leachate out of the Landfill to
12 try to mitigate the subsurface reaction. The leachate extracted from the Landfill is stored in tanks
13 in various locations at the Landfill. Defendants treat the hazardous waste leachate on-site at the
14 Landfill. The hazardous waste leachate is stored and treated in an area of the Landfill that is
15 contiguous to the reaction area and is partially located on waste. Defendants' on-site treatment is
16 intended to reduce the concentration of hazardous constituents in the leachate to non-hazardous
17 levels to try to render the leachate eligible for transport to non-hazardous waste disposal facilities.
18 Defendants transport and/or arrange for the transport of the leachate to off-site facilities for
19 additional treatment and/or disposal.

20 72. Defendants also collect and store hazardous waste condensate at the Landfill and
21 transport the condensate to authorized off-site hazardous waste facilities for treatment, storage,
22 and/or disposal.

23 73. Defendants have extracted and treated millions of gallons of hazardous waste
24 leachate at the Landfill. Based on Defendants' reports, the amount of leachate Defendants have
25 extracted from the Landfill per year has increased by almost 70 percent between January through
26 December 2024 and January 2025 through November 2025.

27 74. According to Defendants' reports, Defendants extracted approximately 61.1 million
28 gallons of leachate and treated approximately 46.3 million gallons of leachate at the Landfill in

1 2024. Defendants reported that they disposed of approximately 84.8 million gallons of leachate
2 and treated approximately 54.8 million gallons of leachate at the Landfill in 2025. Between
3 January 1, 2026, and October 1, 2026, Defendants reported the Landfill disposed of
4 approximately 65.7 million gallons of leachate and treated approximately 40.6 million gallons of
5 leachate.

6 75. In a letter to DTSC dated June 1, 2024, Defendants reported generating, as of May
7 20, 2024, approximately 100,000 gallons of hazardous leachate at the Landfill on average each
8 day. In a letter dated March 28, 2025, California's Department of Resources Recycling and
9 Recovery ("CalRecycle") reported that Defendants were extracting 228,624 gallons of leachate
10 per day at that time.

11 76. Defendants' management of the hazardous waste leachate at the Landfill,
12 including extraction, storage, treatment, and transportation, has resulted in numerous spills and
13 leaks of the hazardous waste leachate into the environment. Defendants have also demonstrated
14 repeated and pervasive failures to comply with HWCL requirements intended to ensure the proper
15 storage, transportation, treatment, and disposal of hazardous wastes.

16 77. Numerous instances of leachate spills, leaks, and releases of leachate are detailed
17 below. From September 20, 2023 to October 15, 2026, the total volume of spills, leaks, and seeps
18 from the Landfill was approximately 42,318 gallons. As but one example, on November 14, 2025,
19 the Landfill spilled 8,000 gallons of hazardous leachate, which flowed into the Landfill's eastern
20 stormwater sedimentation basin (called the East Basin), an area that is not a permitted hazardous
21 waste storage unit and not authorized to store or hold leachate. Increased rainfall in December
22 2025 resulted in an overtopping of the weir in the East Basin. As a result, on December 29 and
23 30, 2025, an unknown volume of stormwater commingled with leachate was released to Castaic
24 Creek, which flows into the Santa Clara River.

25 78. Defendants' mismanagement and repeated lack of compliance threaten public
26 health and the environment, including groundwater. Hazardous leachate seeps and spills may
27 discharge via stormwater runoff into surface waters downstream and impair aquatic life and
28

wildlife and other beneficial uses of the surrounding waterways. Illegal transportation, treatment, storage, and disposal of hazardous waste similarly threaten public health and the environment.

Enforcement Actions by DTSC and Other Government Agencies

79. Since the onset of the SET event around May 2022, the Landfill has experienced: extremely high landfill gas and sub-surface temperatures; the generation of millions of gallons of hazardous waste leachate; unusual landfill settlement; increasing threats to the stability of the landfill; damage to gas wells and landfill gas extraction systems; cracks and fissures in the landfill cover; probable impacts to the integrity of the liner; and a dramatic increase in the size and intensity of the SET event.

80. On November 2, 2023, DTSC participated in a multi-agency site visit of the Landfill with the U.S. EPA, the Los Angeles Regional Water Quality Control Board (“Water Board”), CalRecycle, South Coast Air Quality Management District (“Air District”), and the Los Angeles County Department of Public Health.

81. Based on DTSC’s investigation, DTSC issued four separate Summary of Violations to Defendants—one on February 15, 2024, one on March 29, 2024, one on April 1, 2025, and one on November 18, 2025—citing violations of the HWCL at the Landfill. On February 25, 2026, DTSC issued a fifth Summary of Violations based on additional releases of hazardous leachate from the Landfill in December 2025 and January 2026 and Defendants’ failure to use DTSC-registered hazardous waste transporters for off-site transportation of hazardous waste. Subsequently, on August 14, 2026, DTSC issued a sixth Summary of Violations based on releases of hazardous leachate from the Landfill between February and August 2026.

82. On April 1, 2025, DTSC issued an Imminent and Substantial Endangerment Determination and Order (“ISE Order”) to Defendants under the Hazardous Substances Account Act, Health and Safety Code section 78000 et seq. (“HSAA”), in which DTSC determined that response action is necessary at the Landfill. Based on DTSC’s factual findings, the ISE Order determined that the SET event occurring at the Landfill “presents a serious threat to public health and to the environment due to the potential for hazardous leachate present at the [Landfill], and generated by the SET event, to be released” ISE Order at ¶ 2.7. Accordingly, the ISE Order

1 concluded that “there may be an imminent and/or substantial endangerment to the public health or
2 welfare or to the environment because of the release and/or threatened release of the hazardous
3 substances at the [Landfill]” and ordered Defendants to take certain response actions at the
4 Landfill. *Id.* at ¶ 4.2. On January 26, 2026, DTSC issued a final determination of non-compliance
5 with, and violation of, the ISE Order.

6 83. Several other government agencies have also issued notices of violations and
7 orders to Defendants, including the following:

8 84. On September 6, 2023, the Air District Hearing Board approved an Order for
9 Abatement that required Chiquita Canyon, LLC to take actions to reduce odors from the Landfill
10 that have impacted the nearby communities. The Order for Abatement was subsequently amended
11 in January, April, August, and November 2024; April, June, and December 2025; and June 2026.
12 Pursuant to this order, among other requirements, Chiquita Canyon, LLC is required to report to
13 the Air District any Landfill leachate leaks and spills, and any ongoing leachate seepage and
14 pooling that is a gallon or more.

15 85. Since January 2023, the Air District has issued at least 497 Notices of Violation to
16 the Landfill for the discharge of air contaminants in violation of Air District Rule 402 and Health
17 and Safety Code section 41700. On May 13, 2026, the Air District filed a complaint against
18 Defendants in this Court seeking civil penalties for Defendants’ discharge of air contaminants,
19 alleging violations of the Health and Safety Code and Air District Rules (Case No.
20 26STCV15409).

21 86. On June 3, 2026, the California Air Resources Board issued a Notice of Violation
22 to Chiquita Canyon, LLC for violations of landfill methane emissions regulations, based on a
23 finding that the Landfill had failed to meet gas collection and control system requirements and
24 surface methane emissions standards.

25 87. On November 22, 2023, the Water Board issued a Notice of Violation to Waste
26 Connections for violations of the Water Board’s waste discharge requirements (“WDRs”) arising
27 from Waste Connections’ failure to prevent the commingling of leachate and gas condensate with
28 surface water run-on and run-off during a rain event and its failure to report a leachate seep to the

1 Water Board. The Water Board also issued a Notice of Violation on January 7, 2026 for
2 violations of permit discharge prohibitions based on the Landfill’s unauthorized discharges during
3 the December 29-30, 2025 rain event.

4 88. On February 21, 2024, U.S. EPA issued a Unilateral Administrative Order under
5 RCRA and the Comprehensive Environmental Response, Compensation, and Liability Act, 42
6 U.S.C. section 6901 et seq. (“CERCLA”), to Chiquita Canyon, LLC, that required Chiquita
7 Canyon, LLC to perform response actions, including, among other things, developing and
8 implementing a leachate management plan and an air monitoring plan.

9 89. On June 6, 2024, the Los Angeles County Department of Public Health Solid
10 Waste Management Program, which CalRecycle certified to act as the Local Enforcement
11 Agency for the SET event, issued a Compliance Order to certain Defendants to correct violations
12 related to state minimum standards for gas monitoring and control and site maintenance at the
13 Landfill. CalRecycle upheld the Compliance Order following an administrative appeal.

14 90. On December 16, 2024, the County of Los Angeles filed a civil complaint in the
15 United States District Court for the Central District of California against Defendants arising from
16 their failure to take sufficient steps to control the negative impacts of the SET event on
17 surrounding communities, alleging public nuisance, public nuisance per se, violations of the Los
18 Angeles County Code, and violations of the UCL.

19 **FIRST CAUSE OF ACTION**

20 **Failure to Minimize the Possibility of a Fire, Explosion, or Any Unplanned or Non-Sudden**
21 **Release Relating to Leachate Spills, Leaks, and Seeps**
(Cal. Code Regs., tit. 22, §§ 66265.31, 66262.251, 66262.34 (repealed July 1, 2024))
(Brought by DTSC)

22 91. Paragraphs 1 through 90 above are incorporated by reference as though fully set
23 forth herein.

24 92. The Title 22 Regulations require a large quantity generator “to maintain and
25 operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or
26 non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface
27 water which could threaten human health or the environment.” (Cal. Code Regs., tit. 22, §§
28 66265.31, 66262.251; see also *id.*, § 66262.34, subd. (a)(4)(A) (repealed July 1, 2024).)

1 93. At all relevant times, Defendants were a large quantity generator in that they
2 generated 1,000 kilograms (2,200 pounds) or more of non-acute hazardous waste in a calendar
3 month at the Landfill. (Cal. Code Regs., tit. 22, §§ 66260.10.) Defendants were therefore subject
4 to the requirements applicable to large quantity generators and/or generators, including, without
5 limitation, Title 22 Regulations, section 66262.251, as it existed on and after July 1, 2024, and
6 section 66262.34, as it existed prior to July 1, 2024.

7 94. Defendants violated the Title 22 Regulations by failing to maintain and operate the
8 Landfill to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden
9 release of hazardous waste or hazardous waste constituents to the air, soil, or surface water that
10 could threaten human health or the environment, in that:

11 **Count 1**

- 12 a. On November 2, 2023, DTSC observed and documented black leachate
13 seeping out of the ground and forming a notable leachate stream in an
14 uncovered area along the northwest side of the Landfill area experiencing
15 the SET event. DTSC also observed and documented continuous bubbling
16 gas geysers in the same area. DTSC air monitoring equipment detected
17 elevated VOCs at 4.4 parts per million (“ppm”) and hydrogen sulfide of 0.5
18 ppm near the leachate seep. On December 12, 2023, DTSC observed
19 leachate pooling on the top of a scrim liner that had been installed over the
20 same area.
- 21 b. On December 12, 2023, DTSC also observed and documented leachate
22 actively leaking out of well CV-2201 at the Landfill and pooling on the
23 ground nearby. DTSC observed and documented that the ground
24 surrounding wells CV-2203 and CV-2338 were wet and stained. DTSC
25 collected samples of leachate from the leaking wells CV-2203 and CV-
26 2338. Samples of the leachate from each well contained concentrations of
27 benzene greater than 0.5 mg/L, exceeding California’s hazardous waste
28

1 regulatory level for benzene. Wells CV-2201, CV-2203, and CV-2338 are
2 within the area of the Landfill experiencing the SET event.

- 3 c. Based on information and belief, U.S. EPA and the Air District observed
4 and documented a leachate geyser emanating from well CV-2203 on
5 November 8, 2023. DTSC sampled well CV-2203 on December 12, 2023,
6 and the sample contained concentrations of benzene greater than 0.5 mg/L,
7 exceeding California's hazardous waste regulatory level for benzene.
- 8 d. This leaking, seeping, and pooling of leachate constitutes repeated failures
9 by Defendants to maintain and operate the Landfill as required by the
10 HWCL. (Cal. Code Regs., tit. 22, §§ 66265.31, 66262.251.)

11 **Count 2**

- 12 e. Between January 2024 and March 2025, Defendants reported at least 41
13 separate spills and leaks of hazardous waste leachate that occurred at the
14 Landfill to government agencies, including the Air District, the California
15 Governor's Office of Emergency Services, and/or the Water Board.
- 16 f. Per Defendants' reports, these spills and leaks occurred on: January 31,
17 February 19, March 7, March 10, April 11, May 1, July 5, August 15,
18 September 4, September 5, September 8, September 15, September 20,
19 September 30, October 9, October 14, October 17, October 21, October 22,
20 October 23, October 24, October 31, November 2, November 6, November
21 11, November 26, December 10, December 19, December 23, December
22 26, and December 28, 2024, and January 6, January 22, January 23,
23 February 19, March 13, and March 17, 2025.
- 24 g. These spills and leaks occurred in connection with Defendants' operation
25 of the Landfill and management of hazardous waste leachate at the
26 Landfill, including Defendants' monitoring, extraction, and on-site
27 treatment of hazardous waste leachate at the Landfill. These spills and
28 leaks constitute repeated failures by Defendants to maintain and operate the

1 Landfill as required by the HWCL. (Cal. Code Regs., tit. 22, §§ 66265.31,
2 66262.251.)

3 **Count 3**

- 4 h. Between February 2025 and November 2025, Defendants reported at least
5 27 separate spills and leaks of hazardous waste leachate that occurred at the
6 Landfill to DTSC and/or other government agencies, including the Air
7 District and the California Governor’s Office of Emergency Services.
- 8 i. Per Defendants’ reports, these spill and leaks occurred on February 9, April
9 8, May 21, May 27, June 11, July 10, July 21, July 22, July 23, August 1,
10 August 4, August 13, August 17, August 18, August 19, August 26,
11 September 2, September 8, September 15, September 25, October 10,
12 October 19, October 26, November 5, November 13, and November 14,
13 2025.
- 14 j. These spills and leaks occurred in connection with Defendants’ operation
15 of the Landfill and management of hazardous waste leachate at the
16 Landfill, including Defendants’ monitoring, extraction, and on-site
17 treatment of hazardous waste leachate at the Landfill. These repeated spills
18 and leaks demonstrate that Defendants have failed to maintain and operate
19 the Landfill as required by the HWCL on numerous occasions. (Cal. Code
20 Regs., tit. 22, § 66262.251.)

21 **Count 4**

- 22 k. Between December 2025 and February 2026, Defendants reported at least
23 49 separate spills and leaks of hazardous waste leachate that occurred at the
24 Landfill to government agencies, including the Air District, the California
25 Governor’s Office of Emergency Services, and/or the Water Board.
- 26 l. Per Defendants’ reports, these spills and leaks occurred on: December 2,
27 December 7, December 10, 2025; January 4, January 7, between January
28 11 and 14, January 14, January 16, January 18, January 19, January 20,

January 26, January 28, January 29, January 30, February 2, February 3, February 5, February 6, February 7, February 9, February 10, February 11, February 12, and February 14, 2026.

- m. These spills and leaks occurred in connection with Defendants' operation of the Landfill and management of hazardous waste leachate at the Landfill, including Defendants' monitoring, extraction, and on-site treatment of hazardous waste leachate at the Landfill. These spills and leaks constitute repeated failures by Defendants to maintain and operate the Landfill as required by the HWCL and the Title 22 Regulations. (Cal. Code Regs., tit. 22, § 66262.251.)

Count 5

- n. Between February and August 2026, Defendants reported at least 47 separate spills and leaks of hazardous waste leachate that occurred at the Landfill to government agencies, including the Air District, the California Governor's Office of Emergency Services, and/or the Water Board.
- o. Per Defendants' reports, these spills and leaks occurred: between February 23 and February 25; on March 2, March 3, March 5, March 6, March 11, March 13, March 18, March 23, March 24, March 26, March 30, 2026; April 1, April 10, April 14, April 22, 2026; May 4, May 5, May 6, May 7, May 11, May 19, May 27, May 28, May 31, 2026; June 8, June 15, June 16, June 17, June 20, June 30, 2026; July 1, July 7, July 14, July 17, July 25, July 28, 2026; and August 7, 2026.
- p. These spills and leaks occurred in connection with Defendants' operation of the Landfill and management of hazardous waste leachate at the Landfill, including Defendants' monitoring, extraction, and on-site treatment of hazardous waste leachate at the Landfill. These spills and leaks constitute repeated failures by Defendants to maintain and operate the

1 Landfill as required by the HWCL and the Title 22 Regulations. (Cal. Code
2 Regs., tit. 22, § 66262.251.)

3 95. Pursuant to Health and Safety Code section 25189, subdivision (b), Defendants are
4 liable for civil penalties according to proof based on these intentional or negligent violations. In
5 the alternative, Defendants are strictly liable for civil penalties according to proof pursuant to
6 Health and Safety Code section 25189.2, subdivision (b). Health and Safety Code sections 25189
7 and 25189.2 authorize the Court to impose civil penalties for each separate violation or, for
8 continuing violations, for each day that the violations continue.

9 96. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is
10 further entitled to injunctive relief to abate existing violations and to prevent future violations of
11 the HWCL.

12 **SECOND CAUSE OF ACTION**

13 **Failure to Minimize the Possibility of a Fire, Explosion, or Any Unplanned or Non-Sudden**
14 **Release Relating to Tank Farm #9**
(Cal. Code Regs., tit. 22, §§ 66265.31, 66262.251, 66262.34 (repealed July 1, 2024))
(Brought by DTSC)

15 97. Paragraphs 1 through 96 above are incorporated by reference as though fully set
16 forth herein.

17 98. The Title 22 Regulations require a large quantity generator “to maintain and
18 operate its facility to minimize the possibility of a fire, explosion, or any unplanned sudden or
19 non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface
20 water which could threaten human health or the environment.” (Cal. Code Regs., tit. 22, §§
21 66265.31, 66262.251; see also *id.*, § 66262.34, subd. (a)(4)(A) (repealed July 1, 2024).)

22 99. At all relevant times, Defendants were a large quantity generator in that they
23 generated 1,000 kilograms (2,200 pounds) or more of non-acute hazardous waste in a calendar
24 month at the Landfill. (Cal. Code Regs., tit. 22, §§ 66260.10.) Defendants were therefore subject
25 to the requirements applicable to large quantity generators and/or generators, including, without
26 limitation, Title 22 Regulations, section 66262.251, as it existed on and after July 1, 2024, and
27 section 66262.34, as it existed prior to July 1, 2024.
28

1 100. Defendants violated the Title 22 Regulations by failing to maintain and operate the
2 Landfill to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden
3 release of hazardous waste or hazardous waste constituents to the air, soil, or surface water that
4 could threaten human health or the environment, in that:

- 5 a. Beginning on or before February 17, 2025, Defendants treated and/or
6 stored hazardous waste leachate with hazardous waste constituents and
7 condensate in Tank Farm #9 at the Landfill.
- 8 b. Tank Farm #9, located in the “Top Deck” area of the Landfill, contained a
9 treatment system that treats hazardous waste leachate extracted from the
10 Landfill. As of February 2025, Tank Farm #9 contained over one hundred
11 20,000-gallon capacity storage tanks that stored hazardous waste leachate,
12 treated leachate, and condensate.
- 13 c. In February 2025, Defendants reported observing fissures and tension
14 cracks in the Top Deck area adjacent to Tank Farm #9, confirming that
15 settlement had started to occur around Tank Farm #9. A significant
16 sinkhole also occurred in the area. Elevated temperatures—temperatures
17 ranging from 185 degrees to 189 degrees Fahrenheit—were detected in the
18 area surrounding Tank Farm #9, which indicates that Tank Farm #9 and the
19 surrounding area would have undergone significant settlement due to the
20 expanding SET event.
- 21 d. Significant settlement of the area under and/or surrounding Tank Farm #9
22 would have threatened the integrity and/or stability of the tanks and
23 associated ancillary equipment within Tank Farm #9, including piping
24 collecting and diverting hazardous waste leachate for treatment, which
25 could result in releases of hazardous waste leachate. As a result,
26 Defendants have failed to maintain and operate the Landfill as required by
27 the HWCL and the Title 22 Regulations (Cal. Code Regs., tit. 22., §
28

66262.251) by treating and/or storing hazardous waste leachate, leachate with hazardous waste constituents, and condensate in Tank Farm #9.

101. Pursuant to Health and Safety Code section 25189, subdivision (b), Defendants are liable for civil penalties according to proof based on these intentional or negligent violations. In the alternative, Defendants are strictly liable for civil penalties according to proof pursuant to Health and Safety Code section 25189.2, subdivision (b). Health and Safety Code sections 25189 and 25189.2 authorize the Court to impose civil penalties for each separate violation or, for continuing violations, for each day that the violations continue.

102. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is further entitled to injunctive relief to abate existing violations and to prevent future violations of the HWCL.

THIRD CAUSE OF ACTION

Unlawful Storage, Treatment, or Disposal of Hazardous Waste Relating to Leachate Shipments (Health & Saf. Code, §§ 25189, 25189.2) (Brought by DTSC)

103. Paragraphs 1 through 102 are incorporated by reference as though fully set forth herein.

104. The HWCL prohibits the disposal, or causing the disposal, of hazardous waste at a point that is not authorized under the HWCL. (Health & Saf. Code, §§ 25189, 25189.2)

105. The HWCL prohibits the treatment or storage, or causing the treatment or storage of, a hazardous waste at a point that is not authorized. (Health & Saf. Code, §§ 25189, 25189.2.)

106. Defendants violated the HWCL by unlawfully storing, treating, or disposing, or causing the unlawful storage, treatment, or disposal of hazardous waste, at an unauthorized point, in that:

Count 1

- a. On or before December 27, 2023, Defendants sent a shipment of approximately 4,600 gallons of hazardous waste leachate from the Landfill to Avalon Clean ("Avalon") for storage, treatment, and/or disposal. Avalon

1 is a non-hazardous wastewater treatment and tank cleaning facility located
2 at 14700 South Avalon Boulevard, Gardena, California.

- 3 b. Avalon is not permitted or authorized by DTSC to accept, store, treat or
4 dispose of hazardous waste.
- 5 c. The leachate shipment was hazardous waste with a concentration of
6 benzene of 0.538 mg/L.
- 7 d. Avalon informed DTSC that the leachate was received by and processed at
8 its facility.
- 9 e. Upon information and belief, Avalon stored and treated the December 27,
10 2023, shipment of hazardous waste leachate. Upon information and belief,
11 Avalon treated the hazardous waste leachate through Avalon's organic
12 Subcategory C wastewater treatment process, which includes filtration and
13 granular activated carbon adsorption.

14 **Count 2**

- 15 f. On or before February 21, 2024, Defendants sent approximately 10,000
16 gallons of hazardous waste leachate from the Landfill to Patriot
17 Environmental Services ("Patriot"), a non-hazardous wastewater treatment
18 facility located at 314 West Freedom Avenue, Orange, California, 92865
19 ("Wastewater Facility"), for storage, treatment, and/or disposal.
- 20 g. Patriot is not permitted or authorized by DTSC to accept, store, treat, or
21 dispose of hazardous waste at the Wastewater Facility.
- 22 h. Defendants admitted that the leachate was hazardous waste with a benzene
23 concentration of at least 0.5 mg/L.
- 24 i. Upon information and belief, Patriot stored and treated the February 21,
25 2024, shipment of hazardous waste leachate.

26 107. Pursuant to Health and Safety Code section 25189, subdivisions (c), (d), or (e),
27 Defendants are liable for civil penalties according to proof based on these intentional or negligent
28 violations. In the alternative, Defendants are strictly liable for civil penalties according to proof

1 pursuant to Health and Safety Code section 25189.2, subdivisions (c) or (d). Health and Safety
2 Code sections 25189 and 25189.2 authorize the Court to impose civil penalties for each separate
3 violation or, for continuing violations, for each day that the violations continue.

4 108. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is
5 further entitled to injunctive relief to abate existing violations and to prevent future violations of
6 the HWCL.

7 **FOURTH CAUSE OF ACTION**
8 **Unlawful Storage, Treatment, or Disposal of Hazardous Waste Relating to Ruptured Hose**
9 **(Health & Saf. Code, §§ 25189, 25189.2)**
10 **(Brought by DTSC)**

11 109. Paragraphs 1 through 108 are incorporated by reference as though fully set forth
12 herein.

13 110. The HWCL prohibits the disposal, or causing the disposal, of hazardous waste at a
14 point that is not authorized under the HWCL. (Health & Saf. Code, §§ 25189, 25189.2)

15 111. The HWCL prohibits the treatment or storage, or causing the treatment or storage
16 of, a hazardous waste at a point that is not authorized. (Health & Saf. Code, §§ 25189, 25189.2.)

17 112. Defendants violated the HWCL by unlawfully storing, treating, or disposing, or
18 causing the unlawful storage, treatment, or disposal of hazardous waste, at an unauthorized point,
19 in that:

- 20 a. On February 23, 2024, a hose attached to Tank #47 at the Landfill ruptured
21 and released hazardous waste leachate containing benzene, iron chelate,
22 and hydrogen peroxide onto the soil. Defendants contained and labeled
23 residual waste remaining in the ruptured hose as hazardous waste.
- 24 b. The leachate in Tank #47 was hazardous waste with a concentration of
25 benzene of 0.8 mg/L. The leachate in Tank #47 also contained a mixture of
26 iron chelate and hydrogen peroxide.

27 113. Pursuant to Health and Safety Code section 25189, subdivisions (c), (d), or (e),
28 Defendants are liable for civil penalties according to proof based on these intentional or negligent
violations. In the alternative, Defendants are strictly liable for civil penalties according to proof

1 pursuant to Health and Safety Code section 25189.2, subdivisions (c) or (d). Health and Safety
2 Code sections 25189 and 25189.2 authorize the Court to impose civil penalties for each separate
3 violation or, for continuing violations, for each day that the violations continue.

4 114. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is
5 further entitled to injunctive relief to abate existing violations and to prevent future violations of
6 the HWCL.

7 **FIFTH CAUSE OF ACTION**
8 **Failure to Comply with Land Disposal Requirements**
9 **(Cal. Code Regs., tit. 22, §§ 66262.17, 66268.7, 66268.40)**
10 **(Brought by DTSC)**

11 115. Paragraphs 1 through 114 are incorporated by reference as though fully set forth
12 herein.

13 116. The Title 22 Regulations prohibit the land disposal of certain wastes, including
14 MEK, unless certain treatment standards are met. (Cal. Code Regs., tit. 22, §§ 66262.17,
15 66268.40.) To prevent unauthorized disposals, a generator must determine if a hazardous waste
16 must be treated before it may be land disposed or comply with certain other notification
17 requirements before sending the waste to a treatment or storage facility. (*Id.*, § 66268.7.) The
18 Title 22 Regulations allow a large quantity generator to accumulate hazardous waste on site for
19 no more than 90 days provided that the generator complies with specified conditions, including
20 the land disposal restriction requirements. (*Id.*, § 66262.17.)

21 117. At all relevant times, Defendants were a large quantity generator in that they
22 generated 1,000 kilograms (2,200 pounds) or more of non-acute hazardous waste in a calendar
23 month at the Landfill, and they accumulated hazardous waste at the Landfill. Defendants were
24 therefore subject to the requirements applicable to large quantity generators and/or generators,
25 including without limitation, Title 22 Regulations, sections 66262.17 and 66268.7.

26 118. Defendants violated the Title 22 Regulations, in that on November 10 and 11,
27 2024, Defendants failed to comply with the land disposal requirements set forth in the Title 22
28 Regulations, sections 66268.1 et seq., with respect to three loads of leachate containing MEK.
Specifically, Defendants failed to determine in advance whether the leachate loads needed

1 treatment before they could be land disposed. Defendants also failed to comply with notification
2 requirements before sending the waste to Red Rock Landfill, a non-hazardous waste landfill
3 located at 22316 South Harmon Road, Florence, Arizona. The leachate loads were disposed of at
4 Red Rock Landfill on or into the land.

5 119. Results from the Landfill's samples of the leachate loads sent to Red Rock Landfill
6 subsequently showed that the leachate contained a concentration of MEK of 39 mg/L and
7 exceeded the non-wastewater Universal Treatment Standard of 36 milligrams per kilogram for
8 land disposal of MEK and thus did not meet the requirements for land disposal. (Cal. Code Regs.,
9 tit. 22, §§ 66268.40, 66268.48.)

10 120. On November 27, 2024, Defendants belatedly sent a notification letter to Red
11 Rock Landfill admitting that the November 10 and November 11, 2024, shipments of leachate did
12 not meet the land disposal requirements because they contained a concentration of MEK of 39
13 mg/L.

14 121. Pursuant to Health and Safety Code section 25189, subdivision (b), Defendants are
15 liable for civil penalties according to proof based on these intentional or negligent violations. In
16 the alternative, Defendants are strictly liable for civil penalties according to proof pursuant to
17 Health and Safety Code section 25189.2, subdivision (b). Health and Safety Code sections 25189
18 and 25189.2 authorize the Court to impose civil penalties for each separate violation or, for
19 continuing violations, for each day that the violations continue.

20 122. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is
21 further entitled to injunctive relief to abate existing violations and to prevent future violations of
22 the HWCL.

23 **SIXTH CAUSE OF ACTION**
24 **Failure to Make Hazardous Waste Determination**
25 **(Cal. Code Regs., tit. 22, § 66262.11)**
26 **(Brought by DTSC)**

27 123. Paragraphs 1 through 122 are incorporated by reference as though fully set forth
28 herein.

1 124. The Title 22 Regulations require a generator of hazardous waste to determine if a
2 waste is hazardous using certain specified methods. (Cal. Code Regs., tit. 22, § 66262.11.) A
3 generator who incorrectly determines that a hazardous waste is nonhazardous and fails to manage
4 the waste pursuant to the HWCL and the Title 22 Regulations is subject to enforcement action.
5 (*Id.*, § 66260.200.)

6 125. Defendants violated the Title 22 Regulations, section 66262.11, in that on and/or
7 before December 27, 2023, Defendants failed to make a proper hazardous waste determination
8 with respect to a shipment of approximately 4,600 gallons of hazardous waste leachate from the
9 Landfill that Defendants sent to Avalon for treatment and disposal.

10 126. Defendants sent the leachate shipment to Avalon as non-hazardous waste on non-
11 hazardous waste manifest #NH004695.

12 127. On December 27, 2023, Avalon collected a sample from the tanker truck carrying
13 the leachate shipment, which was analyzed for benzene using the TCLP. The sample had a
14 concentration of benzene of 0.538 mg/L, which exceeded the hazardous waste regulatory level for
15 benzene.

16 128. Pursuant to Health and Safety Code section 25189, subdivision (b), Defendants are
17 liable for civil penalties according to proof based on these intentional or negligent violations. In
18 the alternative, Defendants are strictly liable for civil penalties according to proof pursuant to
19 Health and Safety Code section 25189.2, subdivision (b). Health and Safety Code sections 25189
20 and 25189.2 authorize the Court to impose civil penalties for each separate violation or, for
21 continuing violations, for each day that the violations continue.

22 129. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is
23 further entitled to injunctive relief to abate existing violations and to prevent future violations of
24 the HWCL.

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130. Paragraphs 1 through 129 are incorporated by reference as though fully set forth herein.

132. Defendants violated the Title 22 Regulations, section 66262.20, in that on and/or before December 27, 2023, Defendants failed to prepare a hazardous waste manifest before transporting or submitting for transportation a shipment of approximately 4,600 gallons of leachate from the Landfill to Avalon. The leachate shipment contained hazardous waste with a concentration of benzene of 0.538 mg/L.

134. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is further entitled to injunctive relief to abate existing violations and to prevent future violations of the HWCL.

**Failure to Provide Accurate and Complete Information in Hazardous Waste Manifests
(Health & Saf. Code, §§ 25160, 25189.2; Cal. Code Regs., tit. 22, § 66262.23)
(Brought by DTSC)**

135. Paragraphs 1 through 134 are incorporated by reference as though fully set forth herein.

136. The HWCL requires a generator who transports or offers for transport a hazardous waste for offsite treatment, storage, or disposal to prepare a hazardous waste manifest before the waste is transported off-site. (Health & Saf. Code, § 25160, subd. (b); Cal. Code Regs., tit. 22, § 66262.20.) The manifest must include specified information, including an accurate description of the waste and the applicable hazardous waste code(s). (Cal. Code Regs., tit. 22, § 66262.23.) The HWCL prohibits a person from making a false statement or representation in a manifest that is filed, maintained, or used for the purposes of compliance with the HWCL. (Health & Saf. Code, § 25189.2, subd. (a).) The accuracy of the manifests is critical to the protection of both the environment and the public. Facilities receiving hazardous waste rely on the information in the manifests to decide how to appropriately treat, store, or dispose of the hazardous waste, and first responders rely on the manifests to decide how to respond safely to accidental releases during transit.

137. On or before October 25, 2025, Defendants violated the HWCL by failing to accurately complete hazardous waste manifests used for the transport of hazardous waste condensate for offsite treatment, storage, or disposal as follows:

Count 1

- a. On January 23 and 24, 2025, Defendants shipped three shipments of hazardous waste condensate from Tank 69 at the Landfill to Clean Harbors Aragonite LLC in Grantsville, Utah (“Clean Harbors”) with hazardous waste manifest numbers 017791012FLE, 017791030FLE, and 017791031FLE.
- b. Defendants sampled Tank 69 on January 6, 2025. Results of the sampling demonstrated a 23 mg/L concentration of arsenic in the condensate, which exceeds California’s 5.0 mg/L regulatory threshold for arsenic, and a 0.3 mg/L concentration of benzene, which is below California’s regulatory 0.5 mg/L threshold for benzene. Defendants were required to identify arsenic on the hazardous waste manifests for these three shipments. The manifests did not identify arsenic and incorrectly identified benzene in the hazardous

waste codes, the United States Department of Transportation (“U.S. DOT”) description, and the waste profile number.

Count 2

- c. On May 9 and 10, 2025, Defendants shipped three shipments of hazardous waste condensate from Tank 190 at the Landfill to Clean Harbors with hazardous waste manifest numbers 020750335FLE, 020750336FLE, and 020750338FLE.
- d. Defendants sampled Tank 190 on April 15, and 29, 2025. Results of the sampling demonstrated a 120 mg/L concentration of arsenic in the condensate, which exceeds California’s 5.0 mg/L regulatory threshold for arsenic, and a 0.01 mg/L and 0.03 mg/L concentration of benzene, which is below California’s 0.5 mg/L regulatory threshold for benzene. Defendants were required to identify arsenic on the hazardous waste manifests for these three shipments. The manifests did not identify arsenic and incorrectly identified benzene in the hazardous waste codes, the U.S. DOT description, and the waste profile number.

Count 3

- e. On July 22 and August 7, 2025, Defendants shipped three shipments of hazardous waste condensate from Tank 190 at the Landfill to Clean Harbors with hazardous waste manifest numbers 020750678FLE, 020750679FLE, and 020750875FLE.
- f. Defendants sampled Tank 190 on June 27, 2025. Results of the sampling demonstrated a 96 mg/L concentration of arsenic in the condensate, which exceeds California’s 5.0 mg/L regulatory threshold for arsenic, a 6.4 mg/L concentration of pyridine, which exceeds California’s 5.0 mg/L regulatory threshold for pyridine, and a 0.06 mg/L concentration of benzene, which is below California’s 0.5 mg/L regulatory threshold for benzene. Defendants were required to identify arsenic and pyridine on the hazardous waste

manifests for these three shipments. The manifests did not identify arsenic and incorrectly identified benzene in the hazardous waste codes, the U.S. DOT description, and the waste profile number.

Count 4

g. On September 30, 2025, Defendants shipped one shipment of hazardous waste condensate from Tanks T1/T2 at the Landfill to Clean Harbors with hazardous waste manifest number 020750886FLE.

h. Defendants sampled Tank T1 on September 17, 2025. Results of the sampling demonstrated a 140 mg/L concentration of arsenic in the condensate, which exceeds California's 5.0 mg/L regulatory threshold for arsenic and a 0.2 mg/L concentration of benzene, which is below California's 0.5 mg/L regulatory threshold for benzene. Defendants were required to identify arsenic on the hazardous waste manifest for this shipment. The manifests did not identify arsenic and incorrectly identified benzene in the hazardous waste codes, the U.S. DOT description, and the waste profile number.

138. Pursuant to Health and Safety Code section 25189, subdivision (a), Defendants are liable for civil penalties according to proof based on these intentional or negligent violations. In the alternative, Defendants are strictly liable for civil penalties according to proof pursuant to Health and Safety Code section 25189.2, subdivision (a). Health and Safety Code sections 25189 and 25189.2 authorize the Court to impose civil penalties for each separate violation or, for continuing violations, for each day that the violations continue.

139. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is further entitled to injunctive relief to abate existing violations and to prevent future violations of the HWCL.

**Failure to Label Hazardous Waste and to Close Hazardous Waste Container
(Cal. Code Regs., tit. 22, § 66262.17)
(Brought by DTSC)**

141. The Title 22 Regulations allow a large quantity generator to accumulate hazardous waste on site for no more than 90 days provided that the generator complies with specified conditions, including labeling and marking requirements for tanks and containers containing hazardous waste. (Cal. Code Regs., tit. 22, § 66262.17.) A large quantity generator must label and mark tanks containing hazardous waste with specified information, including the words “Hazardous Waste,” the accumulation start date, and indication of the hazards of the contents. (*Id.*, § 66262.17, subd. (a)(5).) In addition, a large quantity generator must keep containers holding hazardous waste closed during accumulation, except when it is necessary to add or remove waste. (*Id.*, § 66262.17, subd. (a)(1)(D)(1).)

142. At all relevant times, Defendants were a large quantity generator in that they generated 1,000 kilograms (2,200 pounds) or more of hazardous waste in a calendar month at the Landfill, and they accumulated hazardous waste at the Landfill. Defendants were therefore subject to the requirements applicable to large quantity generators, including without limitation, the Title 22 Regulations, section 66262.17.

143. Defendants violated the Title 22 Regulations, in that on and/or before August 19, 2025, Defendants failed to properly label tanks containing hazardous waste leachate. During a site visit on August 19, 2025, DTSC observed that tanks storing hazardous waste leachate and/or hazardous waste condensate were not properly labeled with the words “Hazardous Waste,” the accumulation start date, and the indication of the hazards of the contents of the tanks. Tank inspection logs from June 2025 to September 2025 also contain photographs showing that Defendants failed to properly label tanks storing hazardous waste leachate and/or hazardous waste condensate.

1 144. Defendants again violated the Title 22 Regulations, in that on and/or before July
2 20, 2026, Defendants failed to properly label tanks containing hazardous waste condensate and a
3 container containing hazardous waste leachate and/or condensate. During a site visit on July 20,
4 2026, DTSC observed that two other tanks storing hazardous waste condensate were not properly
5 labeled with the words “Hazardous Waste,” the accumulation start date, and the indication of the
6 hazards of the contents of the tanks. In addition, DTSC observed that a 275-gallon tote in the
7 upper tier of Tank Farm 13 containing hazardous waste leachate and/or condensate was not
8 labeled with the accumulation start date.

9 145. Finally, Defendants violated the Title 22 Regulations, in that on and/or before July
10 2020, Defendants failed to properly close a container accumulating hazardous waste. During a
11 site visit on July 20, 2026, DTSC observed that the 275-gallon tote in the upper tier of Tank Farm
12 13 accumulating hazardous waste leachate and/or condensate was uncovered. DTSC staff
13 observed a hose coming out of the tote, and a hole approximately four to six inches in diameter
14 that was cut into the top of the tote.

15 146. Pursuant to Health and Safety Code section 25189, subdivision (b), Defendants are
16 liable for civil penalties according to proof based on these intentional or negligent violations. In
17 the alternative, Defendants are strictly liable for civil penalties according to proof pursuant to
18 Health and Safety Code section 25189.2, subdivision (b). Health and Safety Code sections 25189
19 and 25189.2 authorize the Court to impose civil penalties for each separate violation or, for
20 continuing violations, for each day that the violations continue.

21 147. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is
22 further entitled to injunctive relief to abate existing violations and to prevent future violations of
23 the HWCL.

24 **TENTH CAUSE OF ACTION**

25 **Failure to Transfer Hazardous Waste to Registered Transporters**
26 **(Health & Saf. Code, § 25163, subd. (a)(1))**
27 **(Brought by DTSC)**

28 148. Paragraphs 1 through 147 are incorporated by reference as though fully set forth
herein.

1 149. The HWCL prohibits, with certain exceptions, transferring custody of hazardous
2 waste to a transporter who does not hold a valid registration issued by DTSC for the transport of
3 hazardous waste. (Health & Saf. Code, § 25163, subd. (a)(1)).

4 150. Defendants violated the HWCL in that, between February 26, 2024, and February
5 4, 2026, based on at least 2,180 hazardous waste manifests, Defendants transferred custody of
6 hazardous waste to two transporters who were not registered hazardous waste transporters: Action
7 Resources LLC and Action Environmental LLC.

8 a. Between February 26, 2024, and February 4, 2026, Defendants transferred
9 custody of hazardous waste to Action Resources LLC as reflected on at
10 least 2,165 hazardous waste manifests. Action Resources LLC's hazardous
11 waste transporter registration expired on June 30, 2023, and was reinstated
12 effective February 17, 2026. Therefore, Action Resources LLC did not
13 hold a valid registration with DTSC as a hazardous waste transporter from
14 February 26, 2024, to February 4, 2026.

15 b. Between November 4, 2024, and September 18, 2025, Defendants
16 transferred custody of hazardous waste to Action Environmental LLC as
17 reflected on at least 15 hazardous waste manifests. DTSC was unable to
18 locate any record of Action Environmental LLC as a registered hazardous
19 waste transporter. Therefore, Action Environmental LLC did not hold a
20 valid registration with DTSC as a hazardous waste transporter from
21 November 4, 2024, to September 18, 2025.

22 151. Pursuant to Health and Safety Code section 25189, subdivision (b), Defendants are
23 liable for civil penalties according to proof based on these intentional or negligent violations. In
24 the alternative, Defendants are strictly liable for civil penalties according to proof pursuant to
25 Health and Safety Code section 25189.2, subdivision (b). Health and Safety Code sections 25189
26 and 25189.2 authorize the Court to impose civil penalties for each separate violation or, for
27 continuing violations, for each day that the violations continue.
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1 152. Pursuant to Health and Safety Code section 25181, subdivision (a), DTSC is
2 further entitled to injunctive relief to abate existing violations and to prevent future violations of
3 the HWCL.

4 **ELEVENTH CAUSE OF ACTION**
5 **Equitable Relief for Pollution, Impairment, and Destruction of Natural Resources**
6 **(Gov. Code, § 12607)**
7 **(Brought by the Attorney General)**

8 153. Paragraphs 1 through 152 are incorporated by reference as though fully set forth
9 herein.

10 154. Government Code section 12607 authorizes the Attorney General to “maintain an
11 action for equitable relief in the name of the People against any person for the protection of the
12 natural resources of the state from pollution, impairment, or destruction.”

13 155. “Natural resource” is defined as including “land, water, air, minerals, vegetation,
14 wildlife, silence, historic or aesthetic sites, or any other natural resource which, irrespective of
15 ownership contributes, or in the future may contribute, to the health, safety, welfare, or enjoyment
16 of a substantial number of persons, or to the substantial balance of an ecological community.”
17 (Gov. Code, § 12605.)

18 156. Defendants, and each of them, have engaged in, and continue to engage in,
19 conduct that caused or contributed to the pollution, impairment, and/or destruction of natural
20 resources, including, but not limited to, actions that have caused hazardous substances or other
21 contaminants to enter into the natural environment, including the water, soil, and air, such as:

- 22 a. Leaks, seeps, and spills of leachate that reached and continue to reach the
23 surrounding soil and water resources;
- 24 b. Discharges of pollutants to the air, including benzene, MEK, pyridine, arsenic,
25 hydrogen sulfide, and other contaminants, including any resulting odors; and
- 26 c. Landfill surface subsidence and slope instability, as well as surface fissures,
27 cracks, depressions, troughs, fractures, and sinkholes in the Landfill’s soil
28 cover.

157. The actions of Defendants alleged above at and from the Landfill have caused or contributed to the pollution, impairment, and/or destruction of natural resources of the state, and continue to pollute, impair, and destroy, the natural resources of the State.

158. Government Code section 12610 provides: “In granting temporary and permanent equitable relief, the Court may impose such conditions upon Defendants as are required to protect the natural resources of the state from pollution, impairment, and destruction.”

159. Government Code section 12603 provides: “This article shall be liberally construed and applied to promote its underlying purposes.”

160. The People are entitled to equitable relief requiring Defendants to take all measures necessary to prevent the continued pollution, impairment, and destruction of the natural resources of the State, and to remedy the pollution, impairment, or destruction to the State’s natural resources caused by Defendants’ actions.

TWELFTH CAUSE OF ACTION
Violation of UCL
(Bus. & Prof. Code, § 17200, et seq.)
(Brought by the Attorney General)

161. Paragraphs 1 through 160 are incorporated by reference as though fully set forth herein.

162. Defendants, and each of them, have engaged in and continue to engage in, have aided and abetted and continue to aid and abet, and have conspired to and continue to conspire to engage in business acts or practices that constitute unfair competition as defined in the UCL, Business and Professions Code section 17200 et seq., in that such business acts and practices are unlawful, unfair, or fraudulent within the meaning of that statute.

163. The business acts and practices engaged in by Defendants that violate the UCL include:

- a. Defendants failed to minimize the possibility of a fire, explosion, or any unplanned or non-sudden release relating to leachate spills, leaks, and/or seeps (as described in paragraphs 91 through 96) in violation of sections 66265.31, 66262.251, and/or 66262.34 of the Title 22

1 Regulations.

- 2 b. Defendants failed to minimize the possibility of a fire, explosion, or any
3 unplanned or non-sudden release relating to Tank Farm #9 (as
4 described in paragraphs 97 through 102) in violation of sections
5 66265.31, 66262.251, and/or 66262.34 of the Title 22 Regulations.
- 6 c. Defendants failed to comply with the requirements of sections 25189
7 and 25189.2 of the HWCL related to proper storage, treatment, and/or
8 disposal of hazardous waste in connection with leachate shipments (as
9 described in paragraphs 103 through 108).
- 10 d. Defendants failed to comply with the requirements of sections 25189
11 and 25189.2 of the HWCL related to proper storage, treatment, and/or
12 disposal of hazardous waste in connection with a ruptured hose at the
13 Landfill (as described in paragraphs 109 through 114).
- 14 e. Defendants failed to comply with the land disposal requirements set
15 forth in sections 66262.17, 66268.7, and/or 66268.40 of the Title 22
16 Regulations (as described in paragraphs 115 through 122).
- 17 f. Defendants failed to make a hazardous waste determination in violation
18 of section 66262.11 of the Title 22 Regulations (as described in
19 paragraphs 123 through 129).
- 20 g. Defendants failed to complete hazardous waste manifests in violation of
21 California Health and Safety Code section 25160 and California Code
22 of Regulations, title 22, section 66262.20 (as described in paragraphs
23 130 through 134).
- 24 h. Defendants failed to provide accurate and complete information in
25 hazardous waste manifests in violation of Health and Safety Code
26 section 25160 and 25189.2 and section 66262.23 of the Title 22
27 Regulations (as described in paragraphs 135 through 139).
28

- 1 i. Defendants failed to label hazardous waste and to close hazardous
2 waste containers in violation of section 66262.17 of the Title 22
3 Regulations (as described in paragraphs 140 through 147).
4 j. Defendants failed to transfer hazardous waste to registered hazardous
5 waste transporters in violation of Health and Safety Code section
6 25136, subdivision (a)(1) (as described in paragraphs 148 through 152).
7 k. Defendants have polluted, impaired, and/or destroyed, and continue to
8 pollute, impair, and/or destroy, the natural resources of the State in
9 violation of Government Code section 12607 (as described in paragraphs
10 153 through 160).

11 164. Pursuant to Business and Professions Code section 17206, Defendants, and each of
12 them, are liable for civil penalties up to \$2,500 for each and every separate act of unlawful
13 competition alleged herein.

14 165. Pursuant to Business and Professions Code section 17203 Defendants, and each of
15 them, must be permanently enjoined from engaging in acts or practices that violate the UCL, as
16 alleged in this Complaint.

17 PRAYER FOR RELIEF

18 **WHEREFORE**, the People pray that the Court grant the following relief:

19 1. Enter a judgment that Defendants repeatedly and pervasively violated the HWCL
20 as alleged in the First through Tenth Causes of Action;

21 2. Enter a judgment that Defendants are liable for civil penalties according to proof
22 for those violations set forth in the First through Tenth Causes of Action as authorized by Health
23 and Safety Code section 25189, or, in the alternative, by Health and Safety Code section 25189.2;

24 3. Enter preliminary injunctions, permanent injunctions, or other orders requiring
25 Defendants to comply with the HWCL and the Title 22 Regulations and prohibiting Defendants
26 from violating the HWCL and the Title 22 Regulations, as appropriate based on the record on this
27 action;
28

1 4. Grant any and all temporary and permanent equitable relief and impose such
2 conditions upon the Defendants as are required or needed to protect and/or prevent further
3 pollution, impairment, and/or destruction of the natural resources of California, and to remedy
4 existing pollution, impairment, and/or destruction of the natural resources of California pursuant
5 to Government Code sections 12607 and 12610, including the establishment of an abatement fund
6 for this purpose;

7 5. Pursuant to Business and Professions Code section 17203, make such orders or
8 judgments that Defendants, their successors, agents, representatives, employees, assigns, and all
9 persons who act in concert with them be permanently enjoined from committing any acts of
10 unfair competition in violation of Business and Professions Code section 17200, including but not
11 limited to the acts and practices alleged in this Complaint;

12 6. Make such orders or judgments as may be necessary to prevent the use or
13 employment by any Defendant of any practice which constitutes unfair competition or as may be
14 necessary to restore to any person in interest any money or property, real or personal, which may
15 have been acquired by means of such unfair competition, under the authority of Business and
16 Professions Code section 17203;

17 7. Assess a civil penalty of \$2,500 against each Defendant for each violation of
18 Business and Professions Code section 17200, in an amount according to proof, under the
19 authority of Business and Professions Code section 17206;

20 8. That the Court award the remedy of disgorgement in an amount according to
21 proof, under the authority of Government Code section 12527.6;

22 9. For attorneys' fees as authorized by Code of Civil Procedure section 1021.8 and
23 other provisions of law;

24 10. Grant the People their costs of suit herein; and

25 11. Grant such other and further relief as the Court deems just and proper.
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1 Dated: October 27, 2026

Respectfully submitted,

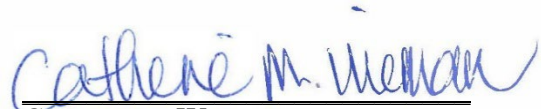
2 ROB BONTA
3 Attorney General of California
4 DAVID ZAFT
5 Supervising Deputy Attorney General

6 

7 ELIZABETH SONG
8 SUSANA AGUILERA
9 Deputy Attorneys General
10 *Attorneys for Plaintiff People of the State
of California, ex rel. Katherine M. Butler,
Director of the Department of Toxic
Substances Control*

11 Dated: October 27, 2026

12 ROB BONTA
13 Attorney General of California
14 ABIGAIL BLODGETT
15 Supervising Deputy Attorney General

16 

17 CATHERINE WIEMAN
18 JESSICA DURNEY
19 BRENDAN HUGHES
20 Deputy Attorneys General
21 *Attorneys for Plaintiff People of the State
22 of California, ex rel. Rob Bonta, Attorney
23 General of California*