

## NOTICE OF VIOLATION

California Safe Drinking Water  
and Toxic Enforcement Act

### Exposures to Benzene from the Chiquita Canyon Landfill Located at and around 29201 Henry Mayo Drive, Castaic, California

October 15, 2024

This Notice of Violation (the "Notice") is provided to you pursuant to and in compliance with California Health and Safety Code section 25249.7(d).

- For general information regarding the California Safe Drinking Water and Toxic Enforcement Act, see the attached summary provided by the California EPA (copies not provided to public enforcement agencies).
- This Notice is provided by California Communities Against Toxics ("CCAT"). CCAT is a nonprofit environmental justice organization that works to protect communities from industrial pollutants. CCAT's address is P.O. Box 2050, Rosamond, California 93560 and phone number is (661) 256-2101. Jane Williams is the Executive Director of CCAT and a responsible individual within CCAT for purposes of this Notice.

#### Description of Violation:

- Violators: The name and address of each violator is:

**Waste Connections US Inc.**

3 Waterway Square Place  
Suite 110  
The Woodlands, TX 77380

**Waste Connections of California, Inc.**

3 Waterway Square Place  
Suite 110  
The Woodlands, TX 77380

**Chiquita Canyon, Inc.**

3 Waterway Square Place  
Suite 110  
The Woodlands, TX 77380

**Waste Connections, Inc.**

6220 Hwy 7, Suite 600  
Woodbridge, Ontario L4H 4G3  
Canada

- Provision of Proposition 65: This Notice of Violation covers the “warning provision” of Proposition 65, California Health and Safety Code Section 25249.6.
- Chemical Involved: The name of the listed chemical involved in the violations is benzene. Benzene is a chemical known to cause cancer and reproductive toxicity.
- Location of the Source of Exposures: The location of the source of the exposures is the Chiquita Canyon Landfill, located at and around 29201 Henry Mayo Dr., Castaic, California 91384 (the “Landfill”). The benzene exposures caused by the Landfill occur beyond any property owned or controlled by the alleged violators.
- Description of the Exposures: This Notice addresses environmental exposures to benzene. Beginning in or around May 2022, a massive chemical fire occurred on approximately 35 acres of the Landfill located on the northwest portion of the Landfill. The fire resulted in releases of benzene into the air beyond the Landfill’s property and into the adjacent communities including residences and businesses. These benzene releases are ongoing and significant. Individuals living near the Landfill are exposed to benzene when they breathe the air contaminated with benzene. No clear and reasonable warnings have been provided to individuals exposed to benzene from the Landfill regarding the health hazards associated with benzene.
- Time Period of Exposure: The violations have been occurring since at least May 2022 and are continuing up through the present. There is a substantial threat of future violations because the Landfill’s subterranean fire continues to release significant quantities of benzene into the air.
- Route of Exposure: The route of exposure for the violations is inhalation when individuals breathe air contaminated with benzene emitted from the Landfill.

**Resolution of Noticed Claims:**

Based on the allegations set forth in this Notice, CCAT intends to file a citizen enforcement lawsuit against each alleged violator unless such violator agrees in a binding written instrument to remedy the violations alleged herein and to pay an appropriate civil penalty in accordance with the factors set forth in Health and Safety Code Section 25249.7. If any alleged violator is interested in resolving this dispute, please contact CCAT through their counsel identified below. It should be noted that CCAT cannot: (1) finalize any settlement until after the 60-day notice period has expired; nor (2) speak for the Attorney General or any District

Attorney who received Plaintiff's 60-day Notice. Therefore, while reaching an agreement with Plaintiff will resolve their claims, such agreement may not satisfy the public prosecutors.

**Preservation of Relevant Evidence:**

This Notice also serves as a demand that each alleged violator preserve and maintain all relevant evidence, including all documents and data related to the Landfill's emissions of benzene, pending resolution of this matter.

Please direct any inquiries regarding this Notice to CCAT's counsel Lucas Williams at Lexington Law Group, 503 Divisadero Street, San Francisco, CA 94117, (415) 913-7800, lwilliams@lexlawgroup.com.

**CERTIFICATE OF MERIT**  
**Health & Safety Code § 25249.7(d)**

I, Lucas Williams, hereby declare:

1. This Certificate of Merit accompanies the attached sixty-day notice in which it is alleged that the parties identified in the notice have violated Health & Safety Code § 25249.6 by failing to provide clear and reasonable warnings.

2. I am an attorney with the Lexington Law Group, and I represent the noticing party, California Communities Against Toxics.

3. Members of my firm and I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposures to the listed chemical that is the subject of the action.

4. Based on the information obtained through those consultations, and on other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that “reasonable and meritorious case for the private action” means that the information provides a credible basis that all elements of the plaintiff’s case can be established and the information did not prove that the alleged violators will be able to establish any of the affirmative defenses set forth in the statute.

5. The copy of the Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health & Safety Code § 25249.7(h)(2), *i.e.*, (1) the identity of the persons consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

October 15, 2024



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Lucas Williams  
Attorney for CALIFORNIA  
COMMUNITIES AGAINST TOXICS

1 **PROOF OF SERVICE**

2 I, Star Beltman, declare:

3 I am a citizen of the United States and employed in the County of San Francisco, State of  
4 California. I am over the age of eighteen (18) years and not a party to this action. My business  
5 address is 503 Divisadero Street, San Francisco, CA 94117 and my email address is  
sbeltman@lexlawgroup.com.

6 On October 15, 2024, I served the following document(s) on all interested parties in this  
7 action by placing a true copy thereof in the manner and at the addresses indicated below:

8 **NOTICE OF VIOLATION OF CALIFORNIA SAFE DRINKING WATER AND  
TOXIC ENFORCEMENT ACT;**

9 **CERTIFICATE OF MERIT;** and

10 **THE SAFE DRINKING AND TOXIC ENFORCEMENT ACT OF 1986**  
11 **(PROPOSITION 65): A SUMMARY** (only sent to those on service list marked with an  
asterisk).

12  **BY MAIL:** I am readily familiar with the firm's practice for collecting and processing mail  
13 with the United States Postal Service ("USPS"). Under that practice, mail would be deposited  
14 with USPS that same day with postage thereon fully prepaid at San Francisco, California in the  
ordinary course of business. On this date, I placed sealed envelopes containing the above  
mentioned documents for collection and mailing following my firm's ordinary business practices.

15 *Please see attached service list.*

16  **BY ELECTRONIC UPLOAD:** I transmitted a PDF version of the document(s) listed above,  
17 as well as a Confidential Supporting Certificate of Merit, to the Office of the Attorney General of  
California via the Proposition 65 60-Day Notice Search website at [https://oag.ca.gov/prop65/60-](https://oag.ca.gov/prop65/60-day-notice-search)  
18 [day-notice-search](https://oag.ca.gov/prop65/60-day-notice-search).

19 I declare under penalty of perjury under the laws of the State of California that the  
20 foregoing is true and correct.

21 Executed on October 15, 2024 at San Francisco, California.

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23 \_\_\_\_\_  
24 Star Beltman  
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## SERVICE LIST

District Attorney of Los Angeles County  
211 W. Temple St, Ste. 1200  
Los Angeles, CA 90012-3210

Los Angeles City Attorney's Office  
City Hall East  
200 N. Main St, Rm. 800  
Los Angeles, CA 90012

President or CEO\*  
Waste Connections US Inc.  
3 Waterway Square Place  
Suite 110  
The Woodlands, TX 77380

President or CEO\*  
Waste Connections of California, Inc.  
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