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February 3, 2026

Via Email

Benton County Board of Commissioners
4500 SW Research Way
Corvallis, OR 97333
c/o landfillappeals@bentoncountyor.gov

Re: Reconsideration of Appeal – LU-24-027 Coffin Butte Expansion—Odor Related Testimony

Chair Malone and Commissioners:

Our firm represents Valley Landfills, Inc. (Applicant), in this matter. Please add this letter to the record.

Despite clear guidance from the Board of County Commissioners that testimony during the open record period should be directly related to the Oregon Department of Environmental Quality Pre-Enforcement Notice (the “PEN”), many comments submitted to the County focus on odor and odor-related issues untethered from the PEN. The Applicant requests that the Board specifically reject such comments as being outside the limitations of the open record limitations set by the Board. To the extent that the Board considers these comments, the Applicant offers the following responses.

Opponents to the application—many of whom previously submitted odor complaints during earlier phases of this proceeding—have introduced additional odor complaints into the reopened record. The timing and volume of these submissions reflect a recurring pattern in which complaints increase during critical procedural stages of the County’s review of the present application. Notably, these complaints routinely attribute odors to the landfill without regard to distance from the site, prevailing wind direction or speed, topography, or the presence of other known odor-generating facilities in the area. This approach effectively treats the landfill as the presumed source of any reported odor, regardless of whether site-specific conditions support that conclusion.

According to Benton County’s own records, the County received only three odor complaints related to the landfill in 2023. An additional six complaints were forwarded to the landfill by the Oregon Department of Environmental Quality, resulting in a **total of nine (9) odor complaints** for the entire 2023 calendar year.

Benton County notified Valley Landfill’s Inc. representatives that it had received **seven (7) odor complaints** about the Landfill in 2024. These were detailed on an excel spreadsheet emailed by the county’s solid waste coordinator. Six of the seven complaints came in November and December, immediately after the October 30, 2024, resubmittal of the Applicant’s CUP application. In 2025, when the CUP process was in motion, the odor complaints ramped up significantly to 97. The timing of odor complaints is notable. Complaints were not evenly distributed over time but instead occurred in distinct clusters that coincided with key milestones in the CUP review process. For example, there were 43 complaints from January-

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March 2025. It was during these months that Benton County's Planning Department was evaluating the application for completeness and setting the Planning Commission hearing dates and process.

Complaint activity then declined substantially between April and July 2025, with only a small number of complaints reported during those months. Complaint volume increased again in August 2025, coinciding with Republic Services' appeal of the Planning Commission's denial of LU-24-027 to the Benton County Board of Commissioners.

The most recent spike occurred in December 2025, coinciding with VNEQS's appeal of the Benton County Board of Commissioners' approval and Commissioner Wyse's motion to reconsider the application. Coffin Butte has received 72 odor complaints since January 1, 2026, and a total of 78 since the Board of Commissioners announced its reconsideration of LU-24-027. The timing and volume of these complaints suggest a deliberate strategy to influence this process through external pressures, rather than an organic pattern of reporting. Coffin Butte Landfill is aware that VNEQS has encouraged its members and others to submit odor complaints into both this hearing record and the prior record. Even a cursory review of the written testimony raises questions regarding the reliability of certain submissions and the clarity of their attribution. For example, the record includes testimony accompanied by a map reflecting 42 odor complaints filed with Benton County on January 13 and 14 that were attributed to Coffin Butte Landfill, without supporting information demonstrating a direct causal connection.

During the initial response period, additional individuals submitted follow-up testimony referencing that original submission and asserting that they also experienced odors they attributed to the landfill. There is, however, no direct causal evidence connecting odors in the wider community to landfill operations. Furthermore, at least one individual submitted a screenshot of a Facebook post from January 13, noting in her testimony that *"my observation on January 13 coincided with a post on an Albany community Facebook page that garnered 294 comments regarding odors and how odors were likely trapped due to the cold and still air."* The testimony infers that the 294 social media comments constitute corroboration of odors attributable to Coffin Butte Landfill. However, the testimony did not include the underlying comments. Those materials are included with this response (Exhibits A1-3.), and reflect a materially different picture. Only a handful of the comments mention the Landfill as the potential origin of the odors.

In fact, most residents in the Facebook discussion propose a litany of potential sources, including manufacturing plants, the Corvallis' wastewater treatment facility, dairy farms and various other industrial operations. Numerous individuals also note that a variety of smells are often trapped due to local topography and weather patterns, and state that this has been a known and ongoing issue dating back to the 1980s and 1990s—decades before Republic Services purchased the Coffin Butte landfill. This Facebook discussion mirrors other social media discussions where residents attempt to pinpoint the source of various smells in Corvallis and Albany. Indeed, just one year ago, a reddit user on r/corvallis purported to tabulate votes for a survey entitled "What's that smell?" The "clear winner" of the survey was the Halsey pulp mills with 270 votes; the Stahlbush Island Farm received 82 votes, wastewater or sewage treatment plants received 78 votes, and the OSU fertilizer and research dairy/barns receiving 52 and 40 votes respectively. Coffin Butte received 22 votes, only one more than the Willamette River, generally. (Exhibit A-4.) While, this is not a scientific study, but it does show that odors permeating the

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area are frequent, subject of community discussion, and that the landfill is not considered to be the main source of the odors when community discussions about odor occur outside of the CUP process. One month ago, another reddit user compiled a list of "common sources of smells here," with pulp mills, Stahlbush Island Farm, OSU dairy farm and ATI in Millersburg making the list. (Exhibit A-5). Another user mentioned that there is a biweekly "what's that smell" post on reddit that heats up this time of year.

The Applicant does not seek to diminish its role and responsibility in odor mitigation and compliance. Yet it is important to note that there is plenty of lively discussion within the larger community which paints a very different picture than the targeted testimony provided against the landfill during the CUP process. By way of example, the Applicant recently received two odor complaints directly from a resident. The resident stated that the area around his home stunk so badly on January 12th and January 16th, that he had to stay indoors both days. The resident acknowledged that his home is 7 miles away from the landfill.

"This is [deleted for privacy]. I live at [deleted for privacy]. My home is about 7 miles from the Coffin Butte facility as a bird flies.

I want to report that odors from the Coffin Butte Landfill were very bothersome on the afternoon of Monday, January 12, 2026. It was so unpleasant that I went inside my house instead of pruning my little orchard. That report was delayed by my busy week.

But right now, the morning of Friday, January 16, 2026, things really stink around my house. I still have to get out and take care of my animals, but I do not look forward to what should be a pleasant task."

While the Applicant acknowledges this resident's experience, there is no evidence to suggest that the landfill was the source of the odor, especially when the meteorological conditions do not support it. There was little to no wind on January 12th. (Exhibit A-6). The National Weather Service considers anything 1-7 mph to be "light air" at best to "light breeze" at worst. It is not realistic or reasonable for a light breeze to carry odors seven miles away from the landfill. The strength of the odor in such a distant location also suggests its source was something else entirely.

The next report had entirely different conditions, yet the smell was still attributed to the landfill. On the early morning of January 16th, winds were blowing southwest at a speed of 0-17mph, depending on the time. (Exhibit A 7-8). The resident's house is southeast of the landfill, meaning the wind was blowing away from his home. Yet, the overwhelming smell was attributed to the landfill.

Notably, both ATI Specialty Alloys & Components and the Albany-Millersburg Water Reclamation Facility are both approximately 5-6 miles northwest of this resident's home (as the crow flies), yet the odors were attributed to the landfill.

Indeed, there are other operations in the larger community that are both known for odors and have had public scrutiny about odors in the community. For example, in 2024, ATI's odor issue was so significant that the City of Albany, as a courtesy to their residents, shared a statement from ATI. (Exhibit A-10) ATI admitted that their manufacturing process results in a byproduct that includes a nonhazardous chemical, mercaptoketones, that causes an offensive odor, and the odor is more prevalent when operations ramp up. ATI stated the inversion acts as a cap, trapping and holding the odors. ATI was working to mitigate the issue, but it appears the odors were still pervasive in 2025. In a Facebook post from June 2025

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(Exhibit A-9) a user blames ATI for a strong odor that was consistently present, stating, “Last night was the worst ever, it felt like we were being gassed out, couldn’t leave a window open at all.” Another person responded that ATI’s odor was “ever increasing.”

Lastly, given the discussion on social media identifying paper pulp mills as potential contributors to odors in the area, it would be incomplete not to acknowledge odors that are alleged to originate from those types of operations. The Environmental Integrity Project, in its May 2025 report entitled “*Pollution from the U.S. Paper Industry is Vastly Under-Reported, New Study Reveals*,” states that pulp and paper mills are among the largest sources of hydrogen sulfide air pollution in the United States. The report describes hydrogen sulfide as a chemical compound produced in the pulping process that can irritate the eyes and lungs and trigger headaches and nausea—symptoms that are consistent with those described in testimony submitted during the CUP process.

To be clear, the Applicant does not seek to assign blame to other operations. Rather, the point is that multiple facilities in the region are known sources of odor, yet for purposes of this hearing process, the Applicant is routinely identified as the source of all reported odors, without consideration of whether it is reasonable or feasible for the landfill to be the source in a given instance. The record includes submissions from residents located as far as ten (10) miles from the landfill asserting that Coffin Butte must be the source of the odor they experienced, notwithstanding distance, prevailing conditions, or the presence of other potential odor-generating operations in the area.

Landfill critics have also alleged that Republic Services is “a bad actor” with a long history of non-compliance. This is simply not true. Republic Services currently safely operates more than 200 active, modern landfills throughout the United States, and manages another 125 closed landfills. The waste industry is one of the most aggressively regulated in the world.

In testimony submitted in January 2026, Mark Yeager provided a screenshot from a website called “Good Jobs First,” a policy group that argues against corporate tax breaks. The screenshot, from Good Jobs violation tracker, offers a quick hit glimpse of alleged penalties paid by the entire Republic Services organization since 2000 (\$177.4 million.)

But as has been the case throughout this process, this testimony is designed to elicit an emotional reaction with a slick headline and fails to provide any necessary context and facts. In accompanying remarks, Yeager states: “*On the other hand, this is business as usual for Republic Services. This story of mismanagement and environmental degradation is apparently being repeated by Republic Services at their landfills all over the United States. They appear to have made a practice of disregarding public complaints, ignoring public health impacts, non-compliance with environmental requirements, and stonewalling environmental regulators.*”

Mr. Yeager repeats the language in a separate testimony letter which focuses on data compiled from the EPA’s Echo Program. As before, the testimony is inaccurate and misleading. In the first instance, a person would have to search within the violation tracker to learn that the largest penalties were incurred at closed Superfund sites that Republic Services acquired. In the second, Yeager argues that “nearly half” of Republic’s facilities have a violation and 22 percent are “repeat” offenders with severe or recurring violations. Unfortunately, his assumptions are based on inaccurate or incomplete data.

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As noted above, Republic Services operates or manages 333 landfills (some active, some closed), not 124. That drops the above percentages down to 18 and 8 respectively.

Further, the testimony calls out “Denver Regional Landfill” in Colorado as being a poster child for facility violations, noting the landfill has *“been out of compliance for three straight years, triggering EPA’s Significant Noncompliance designation - one of the agency’s strongest warnings. This case shows how serious problems can persist even when penalties are limited.”*

Denver Regional Landfill is owned by competitor Waste Connections, Inc., not Republic Services.

It is clear at this point that the testimony being submitted during the open record period is well outside the PEN. Residents who wish to see the landfill close have cherry-picked examples, outrageously mischaracterized and generalized compliance history and deliberately left gaps in their testimony to cast the landfill in a negative light. We urge the Board to give little weight to testimony that lacks an evidence-based foundation.

Sincerely,



Steven P. Hultberg

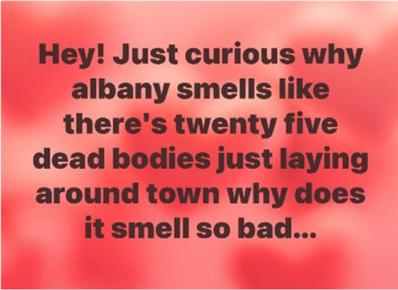
cc: County Counsel (mryan@batemanseidel.com)
Planning Director Schuetz (petra.schuetz@bentoncountyor.gov)

EXHIBIT A-1

11:07 5G

Yvonne's post

What's Up Albany, Oregon · Join
Yvonne Goff · Jan 13



317 292 5

Newest

Tera Ireland · 1w
Air stagnation layer warning
Reply

Nick Pacheco · 2w
It used to be because of the paper mill. Now I have no idea
Reply

Barbara Hendricks Nixon · 2w
Don't like it here?
-----MOVE.
Reply 1

11:08 5G

Yvonne's post

Paul Felgentraeger · 2w
You new to Albany?
Reply 1

Mike Chritton · 2w
Y'all should have smelled it in the 70's. There once was a sign that proclaimed "Albany, the brightest spot in Oregon's future." Under which one was added "Albany, the smelliest spot in Oregon's present."
Reply

Carla Schmidt · 2w
I've never known Albany to not smell,
Reply

Hunter O'Guinn · 2w
Might be Millersburg air pollution.
Reply

Greg West · 2w
It always has, it comes and goes, depends on the wind direction.
Reply

Roger Sawyer · 2w
I would like cheese 🧀 with all the whining going on
Reply

Connie J Moore · 2w · Follow
I always attributed it to the paper mill

11:09 5G

Yvonne's post

Connie J Moore · 2w · Follow
I always attributed it to the paper mill but now I think it's Wah Chang.
Reply

Katherine Ann · 2w
Oh I thought it always smelled like that
Reply

Siana Decker · 2w
They're poisoning us
Reply

Eli Rickard · 2w
There are multipul factories that process toxic materials in albany
Reply

Donna Carsner · 2w
Albany Oregon does not smell bad. Stop posting untruths.
Reply 1

Gerri Lockard · 2w
Probably the paper plant from Halsey.
Reply

Jeffrey S Ellison · 2w
The other 32 must have decomped already
Reply

Shauna Kiefink · 2w

11:09 5G

Yvonne's post

Greg McGill · 2w
It is A T I ..Wah Chang has always had that odor..it disappeared for many years..but it's been back for a couple of years now..
Reply

Greg West · 2w
Greg McGill no no no!
Reply

Susan Brown · 2w
coffin butte
Reply

Jose Castro · 2w
There was a warning put out for air stagnation until Friday.....just saying.
Reply

Glen Ashworth · 2w
The dead arose
Reply

Pam Vinson · 2w
Rating of bad smells in Albany when we growing up. Wah Chang, Duraflake followed by the papermill.
Reply 1

Jennifer Johnson Byrne · 2w
I guess a dead body and wachang are similar smells

11:09 5G

Yvonne's post

Scott Ryder Sr. · 2w
Are you dumb?
Reply

Janel Foster · 2w
New here?
Reply

Janel Foster · 2w
New here?
Reply

Jan Garver · 2w
Well two years (if not more) ago one of those mills said they were working on the problem....LOLOLOL
Reply

Teddy Lewis · 2w
Welllll....it's the 25 dead bodies laying around
Reply

Diddock Diddock · 2w
Welcome to Hell's Elbow.
Reply

Vic Neves · 2w
Coffin Butte
Reply

Matt Booster · 2w
That's hell outside you smell 🤢 the

11:09 5G

Yvonne's post

Matt Booster · 2w
That's hell outside you smell 🤢 the stench of liberal idiots roaming the streets 🤢🤢🤢
Reply

Diane Cheney · 2w
Well the water treatment plant is in one of the older parts of town near the river, when there's fog or a breeze from the wrong direction it can be a bit much. Hopefully it's not flooding the way it used too
Reply

Mo Joe · 2w
Albany used to be called "The Armpit of I-5" because of the paper mill. It's way better than it used to be back in the day.
Reply 3

Steve Hall · 2w
Only 25 dead bodies, and you would know that smell how? Is it a different smell than if it were more or less than 25?
Reply

Susan Peck · 2w
Steve Hall funny no mention what critter these bodies are? I'm sure there are many organisms living

EXHIBIT A-2

11:10 5G%

Yvonne's post

Kira Caylene · 2w
I know lol I asked my husband when we moved near there because I grew up around Tacoma and there was always a joke about the "Tacoma Aroma" lol 😂

Tyler Love · 2w
ATI

Tony Ligterink · 2w
I'm sure ICE left a stench.... Girly "men" hiding behind face coverings. 😂😂😂😂😂😂

Tiffany K. Welch · 2w
Paper mill combined with chem trails 2 days ago led to air quality "warning" and now stench.

Jeff Jackson · 2w
Tiffany K. Welch The paper mill has been gone for years. Just letting you know

Tiffany K. Welch · 2w
Jeff Jackson yep 🙌 still stinks like it 😂

11:11 5G%

Yvonne's post

William Berkley · 2w
That's an oddly specific number of dead bodies. Do you have 25 dead bodies?

Kris Barclay · 2w
It's your upper lip

Carole Walker Estherchild · 2w
Air stagnation advisory through Friday. People with respiratory problems are advised to take precautions.

Bob Johnson · 2w
The dairy off hwy 20.

Ken Lamb · 2w
It's probably not 25 dead bodies

George Arauz · 2w
Maybe there are 25 bodies hidden.

Daniel Masterman · 2w
So the BLIND CAN HATE IT TO. Old joke. Still funny.

11:11 5G%

Yvonne's post

Patricia Perry · 2w · Follow
Daniel Masterman that is pretty funny. I hadn't heard that one before. But I've only been here for 26 years

DarkFaerie RavenLove · 2w
Pulp mills

Tina Eveleth · 2w
Because of the pulp mills and stagnant air

Daniel Cox · 2w
Maybe it's the air stagnation advisory that will be around a couple more days



11:11 5G%

Yvonne's post



J D Van Huss · 2w
This ain't nothing, should have smelled the 80's and 90's. Albany has always been Oregon's armpit.

Karen McDonald · 2w
I'm curious how you know what 25 dead bodies smell like 😂

Jannetta Tibbs · 2w
Fog is trapping all the smog in the valley floor. Go up some hills and it will be crystal clear. Years ago Albany smelled much worse. Much. Worse.

Marilyn Miller Beattie · 2w
Jannetta Tibbs They sure weren't! We did not learn of Albany's

11:11 5G%

Yvonne's post

We did not learn of Albany's reputation till after we had moved here about 30 years ago, before the paper mill was shut down. And after being surrounded by the stench). I knew people all over the country (in different social media groups) who knew how stinky it was here LOL.

Marilyn Miller Beattie · 2w



Jamie Peterson · 2w
Beth Peutz

Patty Peek · 2w
If you look at your phone and the weather, it's gonna show you that for the last week and a half. It's been

11:12 5G%

Yvonne's post

Leah Smith · 2w
When the wind blows a certain way I can smell the dump 🤢

Kathy May Givens · 2w
Because there are twenty five dead bodies. People have gotten lazy on burial with the ground frozen.

Mary Ruth Doherty · 2w
Especially with stagnant air... the valley gets all the air from the southern mills.

Caroline Papesh · 2w
Look at all the waste and where do you think homeless poop? Plus there is the talking water gardens and water plant that smells.

Dustin Estep · 2w
Georgia pacific american.... ATI chemicals.... liberals See translation

Traci Garets · 2w
Dustin Estep those are conservative companies, I'll bet. Altho GP is now Chinese so I doubt

EXHIBIT A-3

11:12 50%

Yvonne's post

Alyssa King · 2w
It's the paper mill I smell it in Eugene
Reply 1

Larry Butler · 2w
Are you wearing your face mask again
Reply 1

Judy Wall · 2w
There's a stagnant air warning in place..saw it in an earlier post.
Reply 1

Greg Scott Johnson · 2w
There's also the used railroad ties they have piled up near the train tracks that have diesel and oil soaked into them that smell too.
Reply

Jillian Dennis Reid · 2w
!!!! Everywhere!! All the time!!!
Reply

Laura Harmsen · 2w
It used to be wah chang, but it was the paper mill next to it. Then one time Oremet had a chemical release (the smell) and told people to stay indoors.
Reply 2

11:13 50%

Yvonne's post

Christopher Spencer · 2w
Stagnant air right now so it's a mixed of Millersburg dairy and waste water treatment facility.
Reply 2

Eric Severson · 2w
It is the smell blowing up from Halsey GP paper mill. As the fog and clouds moving up from the south
Reply 1

Max McConnell · 2w
The colder weather slows down air/ molecules, so the particulates from the industrial plants around town get absorbed into the slow moving fog and make it much more smelly for us.
Reply 6

Bill Schrader · 2w
It does that when the wind blows from Corvallis.
Reply 3

Michael Treichler · 2w
Yea..from Coffins Butte..which is actually N of Corvallis.
Reply 1

Steve Brooks · 2w
ATI stinks

11:13 50%

Yvonne's post

Megan...
Albany has always smelt like broccoli farts. The worst is by Ellington road where they put up that new HOA neighborhood. I always giggle thinking those guys will be sorry once the stench rolls in
Reply 1

Nick Brittain · 2w
Waverly lake
Reply

Jodie Bowens-Shilling · 2w
It's trapped smells by the air quality. I notice it a lot when we have fog.
Reply 3

Ashleigh Carnley · 2w
The last two days there has been a stagnant air weather alert. Everything is trapped in the valley
Reply 3

Larry Kennedy · 2w
Inversion, plain and simple!
Reply 2

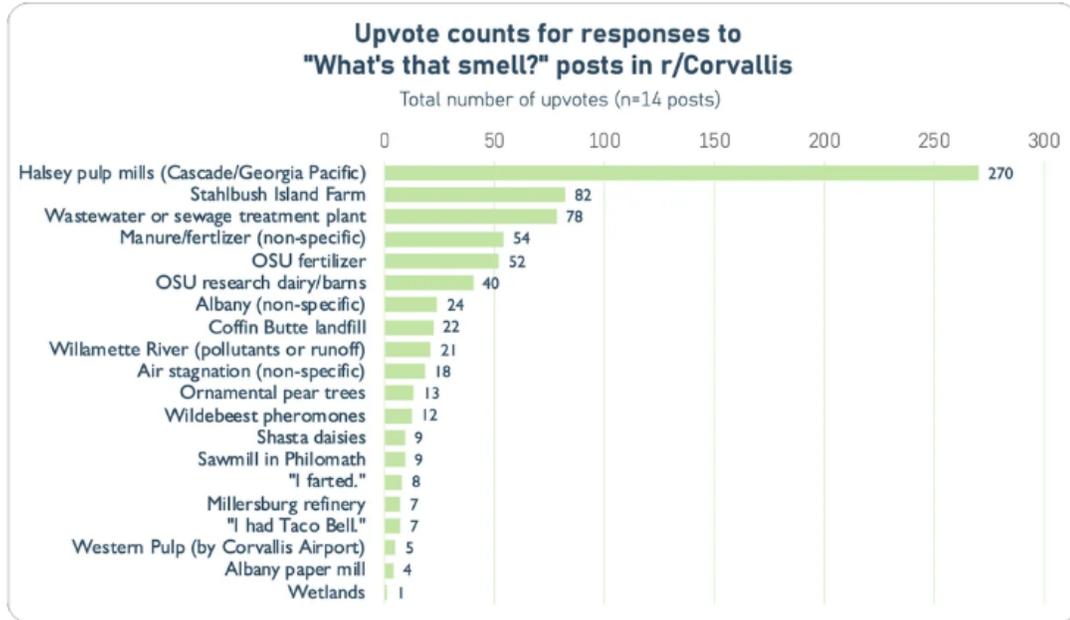
Mercury Comet · 2w
It is Democrap's rotting away in this state.
Reply 8

Jeromv Baker · 2w

EXHIBIT A-4

r/corvallis • 1y ago
pentatomid_fan

"What's that's smell?" We have a clear winner!



211 · 30

EXHIBIT A-5

 **timid_soup** • 1mo ago
Common sources of smells here:

- Pulp mill down in Halsey.
- Stahlbush Island Farm.
- OSU dairy farm.
- Coffin Butte.
- ATI in Millersburg (this mostly only affects Albany. But if you are driving on I5 passing Albany and smell an ammonia or chlorine smell. That's from ATI).

⊖ ↑ 39 ↓

 **NoMore_BadDays** • 1mo ago
/thread
This comment needs to be saved for the biweekly "whats that smell" post when it heats up this year

↑ 21 ↓

 **tbmadduxOR** • 1mo ago
[What's that smell?](#)

⊖ ↑ 14 ↓

 **pentatomid_fan** • 1mo ago
Thanks, added to the list.

↑ 9 ↓

 **milionsdeadlandlords** • 1mo ago
Any idea if the pulp mill fumes are hazardous to breathe?

↑ 2 ↓

 **OurLadyGrace** • 1mo ago
First time in a Valley aye? Smells get trapped here.... Dare you to sniff Albany after 8pm 🤔

↑ 11 ↓

 **Garbanzo-beans69** • 1mo ago
It always smells like broccoli to me

↑ 11 ↓

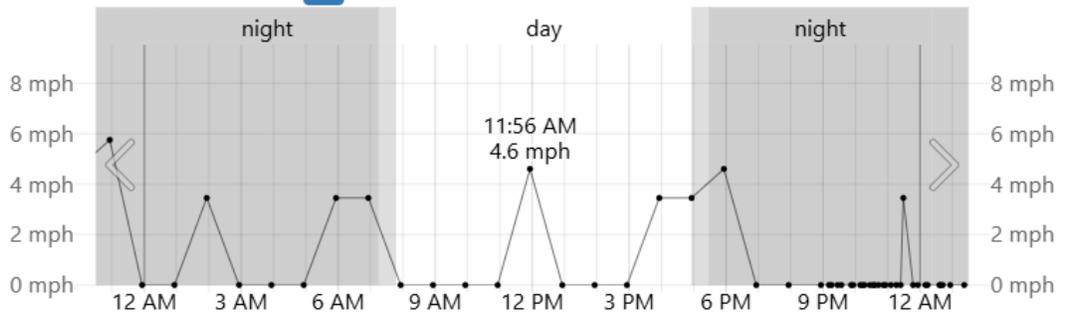
 . . .

EXHIBIT A-6

Wind Speed on Monday, January 12, 2026 in Corvallis

[← Jan 2026](#) [Link](#) [Download](#) [Compare](#) [Averages](#)

History: [Jan](#) F M A M J J A S O N D 2025 2024 2023 2022



Measured wind speed at approximately 10 meters above an open field (black dots). Civil twilight and night are indicated by shaded overlays.



Local forecast by "City, St" or ZIP code

Enter location ...

[Location Help](#)

Dangerous Cold Persists through Monday; Wintry Weather from the Northern Plains to the Great La

Bitter cold temperatures and dangerous wind chills will persist from Florida to the Northeast through the day. Daily rec temperatures are forecast across the Southeast and Florida, with some all-time February low temperature records pos Florida. An Alberta clipper will spread wintry precipitation across the Northern Plains today and into the upper Great La tonight. [Read More >](#)

Estimating Wind

[Weather.gov](#) > [Portland, OR](#) > Estimating Wind

P
We:

[Current Hazards](#) [Current Conditions](#) [Radar](#) [Forecasts](#) [Rivers and Lakes](#) [Climate and Past Weather](#) [Local Programs](#)

Estimating Wind Speed

[Also, see [estimating wind speed and sea states](#) while at sea]

Estimating Wind Speeds with Visual Clues [[printable version .pdf](#)]

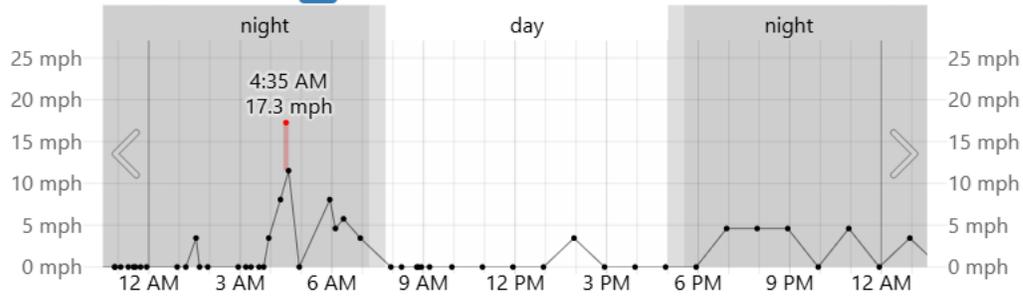
Beaufort number	Description	Speed	Visual Clues and Damage Effects
0	Calm	Calm	Calm wind. Smoke rises vertically with little if any drift.
1	Light Air	1 to 3 mph	Direction of wind shown by smoke drift, not by wind vanes. Little if any movement with flags. Wind barely moves tree leaves.
2	Light Breeze	4 to 7 mph	Wind felt on face. Leaves rustle and small twigs move. Ordinary wind vanes move.
3	Gentle Breeze	8 to 12 mph	Leaves and small twigs in constant motion. Wind blows up dry leaves from the ground. Flags are extended out.

EXHIBIT A-8

Wind Speed on Friday, January 16, 2026 in Corvallis

[← Jan 2026](#) [Link](#) [Download](#) [Compare](#) [Averages](#)

History: [Jan](#) F M A M J J A S O N D 2025 2024 2023 2022



Measured wind speed at approximately 10 meters above an open field (black dots). Civil twilight and night are indicated by shaded overlays.

Wind Direction on Friday, January 16, 2026 in Corvallis

[← Jan 2026](#) [Link](#) [Download](#) [Compare](#) [Averages](#)

History: [Jan](#) F M A M J J A S O N D 2025 2024 2023 2022

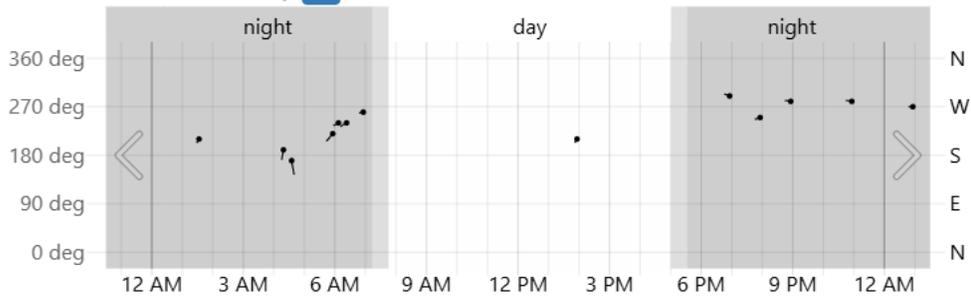


EXHIBIT A-9

 **Millersburg Oregon Community Newsletter** · [Join](#)
Alisha Lg · June 29, 2025 · 🌐

I can't be the only one that's 100% fed up with this strong , sickening pee smell from ATI.
Last night was the worst ever, it felt like we were being gassed out, couldn't leave a window open at all . It's BAD. And I felt sick upon entering one of the bedrooms in my house that had an open window. The smell built up so intensely in that room I almost threw up.
Who handles These types of things ? I called the EPA but didn't get a human.
Something has to be done.
And no it isn't your typical mill smell.... This is pure ammonia piss smell. And it burns my throat

  11 23 comments

 Like  Comment  Share

Most relevant ▾

 **Kimberly Ann**
My guess is this has a lot to do with the ever increasing Oder from ATI. I can't copy and paste the full article due to no DH subscription.

 Albany Democrat-Herald
<https://democratherald.com/news/local/business> > ...
ATI Millersburg seeks double emissions in permit - Albany De...
Oct 7, 2024 · One of the region's largest emitters of airborne pollutants, a specialty metal smelter in Millersburg, ...

31w

In 2024, ATI addressed the issues of odors:

[City of Albany, Oregon](#)

[September 7, 2024](#) ·

We are sharing this statement issued by ATI Specialty Alloys and Components about odors from their facility in Millersburg as a courtesy to Albany residents.

[Albany Oregon Police Department](#)

[Albany Fire Department](#)

From <https://www.facebook.com/cityofalbany/posts/we-are-sharing-this-statement-issued-by-ati-specialty-alloys-and-components-abou/817826823854060/>

“ATI Works Diligently to Reduce Odors

ATI Specialty Alloys and Components in Millersburg takes our responsibility to the community seriously. We acknowledge the concerns that have been raised about odors emanating from our facility. Addressing this issue is a top priority for our leadership team.

EXHIBIT A-10

We've been operating in this community since 1956, formerly as Wah Chang, and are committed to the people who live and work in this area, including many of our own employees and their families. We are proud to produce specialty materials that improve futures and save lives, including alloys used in medical stents and MRI machines, commercial jets, satellites, and other products, which are crucial to the aerospace, defense, energy, and medical markets.

Our team of experts—including environmental, health, and safety specialists, engineers, and others — has been and continues investigating the source of the odor and is implementing solutions to mitigate it.

What's happening: Our manufacturing process results in a byproduct that includes a nonhazardous chemical, mercaptoketones that causes an odor in certain conditions. This substance can be found in nature; for example, in some wines and hops plants. Often, the odor smells like cat urine or gym locker sweat. It is not ammonia, and it is not hazardous. The smell is detectable at extremely low concentrations, measured at just one part per trillion. To put that in perspective, this concentration is equivalent to a single drop of liquid in 20 Olympic-sized swimming pools.

Why does it occur? Our business is undergoing tremendous growth, as evidenced by our recent hiring. When our operations ramp up, the odor is more prevalent. Although this is an indication of economic success that makes us a premier employer and member of the community, we understand that the odor can be considered offensive. We are working diligently to eliminate this issue.

Does our climate and geography impact the odor? Yes. Changes in wind direction and strength, along with instances of temperature inversion, can affect the odor. A temperature inversion is a reversal of the normal behavior of air temperature, so that a warm layer of air sits on top of a colder layer. This inversion acts as a cap on the upward movement of air from the layers below, trapping odors and holding them near the ground just as we see happens with low-lying fog.

How we're addressing it: ATI continues to commit significant capital to address the issue, including process equipment to remove the odor-causing components upstream in the process, and operational adjustments designed to minimize the odor. We have developed new training and awareness programs for staff to proactively respond to odors when they occur, including monitoring around the clock. Additionally, our team is reviewing and expanding on 50 years of odor research to develop alternate solutions to eliminate the odors. When will improvements be in place? Some of the steps we've taken have had an immediate effect, reducing odor events. As we continue working on this issue, we expect to see additional improvements as we work toward our goal of eliminating the odor.

Next steps: We have been working with the DEQ to ensure our actions meet the highest standards of safety and environmental responsibility. Additionally, we will continue to keep you informed as we make progress on these improvements. Your patience and understanding are greatly appreciated as we work hard to be a responsible and considerate neighbor. Thank you for your ongoing support.

EXHIBIT A-11

Sincerely,

Rob Foster

President, ATI Specialty Alloys & Components”

From <<https://www.facebook.com/cityofalbany/posts/we-are-sharing-this-statement-issued-by-ati-specialty-alloys-and-components-abou/817826823854060/>>

https://democratherald.com/news/local/government-politics/article_e91b67c8-a115-4c55-bbde-ccdde181355f.html

TOP STORY

TOPICAL

Odor from ATI draws more Albany complaints

Hans Boyle

Jul 11, 2025

A Millersburg metal refinery just outside Albany continues to produce specialty materials — and an unfortunate odor, according to a news release from the company’s president late last month.

That statement came after the city of Albany contacted ATI Specialty Alloys and Components to address “odor complaints from several residents,” according to a report from City Manager Peter Troedsson to the City Council earlier in July.

Councilor Ramycia McGhee alerted the city manager in an email late in June that “the smell from last summer from ATI is back again” and that her constituents had been reaching out to her.

Indeed, ATI released a statement last year **following complaints about the smell**, which was then compared to cat urine or gym locker sweat.



ATI in Millersburg is a source of an unpleasant odor that's bothered some Albany residents.

JESS HUME-PANTUSO, Mid-Valley Media (2023)

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It's unclear how many residents voiced complaints this time around. McGhee didn't respond to a phone call before deadline.

EXHIBIT A-14

In a June 30 statement, ATI President Rob Foster once again said the odor was a nonhazardous byproduct of the company's production process.

The compound in question, called mercaptoketones, is a naturally strong odor, Foster wrote in the news release, adding that the smell can be noticeable at concentrations as low as one part per trillion.

He also wrote that certain weather patterns, particularly temperature inversions and wind shifts, can keep the odor close to the ground, adding that plant shutdowns and restarts can intensify the smell.

“While our February shutdown passed without incident, our June shutdown and ramp-up occurred during weather conditions that favored odor retention,” he wrote.

According to Foster, ATI has made “significant improvements” over the past year in preventing odors. “However, we know our work is not finished,” he wrote.

Foster also pointed to other sources of odor in the area, like a nearby wastewater treatment plant, and said ATI had invested in upstream odor reduction technology, employee training and real-time odor monitoring, among other actions.

“As part of this neighborhood, we remain committed to being transparent and responsive,” he wrote.

Related stories:



What's that stink? Bad odor plagues Albany – again

Hans Boyle



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Alex Powers

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By Hans Boyle

Reporter

City of Albany, Oregon's Post



City of Albany, Oregon

September 7, 2024 ·

We are sharing this statement issued by ATI Specialty Alloys and Components about odors from their facility in Millersburg as a courtesy to Albany residents.

[Albany Oregon Police Department](#)

[Albany Fire Department](#)

"ATI Works Diligently to Reduce Odors

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News

Pollution from the U.S. Paper Industry is Vastly Under-Reported, New Study Reveals

Report Documents Outdated Boiler Systems, 3X Reported Greenhouse Gas Pollution, Air and Water Contamination

 May 29, 2025

Washington, D.C. – Climate-warming pollution from the U.S. paper industry is vastly under-reported because of exemptions in federal rules and worsened by



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[Content/uploads/2020/02/11_report_operation_mission_022020.pdf](https://environmentalintegrity.org/news/pollution-from-the-u-s-paper-industry-is-vastly-under-reported-new-study-reveals/)

Researchers examined the 185 largest pulp and paper mills in the U.S. and found that almost three quarters of them have outdated heating systems called boilers, which tend to be less efficient and release more pollution than newer ones. The average boiler dates back to President Reagan’s first term, when rotary-dial telephones were still a widely-used technology.

About half of the facilities (90 of the 185) reported burning a high-polluting wood waste product called “black liquor,” and 38 of the mills reported burning other dirty fuels, including coal, tires, or an oil refinery waste product called petroleum coke.

“Even in the digital age, we need paper products. But there is no reason a clean sheet of paper needs to be made with dirty fuels and ancient boilers,” **Jen Duggan, Executive Director of the Environmental Integrity Project**. “The American paper industry should modernize these plants to use cleaner and more efficient power systems and increase recycling to reduce climate pollution and protect the health of nearby communities. And this industry should not be allowed to hide its climate pollution.”

Victoria Higgins, the Virginia Director of the Chesapeake Climate Action Network, said: “Pollution from industrial factories burning trees is an under-counted source of climate-warming pollution. In order to deliver on the promise of clean air and a stable climate, we need to ensure facilities like the more than century-old Smurfit Westrock mill in Virginia are moving to cleaner energy sources.”

Over a period of more than six months, a team of researchers at EIP examined thousands of pages of public records on the 185 largest pulp and paper mills in the U.S., studied online data, and visited paper mills in three states.



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- Although experts say that boilers should be replaced after about 10 years, more than 40 percent of the mills studied (77 out of the 185) had at least one boiler that was a half-century old or more.
- In 2023, the 185 large paper industry mills in the U.S. reported a total of 33.2 million metric tons of greenhouse gas emissions to EPA. However, this was less than a third of the actual greenhouse gases from these plants (115 million tons) because EPA allows industry to subtract the amount that came from burning “biogenic” fuels like wood and wood byproducts like black liquor. The questionable rationale for this reporting loophole is that carbon dioxide emissions from burning trees should not count when this pollution is emitted because trees can grow back in the future.
 - Pulp and paper mills are among the largest sources of hydrogen sulfide air pollution in the U.S., with six of the 10 largest single industrial emitters of this pollutant reporting to EPA in 2023 coming from the paper industry. Ninety plants in 2023 reported emitting a total of eight million pounds of hydrogen sulfide, a chemical compound produced in the pulping process that smells like cabbage or rotten eggs that can irritate the eyes and lungs and trigger headaches and nausea. Almost half of that pollution came from the top 12 plants. (See list of worst polluters at bottom).
 - A third of the plants examined (63 of the 185) had an air pollution violation in the last three years, according to EPA data. State or federal agencies brought 267 air pollution enforcement actions against 95 plants in the last five years and issued \$7.4 million in environmental penalties.
 - About half of the pulp and paper mills (90 of the 185 studied) burned black liquor and 85 reported burning wood, releasing large amounts of air pollution, including particulate matter, carbon dioxide, and sulfur dioxide. In addition to burning this “biomass,” pulp and paper mills rely on a wide



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pollution control devices – including scrubbers – that can curtail emissions of sulfur dioxide and hydrogen sulfide.

The report includes three local case studies – in Virginia, Washington State and South Carolina – that detail how pollution problems at paper mills harm the quality of life in local communities, including through hydrogen sulfide emissions.

VIRGINIA: The 126-year-old Smurfit Westrock paper mill in Covington, VA, uses a boiler built in 1940 and has been among the worst air polluters in the nation for the industry in recent years, including for nitrogen oxide and methane emissions. The plant inspires numerous complaints from local residents for its rotten egg odors, soot and dust, and for fouling the Jackson River with pollution.

According to the EPA’s Greenhouse Gas Reporting Program, the Smurfit Westrock mill released 970,084 metric tons of greenhouse gases in 2023, the most of any U.S. paper mill. But in reality, the mill emitted about 2.5 times that amount — an estimated 2.49 million metric tons, because EPA did not count 1.5 million metric tons from the burning of wood and other “biogenic” material.

WASHINGTON: The Port Townsend Paper Company’s paper mill north of Seattle has been in violation of the Clean Air Act for 12 of the last 12 quarters, including for releasing hazardous air pollutants, soot, and nitrogen oxides. The plant has been hit with five air pollution enforcement actions and 23 violation notices over the last five years, but only \$63,750 in penalties.

Some local residents are concerned about their health, because a federal study in 2024 found that breathing the sulfur compounds in the air near the mill could contribute to lung disease or irritation. Advocates are urging state regulators for a stronger water pollution control permit and better enforcement, with the plant



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Administration. Local residents have filed nearly 50,000 odor complaints about the mill's pollution since it was acquired for roughly \$300 million in 2018 by an investment group led by Robert Kraft, the billionaire owner of the New England Patriots football team.

In 2023, the New-Indy plant was the worst polluter in the nation for mercury and zinc air pollution among the 185 pulp and paper mills studied for this report. Mercury is a neurotoxin, and zinc can cause lung irritation and fever.

QUOTES FROM LOCAL VOICES:

Brandon Jones, the South Carolina-based Catawba Riverkeeper, said:

“While we sincerely appreciate New Indy’s transparency and the cleanup investments secured from the citizen suit settlement, the facility remains a threat to the Catawba River. The wastewater discharge permit is woefully out of date and legacy contaminants continue to migrate through the groundwater toward the adjacent river. We urge South Carolina to stop continuing and review the plant’s permit, which expired over a decade ago.”

Don Ehnebuske, a neighbor of the Port Townsend Paper Company in Washington State: “Local communities are subjected to noxious combinations of airborne chemicals from paper mills while there are proven strategies to dramatically reduce these odors. The lack of adequate regulation protects profits for these mills while putting the expense to health and quality of life onto the backs of local people.”

To reduce air and climate-warming pollution from pulp and paper mills across the U.S., the report makes the following recommendations:

1. **Pulp and paper mills should switch to cleaner fuels and replace outdated boilers with zero-emission industrial heat technologies.**
The 185 mills in this report often rely on outdated boilers — averaging



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recycled paper. Using virgin wood to make pulp and paper is considerably more damaging to the environment than using recycled paper. Manufacturing a ton of cardboard from recycled paper requires no new wood, about half the energy, 32 percent less water, and creates about a quarter of the climate-warming emissions compared to making cardboard from wood.

- 3. **States and EPA should set more stringent pollution limits and vigorously enforce the limits that exist.** By ratcheting down pollution limits, states and the EPA can incentivize paper mills to invest in more efficient, cleaner technologies.
- 4. **The pulp and paper industry should accurately account for the greenhouse gas emissions from burning wood and black liquor.** The industry’s greenhouse gas pollution is grossly underestimated because EPA has allowed it to exclude emissions that came from burning “biogenic” fuels like wood and wood byproducts like black liquor. EPA must improve the accuracy of its greenhouse gas reporting program, while also protecting the program from elimination by the Trump Administration.

For a copy of the report, [click here < https://environmentalintegrity.org/wp-content/uploads/2025/08/EIP_Report_PaperTrailofPollution_5.29.25.pdf >](https://environmentalintegrity.org/wp-content/uploads/2025/08/EIP_Report_PaperTrailofPollution_5.29.25.pdf) .

For a copy of a spreadsheet with detailed pollution, fuel source, boiler age, and environmental law compliance data on the 185 facilities studied, [click here < https://environmentalintegrity.org/wp-content/uploads/2025/08/EIP_Report_PaperTrailofPollution_Appendix-185-Facilities-and-Boilers.xlsx >](https://environmentalintegrity.org/wp-content/uploads/2025/08/EIP_Report_PaperTrailofPollution_Appendix-185-Facilities-and-Boilers.xlsx) .

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