

Cover Page Submission from Pat Wheeler for Week 2 ending February 3, 2026

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Added folder contents:

- 1) This cover page.
- 2) My February 2, 2026 comment letter.
- 3) The Zoom video of the November 12, 2025 Disposal Site Advisory Committee (DSAC) meeting. The discussion of the DEQ letter is on section 01:01-01:23.

**To: Commissioners Malone, Shepherd and Wyse**

**February 2, 2026**

**Re: Comments on Material in the Record for Reconsideration of LU-24-027**

**New materials submitted for the record from January 21-27 indicate that:**

- 1) The emission model results were underestimates of current and expected future emissions. (MFA third party review January 27, 2026).**
- 2) VLI/Republic Services failed to address the substance of the DEQ Pre-Enforcement letter. (RWP&A January 27, 2026 letter).**
- 3) VLI staff responses about the DEQ letter at the November 12, 2025 DSAC meeting were dismissive and evasive. (Recording submitted January 26, 2026, video attached with these comments.)**

**These materials strongly support denial of the pending application for the expansion of the landfill. The applicant has not met the burden of proof that it can operate without serious negative impacts on the surrounding area.**

Details regarding the new material are presented below.

- 1) The January 27, 2026 letter from MFA is self-explanatory. Staff initially recommended denial of the application due to noted problems with the model used to estimate emissions. The model was subsequently revised and after third party review was accepted as an accurate prediction of no significant emissions from the landfill. Now, the January 27, 2026 letter indicates that based on the DEQ letter, the data used for prediction of emissions was not correct and the prediction of no significant emissions is no longer correct. This finding alone would be a strong basis for denial of the application for an expansion.
- 2) The January 27, 2026 letter from the applicant's attorney does not discuss any of the substance of the DEQ letter. The DEQ Pre-Enforcement letter describes multiple Class 1 violations and VLI/Republic Services urges the county to look forward not back. In this case, the past is very important. For at least four years the landfill has not been in compliance with essential state and federal regulations. If VLI/Republic Services is not capable of accountable, safe operations at the landfill over the last four years, how can compliance be expected in the coming years?
- 3) It is difficult to succinctly describe the implications of the discussion of the DEQ letter at the November 12, 2025 DSAC meeting. DSAC has been discussing compliance issues with VLI/Republic Services for at least two years and still has not received satisfactory answers about the management and operations of the landfill. In response to the DEQ letter, VLI/Republic

Services states that it is merely a request for more information. Committee members stated that the Class 1 violations noted seemed like quite a bit more than simple requests for more information. When the committee asked VLI/Republic Services what actions have been taken to correct the problems noted, the response was that some actions are described in the quarterly report. However, it was not clear that the quarterly report had been provided to the county or to the DSAC committee. The input provided by VLI/Republic Services is “dismissive and evasive”. If one had hours to review similar responses over the last two years, they are available in the video recordings of the DSAC meetings for 2024 and 2025. If you would like a short sample, listen to the 20-minute discussion on section 01:01-01:23 of the audio recording submitted last week or the video recording submitted with these comments.

The problems described here cannot be fixed by modifying conditions of approval. There is a history of non-compliance and evasive responses. Increased monitoring could provide more data on compliance, but does not ensure enforcement of state and federal regulations. A pathway for enforcement has not been considered and is likely to take many years.

In conclusion, there is ample new evidence to deny the application and I urge the Board of Commissioners to do so.

Respectfully submitted,

A handwritten signature in cursive script that reads "Pat Wheeler". The ink is dark and the signature is fluid and legible.

Pat Wheeler