LU-24-027 IN-PERSON TESTIMONY SUBMITTAL COVER SHEET

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BOC ID: BOC4

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January 26, 2026 37269 Helm Dr, Corvallis

Commissioners Malone, Shepherd, and Wyse

RE: LU-24-027 Reconsideration Testimony

EPA INSPECTION REPORTS – VIOLATIONS TRACKER

Dear Commissioners:

The November 6, 2025, DEQ Pre-enforcement Notice (PEN) should be a wake-up call for Benton County regarding the standard operating procedures of Republic Services at Coffin Butte Landfill. It should also inform the County regarding the reputation and believability of the representations and commitments made by Republic Services in their quest to build a new landfill in Tampico Ridge.

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.

With this series of testimonies submitted in response to the admission of the November 6, 2025, DEQ Pre-enforcement Notice, I am highlighting the experiences and practices of Republic Services at their landfills to demonstrate the ways in which the proposed expansion of Coffin Butte Landfill will seriously interfere with uses on adjacent properties and the character of the area.

This transmittal includes a sample of EPA inspection reports from Republic-owned landfills. It also includes the Violations Tracker cover page showing Republic Services penalty history since 2000 ($177.4 million).

Likely you will be advised that you cannot use these materials to develop your findings for denial of the proposed new landfill. Nonetheless, while you are deliberating your legacy and the future of Benton County, **your constituents need to know** that you have been made aware of "the Republic way" of conducting landfilling operations here in Benton County, and Republic's other landfills around the country.

Sincerely,

Mark Yeager

Violation Tracker Current Parent Company Summary

Current Parent Company Name: Republic Services
Ownership Structure: publicly traded (ticker symbol RSG)
Headquartered in: Arizona
Major Industry: waste management and environmental services
Specific Industry: waste management
Penalty total since 2000 for companies currently owned: $177,445,643
Number of records: 285

TOP 5 OFFENSE GROUPS (GROUPS DEFINED)	PENALTY TOTAL	NUMBER OF RECORDS
environment-related offenses	$161,705,091	168
employment-related offenses	$12,813,803	48
miscellaneous offenses	$1,625,000	2
safety-related offenses	$808,503	64
competition-related offenses	$250,000	1

EPA Inspection Reports on Republic Owned Landfills

Note: These are not all the inspection reports on Republic Owned landfills, simply those that we came across via public records requests for specific states.

Land Comp Landfill, Ottawa, Illinois - EPA finds many exceedances while Republic had reported a "few years" since detecting any: The EPA Inspection Report states, "Land Comp is a municipal solid waste (MSW) landfill located in Ottawa, Illinois. Land Comp opened in the early 1990s. The landfill consists of 25 acres, 30 gas collection wells, and one flare. There are 8 acres under final cover. A 200 x 100-foot area is active on the northwest corner, and everything else is intermediate cover. The 30 wells are in intermediate cover. Land Comp accepts approximately 800 tons of waste per day. The makeup of waste is around 30% MSW and 70% construction and demolition." (page 2)

The EPA performed an unannounced inspection in June 2022. Two EPA inspectors performed Method 21 SEM at the landfill with one inspector assisting with notes and GPS equipment. Land Comp confirmed readings made by EPA inspectors. EPA was informed that quarterly surface emissions monitoring is performed at Land Comp by a third-party consultant, Civil and Environmental Consultants. **Land Comp told EPA that it has been a few years since detecting any exceedances.** Their surface emissions monitoring procedure includes deviating from the path and including penetrations. The EPA's monitoring found:

- **There were a total of 23 exceedances found and documented by EPA - most of which were found in areas where no wells were present. Methane values that were higher than 500 parts per million (ppm) are considered an exceedance.** (page 3)

Exceedance Measurements, done by EPA SEM

Exceedance	Location	ppm (or %) VOC as methane	EPA Inspector with TVA	TVA ID #	Confirmation Reading	Land Comp Confirmed
1	Well 1L1/14	770	Brianna Fenzl	#A413C2	690	Yes
2	Cover in between well 14 and 10B	1004	Karina Kuc	#SL1555	640	Yes
3	Cover in between well 14 and 10 B	930	Karina Kuc	#SL1555	503	Yes
4	Cover in between well 14 and 10B	1500	Karina Kuc	#SL1555	1570	Yes

5	Cover in between well 14 and 10B	6953	Karina Kuc	#SL1555	1.18%	Yes
6	Well 7A	1900	Karina Kuc	#SL1555	1487	Yes
7	Between 7A and 305A	1%	Karina Kuc	#SL1555	2055	Yes
8	Well 3A	4049	Brianna Fenzl	#A413C2	1700	Yes
9	Cover near 307A	1258	Brianna Fenzl	#A413C2	1100	Yes
10	15 ft diameter near dead vegetation	840	Karina Kuc	#SL1555	1099	Yes
11	Similar dead vegetation area as Exceedance 10, all elevated	1100	Karina Kuc	#SL1555	3033	Yes
12	Similar dead vegetation area as Exceedance 10, all elevated	760	Brianna Fenzl	#A413C2	1200	Yes
13	Similar dead vegetation area as Exceedance 10, all elevated	1500	Karina Kuc	#SL1555	6032	Yes
14	41.342141°, -88.900561°	1200	Karina Kuc	#SL1555	638	Yes
15	5 ft diameter near 23A	1%	Karina Kuc	#SL1555	3336	Yes
16	41.342480°, -88.900644°	690	Alexandra Letuchy	#A413C2	922	Yes
17	41.342609°, -88.900531°	1%	Karina Kuc	#SL1555	1905	Yes
18	41.342596°, -88.900499°	584	Karina Kuc	#SL1555	-	Yes
19	41.342714°, -88.900564°	1050	Alexandra Letuchy	#A413C2	1376	Yes
20	41.342758°, -88.900616°	800	Karina Kuc	#SL1555	584	Yes
21	41.342850°, -88.900561°	1290	Karina Kuc	#SL1555	999	Yes
22	41.342918°, -88.900525°	1085	Karina Kuc	#SL1555	680	Yes
23	41.342935°, -88.900440°	2000	Karina Kuc	#SL1555	1680	Yes

(Appendix, page 1 of 4)

Methane exceedance of 1,290 ppm found at Land Comp Landfill (see Appendices page 1, 2, digital image log): Image

Dead vegetation area, exceedances 11 (3,033 ppm) and 12 (1,200 ppm) found (see Appendices page 1, 2, digital image log):Image

Republic Services McCarty Road Landfill, Houston, TX - Widespread exceedances found by EPA in just a small area of landfill, EPA notes discrepancy between what they found and what Republic had reported, venting of methane gas found and erosion

CLEAN AIR ACT INSPECTION REPORT: On Site Inspection: March 14, 2023. Unannounced inspection

Excerpts from report:
"The Landfill began operations around 1970, and currently has approximately 388 acres with waste in place, fully utilizing the permitted footprint. There is no further capacity for expansion and there is approximately 15 years remaining in capacity, pending market conditions. The Landfill accepts approximately 6,000 tons per day of waste. Waste includes MSW, construction and demolition (C&D) waste, class 2 non-hazardous industrial waste (plant trash), and contaminated soils. C&D waste from storms affects the year-to-year tonnage. The site does accept asbestos waste. The Landfill does deposit solidified liquids." (page 2)

"There is approximately 117 acres of final cover on some of the side slopes. Intermediate cover is 12" of soil, required to be put in place if not filling for 6 months in an area by their Solid Waste Permit. Daily cover requires soils if in place for more than 24 hours. Alternative daily cover includes tarps, petroleum contaminated soils, and a half auto shredder fluff half soil blend." (page 2-3)

"EPA conducted an abbreviated SEM survey of the facility..." (page 3)
"EPA monitoring focused on part of the northern area of the Landfill, an area that had not seen any recent construction or waste deposition activity, covering an area of less than 40 acres. See Appendix C for maps. **EPA inspectors identified 55 total points above 500 ppm methane.** Only two points were not able to be confirmed." (page 3)
"While driving around the landfill to take upwind and downwind measurements, EPA noted an elevated area of methane. This was a widespread area of exceedance by ES-2, with exceedances at gaskets and from the base and top of nearby survey posts.
In the main area of SEM survey on the northern portion of the Landfill, exceedances were found primarily at penetrations and areas of erosion/exposed waste." (page 4)

"The Landfill checks perimeter probes quarterly for gas migration. There is an active soil vapor extraction system tied into the GCCS to control migration, primarily located on the north and east side of the landfill. Probes are located outside these extractors.
Some gas wells have dewatering pumps, with the operations and maintenance contractors deciding when to add or remove the pumps. Liquid levels are checked quarterly. There are no defined action levels, pumps are added based on design engineer recommendations.

The wellfield is manually tuned, with wells checked twice a month. All adjustments are logged. There are not specific contract limits on gas quality for the RNG plants. If either plant sees rising oxygen/nitrogen levels, they will call the landfill and the operations/maintenance contractors will try to find the source of the issue, which may be from weather, construction, or a need for re-balancing." (page 4)

"Tetra Tech performs the SEM for the site, currently using an Irwin. Republic stated that they have the calibration information and should have the map of where the technicians walk. There is no list of all penetration points for monitoring, the technicians identify them while walking. Active operations and construction areas (including GCCS construction) are excluded as dangerous areas. Republic has not recently identified slopes as being too steep to monitor and has not excluded areas based on high vegetation. Corrective actions are typically done by the operations team but may be contracted. There is no formal log of corrective actions.
Monthly cover integrity monitoring is performed in coordination with the wellfield operations/maintenance team. There are formal logs for this monitoring and corrective actions. The landfill does not currently have elevated temperature areas. There was a subsurface oxidation event from a localized airline break that was resolve approximately a year and a half ago. Collection shutdowns identified as "General Alarm" in their semiannual reports could be a pressure drop, electric issue, or high or low temperature alert from the flare. That is the general output from the monitoring program Republic uses." (page 5)

"EPA asked if Republic was aware of Carbon Mapper flyover data for the facility. They stated that Carbon Mapper had flown the site recently and that Republic believed the plumes measured came from the active area. Republic stated that the delay in receiving data from the June 2022 flyover made it hard to identify potential cause and respond."

"Reviewed documents:
Prior to inspection (available publicly online):
October 2022 Semi-Annual Report, including 2022 Q2 & Q3 SEM results

- Q2 SEM

68 exceedances total
Fewer than 20 in the approximate area of EPA survey

- Q3 SEM

60 exceedances total
Fewer than 10 in the approximate area of EPA survey

February 2022 Subpart OOO Initial Report, including 2021 Q3 SEM results

- 2021 Q3 SEM

45 exceedances total
Fewer than 5 in the approximate area of EPA survey" (page 5)

"Concerns:

- **EPA noted the disparity between the number of exceedances they had found compared with the reviewed recent SEM surveys, indicating possible concerns with the quality of the SEM surveys**
- **EPA noted that erosion and exposed waste was seen across the survey area**
- **EPA noted that some of the pneumatic pump outlets were venting landfill gas (and condensate), and that the carbon cannisters being utilized did not effectively control the Emissions" (page 6)**

There is a long list of exceedances logged, including several flameouts - see pages 8-12)

Ap

Site Overview Map

Blue line shows main EPA survey coverage, tracing the confirmation reading instrument. C1 marks the additional exceedance separately from main survey. Active area in central eastern portion of landfill at time of survey. Satellite imagery dated to April 2022 as shown on Google Earth.

Map of Detected Exceedances

Blue line roughly shows EPA survey coverage, tracing the confirmation reading instrument. Exceedance locations labeled with their flag numbers. Yellow line is 100m, north is up. Satellite imagery dated to April 2022 as shown on Google Earth. Survey area covered less than 40 acres.

Source: Appendix C, pages 13 and 14 of Inspection Report).

Republic Services Roosevelt Regional Landfill, Roosevelt, WA - Republic had reported zero exceedances in 5 years of quarterly monitoring, while EPA found multiple exceedances including five that are 20x the regulatory limit

CLEAN AIR ACT INSPECTION REPORT

EPA conducted an announced inspection in June 2022.

"Leachate gravity drains to three dual lined ponds at the site. Some collected leachate is re-introduced into the site via shallow buried piping on the Landfill, while the rest evaporates from the ponds. The Landfill generates approximately 10 to 12 million gallons of leachate per year, of which approximately 6 million gallons are recirculated." (page 2).

"Collected LFG is routed to the HW Hill Renewable Natural Gas (RNG) Plant owned and operated by Klickitat County Public Utility District #1. Over 95% of collected LFG is routed to the RNG Plant, with LFG routed to the Landfill's flares only when there are maintenance shutdowns at the RNG Plant. The Landfill has two enclosed flares, one with a 5500 standard cubic feet per minute (scfm) capacity and one at 6000 scfm. The total LFG flow from the Landfill is typically around 7000 scfm." (page 3)

"After introductions and a brief site orientation/safety briefing at the Landfill's office, Daniel Heins and Alyson Skeens began the SEM. Corey Harkness accompanied EPA for the SEM, but did not have an instrument available to monitor with. Conditions were very windy, however Corey Harkness (as well as other staff on site) stated that these were fairly typical conditions on site. EPA showed all readings to Corey Harkness for visual confirmation of the readings and instructed Corey Harkness to state if he had any concerns with EPA's monitoring methods at any point. EPA used a ThermoFisher Toxic Vapor Analyzer 2020 (TVA) to perform EPA Reference Method 21 for the SEM. (page 3)

In the morning (10:00 - 11:50), Daniel Heins conducted the monitoring with the TVA, covering a loop on the northeastern portion of the Landfill. In the afternoon (13:00 - 15:45), Alyson Skeens conducted the monitoring under the supervision of Daniel Heins, covering a loop on the southern portion of the Landfill. **Over the course of the day, EPA identified 16 points in exceedance of 500 parts per million (ppm), of which 5 were above 10,000 ppm. 13 of the exceedances were at clearly identifiable penetration points. Two exceedances were at exposed pieces of truncated piping or hose sticking out from the cover. One exceedance was at a partially covered valve box dug into the landfill cover. (page 3).**

"EPA observed and documented a pipe that appeared to have been leaking condensate, having stained the surrounding soil underneath and downhill of the pipe cap. Around approximately 14:45 while monitoring the older, southeast lobe of the Landfill, both EPA inspectors noticed a strong odor, drawing attention to a recently deposited tank of liquid, which Corey Harkness identified as condensate. The EPA inspectors did not witness the tank truck being emptied, but walked around the area in the center of the southeast lobe where the liquid was spreading out. Both EPA inspectors noted the pungent odor of the liquid. Immediately downwind of the condensate, EPA measured a concentration of 50 ppm. Outside of where the condensate was actively flowing, the concentration was less than 10 ppm." (page 3)

"The Landfill has a site-wide higher operating value (HOV) of 165 degrees Fahrenheit. Most of the site operates between 135 and 145 degrees Fahrenheit, with occasional wells operating at higher temperatures. Republic attributed the temperatures to the size and density of the landfill. The Landfill uses HDPE for its gas collection wells and stated that they have not seen issues with pipe softening in heat. Wells at the landfill are sometimes pinched off due to differential settlement. Republic conducts quarterly surveys of liquid levels at their wells, during which any pinched or obstructed wells are also identified. Republic stated that they have more wells than are needed for sufficient density of gas collection, and because of that they may allow isolated wells to become pinched or be obstructed without corrective action if they do not detect SEM exceedances. If Republic observed SEM exceedances not resolved by cover integrity corrections or had multiple wells lose function in close proximity, then they would re-drill.
The Landfill has three wells with dewatering pumps in operation. Republic stated that these are all used for management of heat rather than ensuring unobstructed well perforations, with the liquid carrying heat out from inside the Landfill. Liquid is pumped to shallow pipes to diffusely re-introduce into the Landfill, just as is done for leachate recirculation. Daniel Heins asked for further information about the liquids observed being deposited on the southeast corner of the

Landfill. Republic stated that this was part of monthly maintenance for the catch basins and that the liquid is placed into that area to evaporate." (page 4)

"Republic contracts out its quarterly SEM surveys to Weaver, and has done so for the past 5 years. Prior to the effective date of Subpart OOO, Republic did not monitor penetration points during its regular surveys, but had done a survey to check. The only parts excluded from monitoring as "dangerous areas" are where trucks are actively working and placing waste that day. Republic has not detected a single exceedance of the 500 ppm standard in the past 5 years of quarterly SEM surveys." (page 5)

"Concerns:
Daniel Heins expressed as a concern that despite Republic having never found any SEM exceedances in its past 5 years of quarterly monitoring, including a full year of checking all penetration points, EPA identified 16 points in exceedance of 500 ppm, including 5 points above 10,000 ppm, indicating potential concerns with Republic's SEM/Method 21 procedures." (page 6)

APPENDIX B: FIELD MEASUREMENT DATA

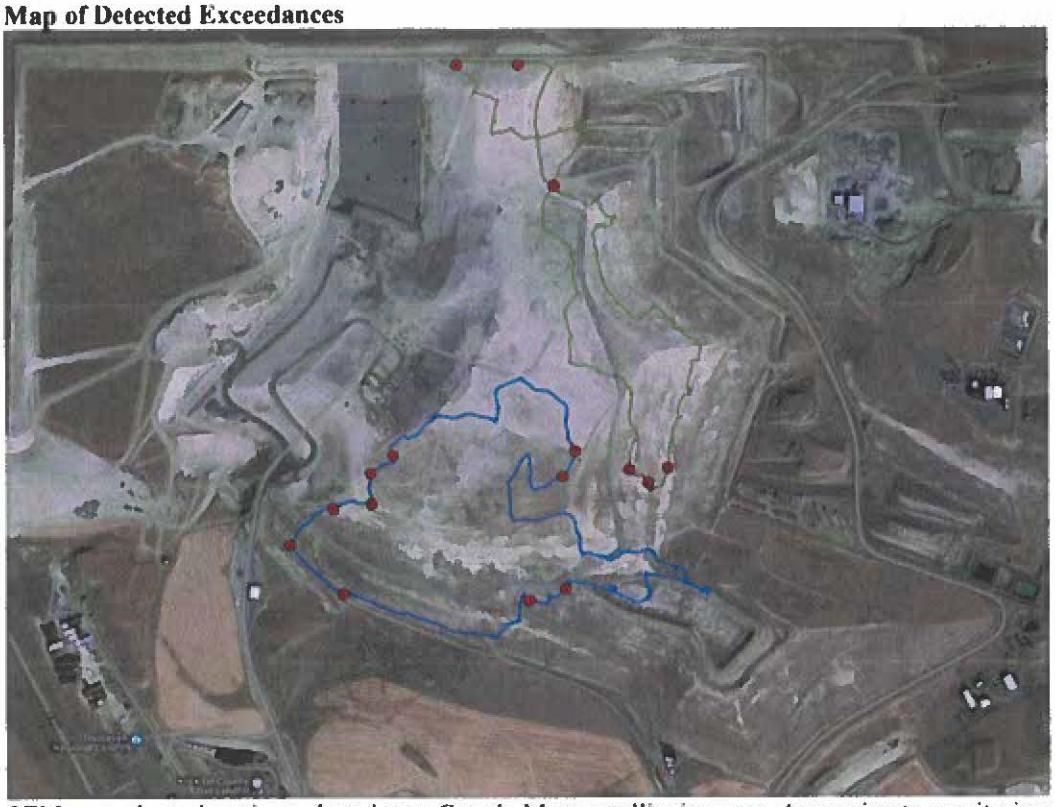
Measured Exceedances

Flag #	Reading (ppm/%)	Description	Latitude	Longitude
1	2400	T18A1, where horizontal exits dirt	45.81478218	-120.1825788
2	5%	T18-A4, where horizontals exit dirt (two animals burrows)	45.81478541	-120.1807079
3	1200	17VO3, base of well	45.81219925	-120.1796552
4	730	10V06	45.80618911	-120.1762359
5	2200	A10TPO3, valve for header	45.80587112	-120.1768405
6	2%	Abandoned well(?) uphill from 10R16 (small open pipe and base of larger pipe)	45.80615	-120.177414
7	3400	LC058, where exits dirt, also un-gasketed cap	45.80456151	-120.1877082
8	1000	08V02 (base)	45.80532307	-120.1864192
9	1%	Pipe in ground by 8V08	45.8054303	-120.185231
10	1500	08V11 at base	45.80608553	-120.1852499
11	600	Remote wellhead(?) ~50' west of 9B01	45.80647645	-120.1845794
12	1200	10V19 at base	45.80654769	-120.1790285
13	1%	6V11 at base	45.80601013	-120.1794204
14	6000	Wood covered valve box	45.80357938	-120.1793451
15	1.5%	Exposed hose coming out of dirt	45.80335383	-120.1804316
16	1000	LC057 at meeting with dirt	45.80349002	-120.1861183

All readings are given as methane parts per million, except for readings above 10,000 ppm which are given as percent methane.

(page 8)

Map of Detected Exceedances



SEM exceedance locations plotted over Google Maps satellite imagery. Approximate monitoring paths included, derived from GPS data. Morning path shown in green, afternoon in blue.

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