

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

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37269 Helm Dr, Corvallis

Commissioners Malone, Shepherd, and Wyse

RE: LU-24-027 Reconsideration Testimony

PATTERN OF REPEATED VIOLATIONS ACROSS COMMUNITIES

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 draws on EPA's Enforcement and Compliance History Online (ECHO) data for 124 Republic Services-owned and operated landfills nationwide.

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

Republic Services: A Pattern of Repeated Violations Across Communities

■ Republic Services ECHO Violations - Raw data.

Methodology

This analysis draws on EPA's Enforcement and Compliance History Online (ECHO) data for 124 Republic Services-owned and operated landfill facilities nationwide (facilities is the terminology used in ECHO). We have summarized reported air (Clean Air Act) and water (Clean Water Act) violations, enforcement actions, and penalties using EPA's standard reporting windows including the past three years for noncompliance history and the past five years for inspections, enforcement actions, and penalties.

Full Circle Future classified facilities as severe or recurring violators based on repeated noncompliance across multiple quarters, significant enforcement actions, and/or monetary penalties. Community demographics reflect EPA's 3-mile population profiles for each facility and are sourced from ECHO's reports.

A note on what EPA ECHO shows — and what it misses

What ECHO shows

EPA's Enforcement and Compliance History Online (ECHO) database compiles information that regulators report about facilities covered by federal environmental laws. It includes:

- Documented violations of major environmental laws, including the Clean Air Act, Clean Water Act, and RCRA
- Whether violations were isolated or repeated over time
- Regulatory responses such as inspections, warning letters, enforcement orders, and settlements
- Monetary penalties assessed by regulators
- EPA compliance designations, including "Significant Noncompliance"
- Basic demographic context for nearby communities

What ECHO does *not* show

ECHO captures only a **partial picture** of environmental harm. It does **not** include:

- Pollution or violations that were **never detected, monitored, or formally documented**

- Health impacts, illness rates, or other direct measures of harm to residents
- Odors, dust, noise, or quality-of-life impacts unless they resulted in enforcement
- Community complaints or lived experiences that did not trigger regulatory action
- State or local violations outside federally delegated programs
- Corporate decision-making, staffing, or internal compliance practices
- Penalties or enforcement actions that fall outside EPA's reporting windows

Because of these gaps, ECHO likely **understates the true extent of pollution and its impacts**, especially in communities with limited monitoring, fewer resources, or weaker enforcement.

Statistical Summary of Republic Owned MSW Landfills

Category	Metric	Count / Amount	What this shows
Overall	Total facilities analyzed	124	Republic Services landfill footprint in the EPA ECHO database
	Facilities with at least one offense	60	That is nearly half of Republics Landfills that have a violation
	Repeat offender facilities	27	Facilities with severe ¹ and/or recurring violations
	Facilities with chronic noncompliance	25	Violations in most or all of the past 3 years
	States with severe violations	15 states	At least one violation in AL, AZ, CA, CO, GA, IL, IN, KY, LA, MI, MO, MS, MT, NC, OH, OK, PA, SC, TN, TX, VA, WA, WI
Air (CAA)	Facilities with air violations	13	Landfills cited by the EPA for air pollution violations

¹ "Severe" violations refers to facilities with multiple red flags, such as being out of compliance for many quarters in a row, being formally cited by regulators, or paying significant penalties.

Category	Metric	Count / Amount	What this shows
	Severe ³ air violators	8	Recurring ² air violations and/or enforcement
	Total air penalties of the Clean Air Act (CAA)	\$593,050	Monetary enforcement for air pollution
Water (CWA)	Landfill facilities with water violations	26	Most common violation type
	Severe water violators of the Clean Water Act (CWA)	≥10	Persistent or enforced water violations
	Total CWA penalties	>\$300,000	Monetary enforcement for water pollution
Penalties	Total air + water penalties	>\$700,000	Combined penalties across programs
	Total penalties (all programs)	≈\$2.8 million	Full enforcement footprint across facilities

Across Republic Services' landfill portfolio, EPA compliance records show a **pattern of repeated environmental violations**, not isolated incidents. Using facility-level data, we identified landfills with **recurring²** and **severe³** violations — meaning problems that happen **over and over again**, often for years, and that have triggered enforcement actions or penalties.

Out of 124 Republic Services facilities analyzed, **27 qualify as repeat offenders*** or 22% of Republic Services Landfills where pollution problems continue despite regulatory interventions⁴. At many of these sites, violations have been documented quarter after quarter, indicating **ongoing management or operational failures**, not temporary lapses.

²"Recurring" violations means noncompliance that persists across multiple reporting periods, often most or all of the last three years, rather than a one-time mistake.

³"Severe" violations refers to facilities with multiple red flags, such as being out of compliance for many quarters in a row, being formally cited by regulators, or paying significant penalties.

⁴ In this analysis, regulatory intervention or enforcement means that government agencies had to step in because a landfill was not following environmental laws. This can include inspections triggered by violations, warning letters or notices of violation, formal enforcement actions (like consent orders or administrative orders), and monetary penalties or fines.

Air pollution violations are especially prominent among the most severe cases.

- **13 Republic Services facilities** have documented **air (Clean Air Act) violations**.
- Of those, 8 facilities meet our definition of *severe* air violators* — meaning they show repeated noncompliance over multiple quarters and/or enforcement actions and penalties.
- **Total penalties tied to air pollution violations exceed \$420,000** across these facilities

These often involve failures to control landfill gas and methane emissions — pollution that residents cannot see, avoid, or opt out of breathing. Water violations are also widespread, including repeated exceedances related to leachate and runoff, posing risks to downstream communities.

Water pollution violations: scale and persistence

Water pollution violations are widespread across Republic Services' landfill portfolio.

- 26 Republic Services facilities have documented water (Clean Water Act) violations.
- Of those, at least 10 facilities meet our definition of severe water violators — meaning they show repeated noncompliance over multiple quarters and/or formal enforcement actions and penalties.
- Total penalties tied to water pollution violations exceed \$300,000 across these facilities.

These violations often involve leachate management failures, runoff exceedances, and discharge violations, which can contaminate nearby waterways and pose risks to downstream communities, not just immediate neighbors. Because water pollution travels, the impacts of repeated violations can extend far beyond landfill boundaries — affecting drinking water sources, ecosystems, and communities that may already face limited environmental protections.

Environmental justice impacts

Many of the landfills with severe and recurring violations are located near low-income communities and communities of color. The worst-performing Republic Services landfills are, on average, located near communities with a *higher percentage of people of color* than the company's overall landfill footprint. The most severe offending landfills are located in areas where roughly one in four residents is low-income.

This means that the facilities with the most severe and persistent violations are disproportionately affecting communities that already face structural inequities and cumulative environmental burdens.

Taken together, the data suggests that Republic Services' compliance issues are **systemic**. Republic Services' most severe and recurring violations are not confined to one region. Facilities classified as repeat offenders or high severity are spread across **15 states**, indicating company-wide compliance problems rather than isolated local failures.

Facility Violation Examples:

Forward Inc. Landfill (California) **ECHO Violations**

This landfill has been out of compliance every single quarter for the past three years. Regulators have cited it repeatedly for air pollution violations, including failures related to landfill gas controls.

What makes this especially concerning is who lives nearby. Within three miles of the landfill, two-thirds of residents are people of color, and nearly one in three residents is low-income. This means a community already facing economic and environmental stress has been exposed to ongoing air pollution with little relief.

Despite years of violations and regulatory action, the problems have persisted – a clear sign that enforcement has not resulted in lasting fixes.

Denver Regional Landfill (Colorado) **ECHO Violations**

The Denver Regional Landfill has also 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. Continuous violations mean nearby residents are exposed year after year, regardless of whether fines are imposed in the most recent reporting window.

Long-running air compliance failures at a landfill raise red flags about operational oversight and whether pollution controls are being properly maintained.

Sunshine Canyon Landfill (Los Angeles area, California) [ECHO Violations](#)

Sunshine Canyon is another landfill with near-continuous violations, documented in 11 of the last 12 quarters. The violations at this site involve water pollution, which can affect not only immediate neighbors but also downstream communities.

The surrounding community is predominantly people of color, with nearly 70% of residents identifying as BIPOC. For communities like this, repeated pollution problems are not abstract regulatory issues — they shape daily life, health risks, and trust in public institutions.

Even where recent penalties appear limited, the long record of noncompliance shows unresolved problems.

Newby Island Landfill (San Jose, California) [ECHO Violations](#)

This is one of the clearest examples of a worst-case scenario. The landfill has been out of compliance every quarter for three years, almost entirely due to air pollution violations. Regulators have taken action dozens of times and assessed more than \$180,000 in penalties, yet violations continued.

The environmental justice implications are stark. Nearly 90% of the people living within three miles of this landfill are people of color. When pollution problems persist this long in a community like this, it raises serious questions about whose health is being protected — and whose is being overlooked.