

From: [Debra Higbee](#)
To: [Coffin Butte Landfill Appeals](#)
Subject: Sierra Club Testimony on DEQ's Pre-Enforcement Notice
Date: Tuesday, January 27, 2026 1:54:02 PM
Attachments: [DEQ Violations Letter to Benton County BOC.pdf](#)

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Dear Benton County Administration,

Attached you will find the Oregon Chapter Sierra Club's written testimony to the Benton County Commissioners regarding the Pre-Enforcement Notice Valley Landfills Inc. 2025-PEN-10025 02-9502-TV-01 Benton County

We appreciate this opportunity to submit information related to this DEQ Notice. Please let us know if you have any questions.

Sincerely,
Debra Higbee



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January 27, 2026

Benton County Commissioners
4500 SW Research Way
Corvallis, OR 97333

Submitted via email

RE: [DEQ \(Dept of Environmental Quality\) Pre-enforcement Notice](#) - Seven Class 1 violations at Coffin Butte Landfill.

Dear Commissioners Malone, Shepherd, and Wyse,

On behalf of the 50,000 members and supporters of the Oregon Chapter of the Sierra Club, we are writing regarding the November 6, 2025 [DEQ \(Dept of Environmental Quality\) Pre-enforcement Notice](#), which references seven Class 1 violations at Coffin Butte Landfill. It is important to note that Class 1 violations are the most serious violations, per DEQ.

As we will detail in this Letter, the Pre-enforcement Notice from DEQ establishes that Republic Services' application to expand Coffin Butte Landfill, LU-24-027, fails to meet the criteria necessary to be approved, and you must deny it. Specifically, the landfill expansion would seriously interfere with uses on adjacent properties, it would seriously interfere with the character of the area, it would impose an undue burden on public facilities and services, and it would force significant changes in farm and forest practices and increase fire suppression costs and fire hazard to firefighters and residents of the area.

Republic Services has not met its Burden of Proof to demonstrate these various interferences, burdens, risks, hazards and other harms will not occur, especially because most of them are acknowledged to apply and depend on strict adherence to Conditions of Approval for mitigation,

and as the DEQ Pre-enforcement Notice makes plain, Republic Services is not now in compliance with even basic environmental protections and has not adhered to them for years.

Use discretionary powers to protect Benton County

In our previous letters and testimonies, we advocated for Benton County to be diligent about using its discretionary powers to protect the climate and Benton County's natural beauty and resources by denying this expansion application. We noted that a landfill expansion would work against prioritizing waste reduction, reuse, and recycling; that it would work against implementing a zero-waste approach; and that it would perpetuate health and environmental harms affecting our frontline communities.¹ The DEQ Pre-enforcement Notice is evidence that your diligence in this regard is necessary. Monitoring and mitigating emissions and pollutants is an expense that Republic Services persistently avoids. Per DEQ's Notice, Republic Services has:

1. Failed to create a suitably effective and functional landfill gas collection system, leading to excessive leakage;
2. Failed to operate their existing system properly, leading to even more leakage;
3. Failed to maintain the landfill cover, leading to more leakage;
4. Failed to monitor the entire landfill area for leaks, allowing leaks to continue undetected and uncorrected;
5. Failed to implement corrective action to eliminate leaks that were discovered by EPA;
6. Purposely avoided methane monitoring for much of the landfill surface area.

Methane is a Climate Bomb

As you know, methane is an extremely potent climate pollutant. Methane (CH₄) is around 80 times more powerful than CO₂ over a 20-year period. Landfills are already one of the largest human-caused sources of methane in the U.S. This is why Benton County must stop the expansion, develop a plan for timely ramp down and closure of Coffin Butte, and enact 21st Century landfill management practices.

When methane escapes Coffin Butte's collection systems, it:

- Directly accelerates near-term climate warming;
- Undermines city, county, state and federal climate targets;
- Has an outsized impact now, when climate tipping points are most sensitive.

The bottom line is that every uncontrolled methane plume is a fast-acting climate bomb, not a slow, abstract emissions issue. To quote the DEQ Pre-enforcement Notice, p. 10:

"As described above, VLI violated multiple important state and federal requirements aimed at controlling landfill gas emissions. One of the major constituents of landfill gas is methane—a potent greenhouse gas that contributes to climate change. Landfill gas also includes nonmethane organic compounds, some of which are known or suspected carcinogens and may cause other serious health effects. Landfill gas emissions also affect

¹ [October 22, 2025 Sierra Club Letter to BOC](#); [June 2025 Sierra Club Letter to BOC](#); [October 7, 2025 Coalition Letter to BOC](#);

human welfare due to odor. Therefore, failure to control landfill gas emissions from the Coffin Butte landfill as required has significant environmental and public health impacts.”

The DEQ Notice clarifies that landfilling the Republic Services way has seriously interfered with uses on adjacent property, the character of the area, and nearby public facilities.

Republic Services has asserted that impacts from landfill gas are minimal, which are based on its claims that it controls those emissions. However, the DEQ Pre-enforcement Notice specifically says Republic Services’ assertions in this regard are incorrect, and that Republic Services’ failure to control Coffin Butte Landfill’s emissions have significant public health and environmental impacts. Therefore, Republic Services has not met its claims of no interference from emissions, or interference that can be mitigated; it has not accurately assessed nuisance, public health and environmental impacts; it has not accurately assessed its climate impacts upon adjacent properties or their burden or hazard upon public facilities such as E. E. Wilson Wildlife Area, or on public services such as firefighting. It has not sufficiently evaluated its long-term impacts upon nearby Exclusive Farm Use and Forest Conservation land uses. It has not truly characterized the landfill expansion’s impact upon the character of the area, which is affected not just by the uncontrolled emissions but by the looming presence of a major industrial concern that, as of this writing, still maintains all is well at Coffin Butte Landfill. *Republic Services has therefore not met its Burden of Proof in all these areas and the expansion application must be denied.*

Exceedances, an Early Warning

EPA’s 500 ppm methane standard is designed as an early warning threshold. Persistent exceedances mean that:

- Landfill gas is escaping through gaps in the cover soils;
- Collection wells are insufficient, poorly operated and maintained, or mis-balanced;
- The landfill cap is not being properly implemented or maintained;
- The landfill cap may be cracked thin, or improperly compacted;
- Waste addition and decomposition is outpacing control measures.

Despite Republic Services’ investments in the gas collection system, and having more than the minimum number of required gas wells, the design and operation of their system has been ineffective in preventing serious violations. Their system clearly does not work as required.

In its Notice, DEQ calls attention to the persistent disparity between Republic Services’ derived detection of exceedances (few) and those found by independent authorities (six to ten times as many).

Landfill Gas Impacts on Nearby Communities

Any Class 1 violation indicates an immediate threat to human health, safety, or the environment. In other words, seven Class 1 violations isn't just "leakage"—as Oregon DEQ states, it is systemic control failure.

The Coffin Butte Landfill is located near communities – Adair Village, Soap Creek Valley, Tampico, Trillium Lane, etc. Methane and co-pollutant exposure can degrade quality of life, cause chronic health impacts, and erode trust in commissioners, regulators and operators. Methane leakage is also an environmental justice issue.

Methane leakage also releases hazardous co-pollutants. Methane migration rarely occurs alone. It often carries volatile organic compounds (VOCs) (e.g., benzene, vinyl chloride); hydrogen sulfide (H₂S) (toxic, corrosive, odorous), per- and polyfluoroalkyl substances (PFAS), and other landfill gases that can cause respiratory and neurological effects.

These pollutants contribute to ground-level ozone (smog); affect nearby residents, visitors, workers, resident wildlife, and ecosystems; and are especially dangerous at low concentrations over long periods. Some of them are long-lived and build up to dangerous levels in the environment. The persistent methane exceedances at Coffin Butte signal that climate harm and public-health harm are happening.

Methane concentrations above regulatory limits increase risk of subsurface gas migration into soil, buildings, or utilities. There is also a risk of explosion hazards (methane is explosive at 5–15% concentration). In addition, landfill fires are extremely difficult to extinguish and can burn for years. These risks are why methane standards exist in the first place. Methane exceedances pose immediate physical danger, not just climate risk.

About Values

The Sierra Club was established to be an expression of *values*: a deep respect toward the land we live in, and a feeling of stewardship of that land and the natural world. Our Core Values include balance, collaboration, and justice. They resemble Benton County's adopted Core Values in that regard.

To win approval, Republic Services, through its Burden of Proof, must establish that the landfill expansion will not seriously interfere with the character of the area. We hold that it has not met its Burden of Proof, especially now that the DEQ Pre-enforcement Notice has clearly called into question Republic Services' willingness to operate the landfill in compliance with regulatory requirements, to co-exist peacefully and collaboratively with its neighbors, to be in balance with its environment, and to act as a wise long-term steward of the land.

Republic Services' statement about the character of the landfill area contains only a cursory list of the land uses it comprises. It notably does not reference the people who live in or visit the area, nor the shared future they seek for the region. We believe those human-centered qualities are what the people of Benton County are looking to the Commissioners to defend.

Summary

We call your attention to two aspects of the DEQ Pre-enforcement Notice and their implications for Republic Services' application to expand the landfill.

One aspect is that the documented violations – announced by the DEQ Notice – refute Republic Services' assertions about the landfill's emissions. From a climate and environmental standpoint, methane leakage at Coffin Butte is serious because it:

1. Accelerates climate change now, when action is most urgent
2. Signals failure of pollution controls
3. Indicates long-term systemic avoidance of compliance with environmental regulations
4. Releases toxic co-pollutants
5. Creates explosion and fire risks
6. Undercuts claims of "clean" landfill energy
7. Locks in irreversible climate damage
8. Disproportionately harms nearby communities

Another aspect is that the DEQ Notice establishes cause to distrust Republic Services and its representations about landfill conditions and intentions and the character of its cooperation going forward. The documented violations reveal a pattern of data manipulation, regulatory non-compliance, and failure to reveal or correct non-compliance save under actual force of law.

For the above reasons, we recommend that you deny Republic Services' Conditional Use Permit to expand the Coffin Butte Landfill.

Respectfully submitted,



Damon Motz-Storey
Oregon Chapter Director, Sierra Club