

From: [Ken Eklund](#)
To: [Coffin Butte Landfill Appeals](#)
Subject: Deny LU-24-027 – Serious interference from PFAS contamination
Date: Tuesday, January 27, 2026 3:53:27 PM
Attachments: [Eklund PFAS testimony brief.pdf](#)
[writerguy-cube2.png](#)

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Dear Benton County Board of Commissioners:

I am submitting testimony in response to Oregon DEQ's Pre-Enforcement Notice (PEN) 2025-PEN-10025 to Republic Services subsidiary, Valley Landfills Inc., on November 6, 2025, which has been placed into the Record for LU-24-027. There is a PDF on PFAS contamination that is attached to this email.

Thank you for your attention and diligence,

Ken Eklund

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DEQ's Pre-Enforcement Notice: Re-assessing the hazards of PFAS in light of much higher levels of landfill gas leakage at Coffin Butte

Ken Eklund
January 27, 2026

Chair Malone, Commissioners Wyse and Shepherd:

I am submitting this testimony in response to DEQ's Pre-Enforcement Notice being admitted into evidence in the matter of LU-24-027, the application to expand Coffin Butte Landfill.

DEQ's Pre-Enforcement Notice announces that a multi-year investigation of the landfill has now resulted in an initial substantial enforcement action, with citations for seven Class 1 categories of violations occurring over multiple years.

The current slate of violations focus on excessive releases of landfill gas. Per DEQ's Notice, Republic Services has: failed to create an effective and functional landfill gas collection system, leading to excessive leakage; failed to operate their existing

system properly, leading to more leakage; failed to maintain the landfill cover, leading to even more leakage; failed to monitor the entire landfill area for leaks, allowing leaks to continue undetected and uncorrected; failed to implement corrective action to eliminate leaks discovered by the EPA; purposely avoided methane monitoring for much of the landfill surface area. These determinations of violations by EPA and DEQ invalidate the Applicant's modeling of interference effects of landfill gas, because those models *assume* compliant operations. The upshot is that we know that old estimates of landfill gas leakage are incorrect; true numbers are much higher.

In light of the evidence obtained from the DEQ Notice, we must re-examine the risk of PFAS, which escapes from the landfill as a contaminant in landfill gas.

Applicant has asserted that because the landfill has yet to come under regulation for its PFAS releases, they are not a consideration.

But your criteria do not mention that an interference has to be regulated. “Interference” is a term of human perception, and if humans perceive (correctly) that the area around a landfill is being contaminated with extremely long-lived neurotoxins that have health effects at even extremely low levels, and these toxins build up over time in the environment, and that Coffin Butte Landfill has been releasing them into the surrounding area via landfill gas for decades now, then that is certainly a serious interference in how they use that land.

The evidence in the record already about PFAS should bring up strong concerns, because that evidence creates a narrative where PFAS from the

dump is creating a health hazard that science has documented, but which health law has been slow to act on. “Serious interference,” however, is a basis for judgment that operates at the speed of science, not the speed of legislation.

The Applicant has not proved that PFAS contamination is not serious interference to adjacent properties, which should lead to a Board decision to deny LU-24-027.

Thank you for your time, attention, and diligence in this decision.

– Ken Eklund

Ken Eklund's credentials

I am a professional writer, futurist, game designer and narrative designer. I have led teams that have created educational and artistic work honored with a Legacy Peabody Award, two Webby nominations for Best of the Internet, a top award at SXSW, and others. I have worked with educational teams at Columbia University, Montana State University, the Open University at Oxford University, and Arizona State University, where I was a Resident Artist in Game Design at the School for the Future of Innovation in Society, part of ASU's Center for Global Futures. I work with museums such as The Exploratorium and the San Diego museums in Balboa Park. I connect at a deep level with the forests and other natural places around my home north of Corvallis, Oregon.

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