

From: [Pam Castle](#)
To: [Coffin Butte Landfill Appeals](#)
Subject: Testimony for second 7 day period for reconsideration due to DEQ PEN
Date: Wednesday, January 28, 2026 10:18:23 AM
Attachments: [Response to David Coulombe testimony - DEQ PEN lens on litter final.pdf](#)

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Please see attached pdf of testimony for the second 7 day period.

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Chair Malone, Commissioner Shepherd, and Commissioner Wyse,

Thank you for withdrawing for reconsideration your decision on LU-24-027 in light of the Nov 6, 2025 DEQ PEN addressing Valley Landfills, Inc's (VLI) methane exceedances and other operational failures at Coffin Butte Landfill (CBL). Setting aside the damning evidence presented during the public hearings, the evidence presented in the DEQ PEN necessitates denial of LU-24-027.

As described in David Coulombe's testimony (BOC4_T0781-Jan 27, 2026, https://www.bentoncountyor.gov/wp-content/uploads/LU-24-027/BOCReconsideration/Written%20Testimony/BOC4_T0781_01272026_Email_COULUMBE_David.pdf), the DEQ PEN *must* inform how you assess the entire application, i.e. it must *all* be viewed through the lens of the DEQ PEN. The PEN illustrates for you what the public has been telling the county – that VLI does not use best practices, delays providing information, does not provide accurate or the best information, and uses semantics as cover for not being forthright.

If we are charitable and take VLI at its word – believing that it does its absolute best to meet all requirements under the law or as described in the CUP – then we can only conclude that VLI is incapable of meeting those requirements, and hence will likewise be incapable of meeting those requirements for the proposed new landfill.

As described in the DEQ PEN, VLI has been *unable* – remember, we are taking them at their word that they are doing their best – to meet environmental standards for methane emissions. Some of the remedies for this problem are as simple as maintaining an intact plastic cover. On page 7 of the DEQ PEN there is a comparison of VLI's report on the condition of the plastic cover – they report no issues or holes – with that by the EPA, which found many damaged areas of the cover – some of them glaringly obvious. VLI is unable to accurately report the condition of the cover and make timely repairs.

Perhaps they were not being as diligent (they just didn't see the holes and plants growing through the cover) or as forthright (they saw them but did not report them) with the regulatory agencies as you've been led to believe. This too should influence how you assess the evidence and information VLI has provided in their application.

Let's look at litter through this new lens

Last week, as I was traveling south on Hwy 99 near Arnold Way, I saw a truck from a work site with what looked to be a large dumpster on a trailer traveling north on Hwy 99 on its way to the landfill. I was struck by its insufficient cover – a tarp that billowed up in such a way as to give the vehicle a Conestoga wagon appearance, allowing refuse to fly into the environment. I was unable to turn around and follow the vehicle, to see if VLI refused service due to lack of

appropriate cover, as required in the franchise agreement. I suspect it was not, and even if it was, refuse had already been distributed widely in its wake.

This event prompted me to document the litter along two roads commonly used by Republic Services and others to haul trash to the landfill – Independence Highway and Highway 99 (see attached photos). What did I find? Lots of roadside litter *that also extended up into private properties.*

Is this VLI "meeting or exceeding requirements and doing its best to not interfere with the character of the area by keeping roadsides free from litter?" Clearly not. In the Ongoing Performance Requirements section of Exhibit B BOC Approval Preadoption (BOC3_BC0014 – Nov 13, 2025) there is a description for litter control requirements. OP-9 reads "Litter Control. (A) General Compliance. The Applicant shall implement and maintain all current litter control measures as described in Attachment G (Record ID BC016 June 23 Cover Letter (1/2), p. 131 – 134) including all measures applicable to the expansion area."

Those pages include this statement:

"In addition, the landfill has a contract with the Benton County Sheriff's Department employing work crews to pick up litter along highway 99 and the Camp Adair Road from the landfill to Independence highway twice per month."

It clearly states that litter will be collected from Highway 99, yet you will see examples in my first set of photos of large quantities of litter, some of it clearly not deposited within the last two weeks, along the roadside and in neighboring properties. This ongoing performance requirement is that operations not interfere with the character of the area as written in 53.215(1). The area along Hwy 99 with the most litter includes a section near parking access for some of our popular trails – the OSU Research Forest Road 540 and the Calloway Creek Trails. What a greeting visitors and residents are given as they approach their destination. **Litter lining the roads does seriously interfere with the character of the area.** Pages 4 - 11 below document the litter along Hwy 99.

The second set of photos (pages 12 – 18 below) document the conditions along Independence Hwy. IF the current trash prevention and mitigation protocols were enough to ensure VLI managed the litter along Hwy 99 well enough to meet the requirements of 53.215(1), I'd suggest a condition of approval that other major trash hauling routes be subject to these same protocols. But as we can clearly see – **as with their inability to meet requirements to prevent methane emissions – they are also unable to meet the requirements to prevent or remove litter deposited by trash haulers along Hwy 99.** So, adding other routes to their prevention and mitigation responsibilities would yield the same results.

This brings us to the only action you commissioners can take: **Since VLI is already either unwilling or unable to meet the standards as required by the county and regulatory agencies for operating the existing landfill, you can only conclude that they will be unwilling or unable to meet those same standards for the proposed new landfill. You must deny LU-24-027.**

Respectfully,

Pam Castle

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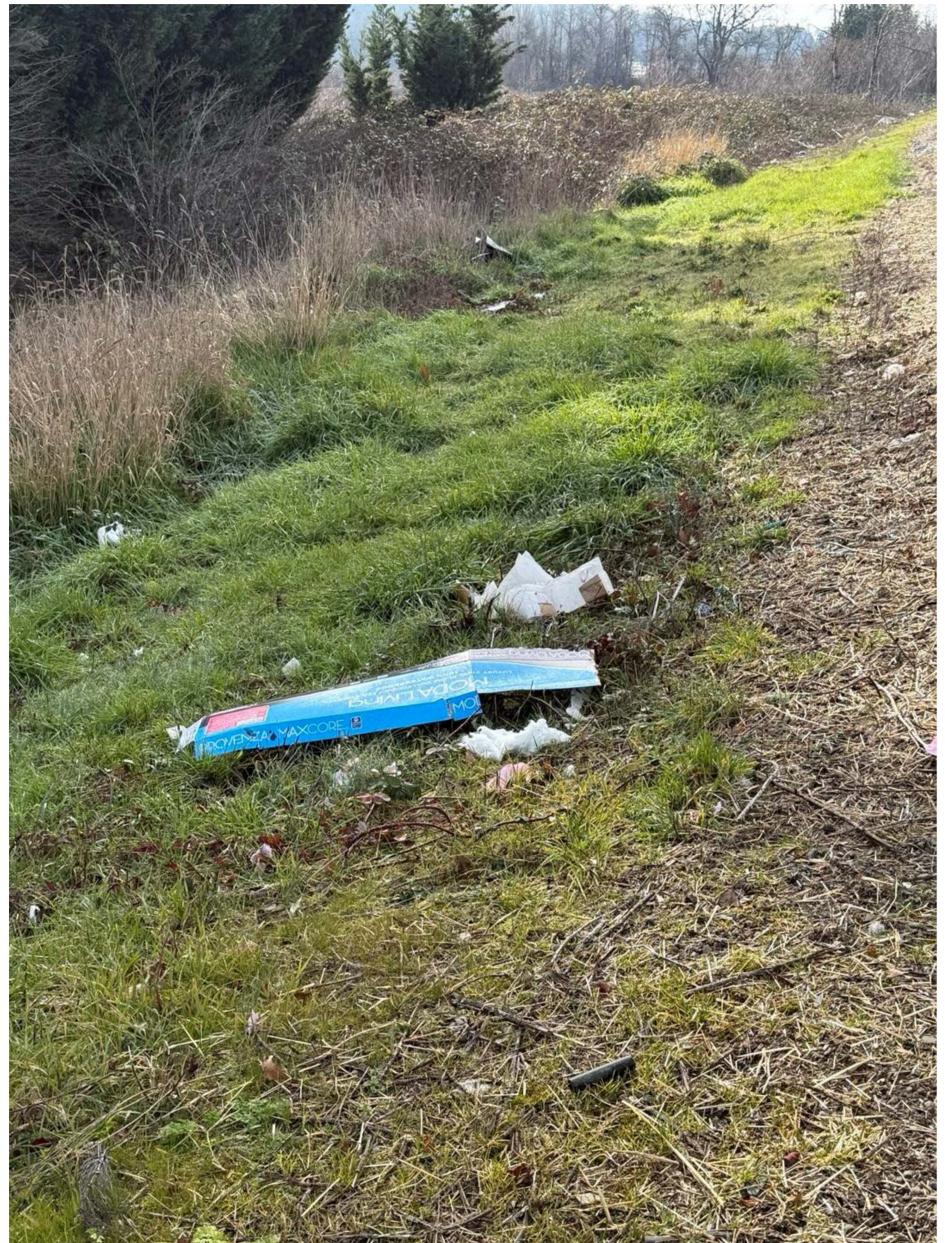
The following photos were taken January 25, 2026 on Hwy 99 between the southern intersection of Arboretum Road and the Benton County/Polk County border. The images (except where noted) are mostly from the stretch of 99 near the Arboretum Road intersections.

The roadside debris extends from the ditch onto private properties including agricultural fields. The debris ranges from very old, partially decomposed plastics, cardboard, etc. to newly deposited materials.











This is an example of a piece of litter that has definitely been present for some time. It was a blanket that was partially broken down







These images are of an agricultural property at or near the Polk County line



The following photos were taken January 24, 2026 from Independence Road between Ryals Avenue and Highway 20 – particularly between Metge and Pettibone Roads .

The roadside debris extends from the ditch onto private properties including agricultural fields. The debris ranges from very old, partially decomposed plastics, cardboard, etc. to newly deposited materials. Note how far some plastics are on adjacent private properties.

