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This series of emails transfers the ENRAC material into the Commissioners' Public Record. There are 63 files total in the ENRAC evidence archive. I am transferring them all into the Commissioners' Public Record. – Ken Eklund

Select Demographic Profile Option:

▲

[Dictionary.](#)

Income Breakdown (ACS) - Households (%)	
Less than \$15,000	1 (1.43%)
\$15,000 - \$25,000	4 (5.71%)
\$25,000 - \$50,000	13 (18.57%)
\$50,000 - \$75,000	7 (10%)
Greater than \$75,000	45 (64.29%)

Education Level (Persons 25 & older) (ACS) - Persons (%)	
Less than 9th Grade	3 (2.27%)
9th through 12th Grade	2 (1.52%)
High School Diploma	14 (10.61%)
Some College/2-year	23 (17.42%)
B.S./B.A. or More	78 (59.09%)



Demographic Profile of Surrounding Area (3-Mile Radius)

Select Demographic Profile Option:

3-Mile Radius

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2022 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. Census boundaries and demographic data for U.S. Territories are based on the "2020 Island Areas Demographic Profiles" from the U.S. Census Bureau. EPA's spatial processing methodology considers the overlap between the selected radii and ACS census block groups in determining the demographics surrounding the facility. For more detail about this methodology, see the [DER Data Dictionary](#).

General Statistics (ACS)	
Total Persons	1,766
Population Density	63/sq.mi.
Housing Units in Area	667
Percent People of Color	18%
Households in Area	650
Households on Public Assistance	8
Persons With Low Income	248
Percent With Low Income	14%

Geography	
Radius of Selected Area	3 mi.
Center Latitude	44.69876
Center Longitude	-123.22595
Total Area	28.27 sq.mi.
Land Area	100%
Water Area	0%

Income Breakdown (ACS) - Households (%)	
Less than \$15,000	17 (2.62%)
\$15,000 - \$25,000	34 (5.23%)
\$25,000 - \$50,000	103 (15.85%)
\$50,000 - \$75,000	57 (8.77%)
Greater than \$75,000	439 (67.54%)

Age Breakdown (ACS) - Persons (%)	
Children 5 years and younger	63 (4%)
Minors 17 years and younger	381 (22%)
Adults 18 years and older	1,384 (78%)
Seniors 65 years and older	345 (20%)

Race Breakdown (ACS) - Persons (%)	
White	1,478 (84%)
African-American	2 (0%)
Hispanic-Origin	195 (11%)
Asian	45 (3%)
Hawaiian/Pacific Islander	0 (0%)
American Indian	19 (1%)
Other/Multiracial	115 (7%)

Education Level (Persons 25 & older) (ACS) - Persons (%)	
Less than 9th Grade	37 (2.9%)
9th through 12th Grade	12 (.94%)
High School Diploma	150 (11.74%)
Some College/2-year	240 (18.78%)
B.S./B.A. or More	725 (56.73%)



Demographic Profile of Surrounding Area (5-Mile Radius)

Select Demographic Profile Option:

5-Mile Radius

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2022 American Community Survey (ACS) 5-year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. Census boundaries and demographic data for U.S. Territories are based on the "2020 Island Areas Demographic Profiles" from the U.S. Census Bureau. EPA's spatial processing methodology considers the overlap between the selected radii and ACS census block groups in determining the demographics surrounding the facility. For more detail about this methodology, see the [DER Data Dictionary](#).

General Statistics (ACS)	
Total Persons	8,386
Population Density	108/sq.mi.
Housing Units in Area	3,028
Percent People of Color	15%
Households in Area	2,983
Households on Public Assistance	52
Persons With Low Income	1,068
Percent With Low Income	13%

Geography	
Radius of Selected Area	5 mi.
Center Latitude	44.69876
Center Longitude	-123.22595
Total Area	78.533 sq.mi.
Land Area	99%
Water Area	1%

Income Breakdown (ACS) - Households (%)	
Less than \$15,000	86 (2.88%)
\$15,000 - \$25,000	111 (3.72%)
\$25,000 - \$50,000	340 (11.38%)
\$50,000 - \$75,000	282 (9.44%)
Greater than \$75,000	2,168 (72.58%)

Age Breakdown (ACS) - Persons (%)	
Children 5 years and younger	478 (6%)
Minors 17 years and younger	1,935 (23%)
Adults 18 years and older	6,452 (77%)
Seniors 65 years and older	1,677 (20%)

Race Breakdown (ACS) - Persons (%)	
White	7,315 (87%)
African-American	14 (0%)
Hispanic-Origin	661 (8%)
Asian	282 (3%)
Hawaiian/Pacific Islander	4 (0%)
American Indian	55 (1%)
Other/Multiracial	436 (5%)

Education Level (Persons 25 & older) (ACS) - Persons (%)	
Less than 9th Grade	130 (2.17%)
9th through 12th Grade	100 (1.67%)
High School Diploma	937 (15.61%)
Some College/2-year	1,162 (19.36%)
B.S./B.A. or More	3,203 (53.37%)

Ken Eklund, writerguy

37340 Moss Rock Dr
Corvallis OR 97330
408.623.8372

Creator of
World Without Oil
Ed Zed Omega
FutureCoast
and other storymaking games

Service of Process Transmittal Summary

word

TO: ANDREA BETTIS, Senior Paralegal
Republic Services, Inc.
18500 NORTH ALLIED WAY
PHOENIX, AZ 85054

RE: Process Served in Oregon

FOR: Valley Landfills, Inc. (Domestic State: OR)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: United States Environmental Protection Agency vs. Republic Services, Inc.

DOCUMENT(S) SERVED: Letter, Attachment(s)

COURT/AGENCY: None Specified
Case # None Specified

NATURE OF ACTION: Subpoena - Business records - Pertaining to Coffin Butte Landfill, Corvallis, Oregon

PROCESS SERVED ON: C T Corporation System, Salem, OR

DATE/METHOD OF SERVICE: By Traceable Mail on 01/21/2025 postmarked on 01/16/2025

JURISDICTION SERVED: Oregon

APPEARANCE OR ANSWER DUE: Within 10 days of receipt (Document(s) may contain additional answer dates)

ATTORNEY(S)/SENDER(S): Morgan Jencius
Environmental Protection Agency
1200 Sixth Avenue
Seattle, WA 98101-1128
206-553-6914

ACTION ITEMS: CT has retained the current log, Retain Date: 01/21/2025, Expected Purge Date: 01/26/2025

Image SOP

Email Notification, SOP Notifications sopnotifications@republicservices.com

REGISTERED AGENT CONTACT: CT Corporation System
780 Commercial Street? SE
Ste 100
Salem, OR 97301
8775647529
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the

included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

U.S. ENVIR

SARA CONLEY (20-C04)
US EPA (R10)
1200 6TH AVENUE
SUITE # 155
SEATTLE, WA 98101

PENALTY FOR PRIVATE USE, \$300

CERTIFIED MAIL

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AN EQUAL OPPORTUNITY EMPLOYER



United States
Environmental Protection
Agency

Region 10
1200 Sixth Avenue
Seattle WA 98101-1128

Official Business
Penalty for Private Use \$300

EQUAL OPPORTUNITY EMPLOYER

REGISTERED AGENT- VALLEY LANDFILLS INC
CT CORPORATION SYSTEM
780 COMMERCIAL STREET S.E.
SUITE# 100
SALEM, OR 97301



REGION 10

SEATTLE, WA 98101

RETURN RECEIPT REQUESTED

Ian Macnab
Environmental Manager
Republic Services, Inc.
28972 Coffin Butte Road
Corvallis, Oregon 97330

Re: INFORMATION REQUEST Regarding Coffin Butte Landfill, Corvallis, Oregon

Dear Ian Macnab:

The U.S. Environmental Protection Agency (EPA), Region 10 seeks information concerning the Coffin Butte Landfill owned or operated by Valley Landfills Inc., a wholly-owned subsidiary of Republic Services, at 2917 Coffin Butte Road in Corvallis, Oregon. The enclosed Information Request is issued to Valley Landfills Inc. pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414.

Under CAA Section 114, 42 U.S.C. § 7414, EPA is authorized to require the submission of records, reports and other information for the purpose of determining whether any violations of the CAA have occurred and for other purposes of the CAA. Valley Landfills Inc. is required to provide information and documents in accordance with the enclosed Information Request within **60 days** of your receipt of the request. If you anticipate being unable to fully respond to this Information Request by the specified date, you may request an extension within **10 days** of receipt of this request. Include a justification for your extension request. If timely submitted, EPA will consider your request and may extend the deadline.

Submit your response to this Information Request or request for extension to:

Sara Conley
Conley.sara@epa.gov
Air Enforcement Officer
Air Enforcement Section, Enforcement and Compliance Division, EPA Region 10

Please ensure the enclosed Statement of Certification is signed by a duly-authorized officer or agent of Valley Landfills Inc. and returned with the response to this Information Request.

Failure to timely respond fully and truthfully to this Information Request may subject you to civil penalties pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. Your response to this Information Request may be used by EPA in administrative, civil or criminal proceedings.

Thank you for your cooperation. If you have any questions regarding this Information Request or wish to request an extension, please contact Sara Conley, at (206) 553-6914 or conley.sara@epa.gov. For legal matters or questions from legal counsel, please contact Brandon Jones-Cobb, in the Office of Regional Counsel, at (206) 553-6917 or jonescobb.brandon@epa.gov.

Sincerely,

MORGAN JENCIUS

Digitally signed by MORGAN
JENCIUS
Date: 2025.01.15 12:40:57 -08'00'

Morgan Jencius, Manager
Air and Land Enforcement Branch
Enforcement and Compliance Assurance Division

Enclosures

1. Information Request
2. Statement of Certification

cc: Registered Agent – Valley Landfills Inc.
CT Corporation System

Becka Puskas, J.D.
Interim Manager, Office of Compliance and Enforcement
Oregon Department of Environmental Quality

ENCLOSURE 1
CAA INFORMATION REQUEST

Republic Services, Valley Landfills Inc.

A. INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question in this Information Request. Mark each answer with the number of the question (and subpart, if applicable) to which it corresponds.
2. For each question, provide a copy of each document relied on or referred to in the preparation of the response or that contains information responsive to the question.
3. Indicate on each document produced in response to this Information Request, or in another reasonable manner, the number of the question to which it corresponds.
4. Provide the name, title, and business contact information for each person who prepared or was consulted in the preparation of your response. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained in this Information Request, or who may be able to provide additional responsive documents, provide the name, title, and business contact information for each such person and the additional information or documents that they may have.
5. If you believe a question is not applicable to the Facility, explain the reason for that belief.
6. The information requested must be provided whether or not you regard part or all of it as a trade secret or confidential business information. You may assert a confidentiality claim covering part or all of the information submitted, pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414 and 40 C.F.R. Part 2, by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by EPA.

Information covered by such a claim will be disclosed by EPA only to the extent and by the procedures set forth in statutes and 40 C.F.R. Part 2, Subpart B. See 40 C.F.R. § 2.301 for additional rules governing certain information obtained under the CAA. Note that certain categories of information, including "emission data," are not entitled to confidential treatment. Unless you make a claim at the time you submit the information in the manner described in 40 C.F.R. § 2.203(b), it may be made available to the public by EPA without further notice to you. See also 41 Fed. Reg. 36902 (Sept. 1, 1976).

If you claim all or part of your response as a trade secret, proprietary, or company confidential, please also return with your response a complete substantiation of your claim. Enclosure 3 contains the information you must provide in order to substantiate your claim. If you require additional time to substantiate your confidentiality claim, contact the individuals listed in the cover letter.

B. DEFINITIONS

All terms used in this Information Request have their ordinary meaning unless such terms are defined in this Information Request; or 302 of the CAA, 42 U.S.C. §§ 7401 or 7602; or 40 C.F.R. Part 63, Subpart AAAA National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. For purposes of this Information Request:

1. The terms "you" or "Respondent" mean Republic Services, Coffin Butte Landfill, Valley Landfills Inc., and its subsidiaries, officers, directors, managers, partners, employees, contractors, and agents, as applicable.
2. "Abandoned" means, when used in reference to a component of the gas collection system, a component that is no longer operating.
3. "Document" means any object that records, stores, or presents information, and includes, without limitation, email, writings, memoranda, contracts, agreements, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. Include all attachments to or enclosures with any responsive document.
4. "Facility" means the municipal solid waste landfill owned or operated by Respondent located at Highway 99 & Coffin Butte Road Corvallis, OR 97330.
5. "Gas Collectors" means vertical wells, horizontal collectors, or other collection devices capable of collecting and extracting gas at the landfill and meets the requirements of 40 C.F.R. § 63.1962 and parallel provisions under the other EPA Landfill Air Regulations.
6. "Gas collection system" means the active or passive system of wells or similar collection components used to collect and move gas at the landfill.
7. "Gas Collection and Control System" or "GCCS" means an active or passive system of wells or similar collection components to move gas at the landfills to associated control devices per the requirements at 40 C.F.R. § 63.1959(b)(ii) and parallel provisions under the other EPA Landfill Air Regulations.
8. "Gas Collection and Control System Design Plan" or "Design Plan," means a plan that is developed by the landfill and meets the requirements of 40 C.F.R. § 63.1981(d) and parallel provisions under the other EPA Landfill Air Regulations.
9. "Gas Control System" means the systems that treat and/or destroy landfill gases collected by the gas collection system, including but not limited to flares, gas to energy projects, and renewable natural gas plants, as well as any other control devices and treatment systems used to fulfill the control requirements of 40 C.F.R. § 63.1959(b)(2)(iii) and parallel provisions under the other EPA Landfill Air Regulations.
10. "Landfill" means the municipal solid waste (MSW) landfill operated by Republic Services, Coffin Butte Landfill, or Valley Landfills Inc..
11. "Landfill Air Regulations" refers to 40 C.F.R. Part 60, Subpart WWW; 40 C.F.R. Part 60, Subpart XXX; 40 C.F.R. Part 62, Subpart OOO; 40 C.F.R. Part 62, Subpart GGG; 40 C.F.R. Part 63, Subpart AAAA; and State Plans for the Control of Emissions from Existing Municipal Solid Waste Landfills incorporated under 40 C.F.R. Part 62 pursuant to 40 C.F.R. Part 60, Subpart Cf or Cc, as applicable.

12. "LandGEM" means EPA's Landfill Gas Emissions Model, which is an automated estimation tool with a Microsoft Excel interface that can be used to estimate emissions for total landfill gas, methane, carbon dioxide, nonmethane organic compounds, and individual air pollutants from municipal solid waste landfills.
13. "Leachate" means liquids, including landfill gas condensate inside the landfill.
14. "Owner or Operator" means any Person who owns, leases, operates, controls, or supervises the Facility.
15. "Person" or its plural or any synonym thereof, is intended to and shall embrace and include any individual, partnership, corporation, company, association, government agency (whether federal, state, local or any agency of the government of a foreign country), or any other entity, and includes Republic Services, Coffin Butte Landfill, and Valley Landfills Inc.
16. "Surface Emission Monitoring or SEM" means monitoring surface concentrations of methane at collection areas of a landfill, as required by 40 C.F.R. §§ 63.1960(c)&(d) and parallel provisions under the other EPA Landfill Air Regulations.
17. "You and/or Your" means Republic Services, Coffin Butte Landfill, Valley Landfills Inc. and all its agents, servants, employees, representatives, investigators, accountants, auditors, attorneys, experts, consultants, contractors, and others who are in possession, custody, or control (actual or constructive) of relevant information that is otherwise available to You or may have obtained information for or on Your behalf.

C. INFORMATION REQUEST

Provide the following information for the Facility. Unless otherwise specified, provide all responsive information for the time period between January 1, 2022 and the date of this Request.

General Applicability:

1. Provide the name and address of the legal owner of the Facility. If the owner and operator of the Facility are not the same entity, provide the name and address of the operator of the Facility and provide contracts/legal documents between entities as they relate to ownership, purchase or buy-back agreements and contract operation.
2. Provide copies of any submitted initial or amended design capacity reports.

(As referenced in 40 C.F.R. §§ 63.1981, 63.1983(a) and parallel provisions under EPA's Landfill Air Regulations).

Permits and Applications/Alternatives/Variations/Previous Enforcement:

3. Provide copies of the following documents for the Facility:
 - a. All permit(s) in effect as of the date of this Request and the permit application(s) You submitted to obtain each such permit;
 - b. Permit application(s) pending as of the date you received this Request; and

- c. The original construction permit(s) and permit application(s). If an original construction permit has been modified, provide the current version of the construction permit.
4. Provide a copy of the following:
 - a. All applicability determination or regulatory interpretation requests to and responses from the Oregon Department of Environmental Quality or EPA;
 - b. All approvals of alternatives to Landfill Air Regulation requirements issued by Oregon Department of Environmental Quality or EPA; and
 - c. Alternative compliance timeline requests to and responses from the Oregon Department of Environmental Quality or EPA.
5. Provide information regarding citizen complaints that the Landfill has knowledge of between January 1, 2022, and the date of this request. The information should include:
 - a. Date and time;
 - b. Location at or near the Landfill which is the subject of the complaint;
 - c. Copy or description of complaint;
 - d. Corrective action or monitoring done as a result; and
 - e. Name and contact information for the person who submitted the complaint.

Semi-annual/Annual Reports:

6. Provide the semi-annual and annual reports between January 1, 2022 and the date of this request in an electronic format such as a searchable PDF.

(As referenced in 40 C.F.R. §§ 63.1959(a)-(b), 63.1981(h) and parallel provisions under EPA's Landfill Air Regulations).

Waste Type and Quantity Data:

7. Provide the monthly quantity (short tons or megagrams, labeled) of waste accepted at the Landfill between January 1, 2022 and the date of this request, including:
 - a. A breakdown by type of waste (e.g., municipal solid waste, construction and demolition, asbestos, sludge, etc.);
 - b. List the types and quantities of waste that were excluded from the maximum expected gas generation calculation and the rationale for excluding those types of waste; and
 - c. List the types and quantities of waste that are classified as "inert" in facility reports for the Greenhouse Gas Reporting Program pursuant to 40 C.F.R. § 98.346(c).

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. §§ 63.1983(a), (d) and parallel provisions under EPA's Landfill Air Regulations).

Gas Collection and Control System (GCCS) Design:

8. Provide a copy of the following documents related to the Design Plan:
- Design Plans in effect at the Landfill since January 1, 2022.
 - Copies of EPA or Oregon Department of Environmental Quality approval, disapproval, or other response to the two most recent Design Plans. If EPA or Oregon Department of Environmental Quality did not provide an approval, disapproval, or other response, provide a statement that EPA or Oregon Department of Environmental Quality approval did not approve, disapprove, or otherwise respond to Valley Landfill Inc's submission of the Design Plan(s).
 - Identification of, and an explanation for, areas excluded from gas collection;
 - A description of the design of the main gas header, including:
 - Maximum rated flow rate capacity;
 - Maximum operating flow rate; and
 - Maximum allowable pressure drop.
 - As-built, final design documents for each flare/blower system. The design documents shall include but not be limited to the following (for each piece of equipment):
 - The manufacturers' expected/design life (years);
 - Minimum and maximum design flare temperatures (°F);
 - The rated maximum flow rate capacity of the flare (standard cubic feet per minute, scfm); and
 - The blower(s) and backup blower(s) rated maximum flow rate at inlet vacuum.
 - Most recent maximum expected gas flow rate calculations, if different from the Design Plan.
 - Include the annual or monthly waste breakdown for every year used in the maximum expected gas flow rate calculations.
 - If LandGEM is used, provide a spreadsheet containing the most recent LandGEM calculation.
 - If LandGEM is not used, provide documentation of the method used to calculate the maximum expected gas flow rate.
 - Include scale house data of waste excluded from LandGEM calculations.

(As referenced in 40 C.F.R. § 63.1981 and parallel provisions under EPA's Landfill Air Regulations).

9. Provide report(s) for gas collection and control system stack test(s) and performance test(s), including initial tests, as well as other compliance testing, engineering testing, and testing for general information.

(As referenced in 40 C.F.R. § 63.1983(b) and parallel provisions under EPA's Landfill Air Regulations).

Gas Collection System:

10. Provide the following information for the gas collection system:
- List of existing and historical Gas Collectors/wellheads and leachate collectors, which are or were connected to the gas collection and control system;
 - For each existing or historical Gas Collector/wellhead or leachate collector that is not in active service collecting landfill gas as of the date of this Request, provide the date on which the Gas Collector/wellhead was taken out of active service and describe the status of the Gas Collector/wellhead, including whether the valve is open or closed, whether the Gas

Collector/wellhead is connected to the GCCS, whether the header lateral has been capped, and whether the Gas Collector/wellhead has been abandoned. Provide documents explaining the basis for each Gas Collector/wellhead abandonment, as well as any approvals issued by EPA or the Oregon Department of Environmental Quality for abandoning the Gas Collector/wellhead;

- c. Indicate whether a Gas Collector is a vertical or horizontal Gas Collector;
- d. Indicate the location of each Gas Collector, both by cell and by GPS coordinates;
- e. Indicate whether each existing Gas Collector has a pump for leachate/water removal;
- f. Indicate higher operating value or alternative operating procedure for Gas Collector;
- g. Installation dates for Gas Collector/wellhead installed between January 1, 2022 and the date of this request; and
- h. From January 1, 2022 to the date of this request, evaluations or analyses, conducted either by you or an external consultant/company, of the gas collection system, including any evaluation or analysis related to:
 - i. Gas Collector placement;
 - ii. Gas Collector depth;
 - iii. Gas Collector density; and
 - iv. Amount of vacuum applied to the Gas Collector/wellhead.

(As referenced in 40 C.F.R. §§ 63.1957-62, 63.1981(d)-(e) and parallel provisions under EPA's Landfill Air Regulations).

- 11. Provide the current topographic site map(s) displaying the following information:
 - a. Gas Collector/wellhead locations and identifiers, including gas laterals and gas headers; and
 - b. Areas in which gas collection is not occurring.

(As referenced in 40 C.F.R. § 63.1958(d) and parallel provisions under EPA's Landfill Air Regulations)

Wellhead Monitoring Data:

- 12. In an unlocked, Excel-compatible electronic spreadsheet format, provide GCCS monitoring records, including dates, times between January 1, 2022 and the date of this request, including the following:

- a. Monthly GCCS Gas Collector/wellhead measurements, including:
 - i. Methane;
 - ii. Carbon dioxide (CO₂);
 - iii. Carbon monoxide (CO);
 - iv. Flow rate;
 - v. Oxygen;
 - vi. Nitrogen;
 - vii. Pressure;
 - viii. Temperature; and
 - ix. Notes taken by the technician during monitoring, corrective actions, and re-monitoring measurements.
- b. Monitoring data for each blower, including vacuum;

- c. Gas Collector/wellhead parameter exceedances and corrective actions, including enhanced monitoring due to elevated temperatures, and corrective actions;
- d. Gas Collector/wellhead higher operating values approvals relevant from January 1, 2022 and the date of this request, along with approvals of alternative timelines or corrections in that time; and
- e. A list of Gas Collectors/wellheads not monitored during monthly monitoring and the explanation for exclusion.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. §§ 63.1958(b)-(c), 63.1961, 63.1962, 63.1981, 63.1983, and parallel provisions under EPA's Landfill Air Regulations)

Depth-to-Water and Depth of Perforation Data:

13. In an unlocked, Excel-compatible spreadsheet(s), provide the following information related to each vertical Gas Collector available between January 1, 2022 and the date of this request:
- a. Records of measurements of depth to water and/or height of water taken between January 1, 2022 and the date of this Request;
 - b. Documentation of pinches and other obstructions;
 - c. Depth to bottom of the vertical Gas Collector;
 - d. Length of perforated pipe;
 - e. Percentage of perforation; and
 - f. A description of corrective actions taken by the facility as a result of the water level measurements or observation of obstructions, as applicable.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. § 63.1962(b)(2), and parallel provisions under EPA's Landfill Air Regulations)

14. Provide a description of standard operating procedures or internal guidelines relating to Gas Collector obstruction and/or dewatering at the Facility.

GCCS Main Header Data:

15. In an unlocked, Excel-compatible spreadsheet, provide the following landfill gas collection system main header data on an hourly basis from January 1, 2022 and the date of this request:
- a. Date and hour;
 - b. Average system pressure (inches of water column, in. w.c.);
 - c. Average gas flow rate collected (standard cubic feet per minute, scfm);
 - d. Average landfill gas temperature (degree Fahrenheit, °F); and
 - e. Average methane concentration.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. § 63.1961(a), and parallel provisions under EPA's Landfill Air Regulations)

16. Provide gas sampling reports between January 1, 2022 and the date of this request. Your response should include, but not be limited to, sampling done for:
- Methane concentration;
 - Sulfur compounds; and
 - Hazardous air pollutant (HAP) content.

Gas Control System:

General:

17. Provide monthly inspection, maintenance, and repair logs and records for each piece of control equipment (e.g., blower/flare system) between January 1, 2022 and the date of this request.

(As referenced in 40 C.F.R. § 63.1983(c)(7), and parallel provisions under EPA's Landfill Air Regulations)

18. In an unlocked, Excel-compatible spreadsheet, provide the following monitoring data for each flare between January 1, 2022 and the date of this request:
- Temperature readings;
 - Gas flow readings;
 - Methane percentages at each flare;
 - Operating hours on a monthly basis for each flare;
 - Records of bypass incidents at each flare; and
 - Monthly SO₂ emissions calculations (tons/month, tons/year) for each flare system with supporting calculations.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. § 63.1961(b)-(c), and parallel provisions under EPA's Landfill Air Regulations)

Surface Emissions Monitoring (SEM):

19. Provide SEM records since January 1, 2022. Please make sure units of measurement are clearly indicated. For each monitoring event, include:
- Date(s) and description(s) of the monitoring activity, including identification of the device used;
 - SEM data, including but not limited to instrument calibration data, methane concentration at the location of each monitored exceedance marked according to 40 C.F.R. § 63.1960(c)(4)(i), any other recorded methane concentrations, raw instrument data outputs, methane concentration upon re-monitoring at the location of each monitored exceedance; and

- c. Records or descriptions (if the facility does not maintain records) of corrective actions performed in response to each monitored exceedance;
20. GPS coordinates, notes, drawings, maps or other records of the actual path traversed by the SEM technician for each quarterly SEM event since January 1, 2022, depicting:
- a. The monitoring route traveled and any deviations from the 30-meter intervals; and
 - b. Areas excluded from surface emission monitoring (SEM) or exempt from quarterly SEM, including explanation(s) for each area excluded or exempted.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. § 63.1961(f), and parallel provisions under EPA's Landfill Air Regulations)

21. Records or reports of additional emissions monitoring activities conducted at the direction of the Facility, including but not limited to drone, satellite, and tower-based monitoring, between January 1, 2022 and the date of this request.

Gas Migration:

- 22. Provide gas measurements at the gas monitoring probes between January 1, 2022 and the date of this request.
- 23. Provide records of corrective actions taken and remediation plans made in response to methane measurements taken at the gas monitoring probes.
- 24. Provide a map of the gas monitoring probe locations.

(As referenced in 40 C.F.R. §§ 63.1960(c), 63.1961(f), and parallel provisions under EPA's Landfill Air Regulations)

ENCLOSURE 2
STATEMENT OF CERTIFICATION

Republic Services, Inc.
28972 Coffin Butte Road
Corvallis, Oregon 97330

INFORMATION REQUEST
STATEMENT OF CERTIFICATION

I certify that the enclosed responses to EPA's Information Request issued to Republic Services, Inc. are true, accurate, and complete. I certify that the portions of these responses which I did not personally prepare were prepared by persons acting on behalf of Republic Services, Inc. under my supervision and at my instruction, and that the information provided is true, accurate, and complete. I am aware that there are significant penalties for submitting false information in response to this Information Request, including the possibility of fine and imprisonment.

Signature

Printed Name

Title

Date

ENCLOSURE 3
SUBSTANTIATION OF
CONFIDENTIAL BUSINESS INFORMATION CLAIM

Republic Services, Valley Landfills Inc.

EPA is providing you notice that if you assert a claim of business confidentiality for information you provide in response to this Information Request, EPA will determine whether such information is entitled to confidential treatment, pursuant to 40 C.F.R. Part 2, subpart B, including 40 C.F.R. §§ 2.208 and 2.301. If you feel that some or all of the information is entitled to confidential treatment, you must make the showings below with specific reference to those portions of the information you consider confidential.

Please be specific by page (including Bates Stamp, if applicable), paragraph, and sentence when identifying and substantiating the information subject to your claim. Where your claim, as originally made or as modified by your response to this letter, does not include all information on a page, please attach a copy of each such page with brackets around the text that you claim to be CBI. Please note that if a page, document, group, or class of documents claimed by you to be CBI contains a significant amount of information which the EPA Region 10, Office of Regional Counsel determines is not CBI, your CBI claim regarding that page, document, group, or class of documents may be denied. Any information not specifically identified as subject to a confidentiality claim and substantiated as such in your response to this letter may be disclosed to the requester without further notice to you.

In making its final confidentiality determination, the EPA will consider the relevant substantive criteria in its CBI regulations, under 40 C.F.R. § 2.208(a)-(d), as well as the U.S. Supreme Court's decision in *Food Marketing Institute v. Argus Leader Media* (Argus), 139 S. Ct. 2356 (2019), which evaluated the definition of "confidential" as used in Exemption 4. In the Argus decision, the Court held that at least where "[1] commercial or financial information is both customarily and actually treated as private by its owner and [2] provided to the government under an assurance of privacy, the information is 'confidential' within the meaning of Exemption 4." Argus, 139 S. Ct. at 2366.

For each item or class of information that you continue to claim as CBI, please answer the following questions, giving as much detail as possible. Your comments in response to these questions will be used by the EPA to determine whether the information has been shown to be entitled to confidential treatment:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.

2. Information submitted to the EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. Has EPA, another federal agency, or court made any determination as to the confidentiality of the information? If so, please attach a copy of the determination.
4. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information be considered confidential?
4. Is the information contained in any publicly available material such as patents or patent applications, publicly available databases (including state databases), promotional publications, annual reports, or articles?

If you answered "yes," please identify the publicly available information and its location (e.g., patent number or website address).

5. Has your company taken reasonable measures to protect the information claimed as CBI? If so, please identify the measure or internal controls your business has taken to protect the information claimed as confidential:
 - a. Non-disclosure agreement required prior to access. Yes/No
 - b. Access is limited to individuals with a need-to-know. Yes/No
 - c. Information is physically secured (e.g. locked in a room or cabinet) or electronically secured (encrypted, password protected, etc.). Yes/No
 - d. Other internal control measures(s). Yes/No. *(If yes, please explain.)*
6. Does your company customarily keep the information private or closely-held? If so, please explain the basis for your response.
7. ~~At the time you submitted the information you claimed as CBI, did EPA provide any express or implied assurance of confidentiality? If so, please explain the specific assurance(s) you received. For example, expressed assurances indicating that information will not be publicly disclosed could include legal authorities (regulation or statute), direct communications, class determinations, etc. Examples of implicit assurances could include a description of the specific context in which the information was received.~~
8. Did the Agency provide any expressed or implied indications at the time the information was submitted that EPA would publicly disclose the information?
9. If you believe any submitted information to be a trade secret, please state and explain the reason for your belief. Please attach copies of those pages containing such information with brackets around the text that you claim to be a trade secret.

10. Are there any means by which a member of the public could obtain access to the information or readily discover the information claimed as confidential through reverse engineering?
11. Please explain why the information claimed as confidential is not emissions data under the Clean Air Act.
12. Explain any other issue or additional information you deem relevant to EPA's determination.

Please note that *you bear the burden of substantiating your confidentiality and trade secret claim(s)*. Generalized or conclusory statements will be given little or no weight in EPA's determination on the confidentiality of the information you claim to be CBI.

Your comments must be postmarked or hand delivered to this office, or emailed to Sara Conley conley.sara@epa.gov, by the 30th day after receipt of this letter. You may seek an extension of time to submit your comments to this office, but the request must be made before the 30th day after receipt of this letter. Except in extraordinary circumstances, no extension will be approved. Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim or claims, and the EPA may release the information.

If you wish to claim any information that you provide in your response to this letter to itself be confidential, you must mark the response "**CONFIDENTIAL**" or with a similar designation, and must bracket all text in the response that you so claim. Information so designated will be disclosed by the EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information provided in your response as confidential, it may be made available to the public.

BYLAWS
ENVIRONMENT & NATURAL RESOURCES ADVISORY COMMITTEE

ARTICLE 1

Name

The name of this organization shall be the Environment & Natural Resources Advisory Committee (the “Committee”).

ARTICLE 2

Function

As enumerated below, the Committee will research topics and provide input to the Board of Commissioners and County departments in areas related to Benton County’s 2040 Vision Statement on Environment & Natural Resources: “Benton County commits to protect, conserve and enhance our treasured, limited natural resources and prepare for future environmental challenges.”

Additionally, the Committee will collaborate with other committees and programs that relate to, but extend outside of, the Environment & Natural Resources vision statement, such as outdoor recreation, wildland-urban interface, and similar topic areas.

An annual plan and prioritization of topics will be developed by staff and the Committee chair in consultation with the Board of Commissioners.

- (1) On topics related to vision statement and identified by County departments or the Board of Commissioners, committee to research and provide input to Benton County departments and, through the coordinating team, to the Board of Commissioners. Primary focus is on the services and programs Benton County provides to the public, as opposed to internal operations of the County.
- (2) At the request of the ENR Coordinating Team or the Board of Commissioners, take on planning and recommendations for implementation of special projects related to the Vision Statement.
- (3) At the request of the ENR Coordinating Team or the Board of Commissioners, collaborate with other committees, departments and outside partners to address the Vision Statement.
- (4) Conduct tours and site visits as part of research and education activities.
- (5) Conduct public engagement, education and outreach, which may include an annual public forum, awards, other events.

ARTICLE 3

Membership

Section 1. Number and Selection.

The Committee shall consist of up to Nine (9) members, appointed by the Board of Commissioners. Members shall reside or own property in or work within Benton County.

Section 2. Terms of Office.

Terms shall be three years, except for initial appointments, which shall be staggered. Any member may serve successive terms if reappointed by the Board of Commissioners. Members may not serve more than two (2) successive terms; partial terms shall not be counted toward the successive term limit. Terms begin on January 1 and end on December 31.

Section 3. Responsibilities.

Committee members shall regularly attend meetings of the Committee and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair.

Section 4. Termination of Membership.

The Board of Commissioners may remove Committee members as follows:

- (1) Failure to attend three or more consecutive regular committee meetings.
- (2) For cause following public hearing, for reasons including, but not limited to:
 - (a) Commission of a felony;
 - (b) Corruptness;
 - (c) Intentional violation of open meetings law;
 - (d) Failure to declare conflicts of interest;
 - (e) Incompetence.
- (3) Without cause pursuant to Benton County Code chapter 3.035.

Section 5. Vacancies.

The Board of Commissioners shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.

ARTICLE 4

Officers

The following officers shall be elected from the Committee membership during the first meeting of each calendar year:

- Chair: The Chair shall have the responsibility of conducting all meetings and hearings in an orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called. However, in the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Vice Chair: The Vice Chair shall be responsible for conducting the meetings and hearings in the absence of the Chair.

ARTICLE 5

Subcommittees

Section 1. Creation of Subcommittees.

The Committee, with the concurrence of the Coordinating Team, shall have the power to create subcommittees with such responsibilities as the Committee directs.

Section 2. Naming of Subcommittees.

The Chair, with the concurrence of the Coordinating Team, shall appoint and charge each subcommittee with its responsibilities, shall appoint the members of the subcommittee, and shall appoint the chair of the subcommittee in the event the subcommittee consists of more than one person. The subcommittee chair shall be responsible for scheduling meetings, assigning specific tasks within the mandate of the subcommittee, and reporting to the Committee concerning the work of the subcommittee.

ARTICLE 6

Advisors

The Committee and the subcommittees may call on lay citizens and professionals as advisors without voting rights to provide technical assistance, participate in deliberations, and attend meetings to the extent deemed appropriate by the chair.

ARTICLE 7

Meetings

Section 1. Regular Meetings.

Meetings shall be held quarterly, or more frequently when called by the Chair of the Committee or the Board of Commissioners.

Section 2. Special Meetings.

Special meetings may be called by the Chair or by the Board of Commissioners by giving the members and the press written or verbal notice at least 24 hours before the meeting.

Section 3. Quorum.

A simple majority of the membership shall constitute a quorum. All business conducted with a majority vote of the quorum shall stand as the official action of the Committee.

Section 4. Voting.

Each Committee member shall have one vote. In the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Section 5. Staffing.

Committee will have a primary staff contact and coordinator, who sets meeting agenda (in coordination with committee chair), coordinates minute-taking and approval, develops detail for

tasks outlined in annual plan. Staffing responsibility will rotate on a 4-year schedule among the departments composing the Coordinating Team.

Section 6. Coordinating Team.

Guides the development of annual plan and prioritization; meets quarterly to review.

Department Director or Program Manager or designate from the following departments:

- Sustainability Program
- Community Development
- Health Department
- Public Works
- Natural Areas and Parks

Additional departments or additional designates may join the Coordinating Team with concurrence of the Team.

Section 7. Agenda.

The Chair, with the assistance of the County Staff, or his/her designate, shall prepare the agenda of items requiring Committee action, and shall add items of business as may be requested by individual Committee members and/or the Board of Commissioners.

Section 8. Notice.

All members shall be given written notice of time, date, location, and purpose of the meetings at least three (3) days before a regular Committee meeting, and written or verbal notice one (1) day before a special meeting. In the event a member is provided with less than three (3) days written notice of a regular meeting, or less than one (1) day actual notice of a special meeting, and objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting or at a special meeting called with adequate notice.

Section 9. Minutes.

Minutes recording all motions and subsequent action including the number of yes or no votes on each issue shall be taken. In addition, all conflicts of interest shall be noted. Minutes of all meetings shall be maintained by the County.

ARTICLE 8 Public Records and Meeting Law

The committee is a public body for the purposes of ORS Chapter 192, and is subject to the statutory procedures related to public records and meetings.

ARTICLE 9 Parliamentary Procedure

The current edition of Robert's Rules of Order shall govern the Committee, except where these bylaws or any special rules of order adopted by the Committee are inconsistent with Roberts Rules, in which case, the bylaw or special rules of order shall govern.

ARTICLE 10
Conflict of Interest

A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

ARTICLE 11
Bylaw Amendments

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the Committee which may recommend changes at any regular meeting of the Committee by a two-thirds vote of the membership, provided that the recommended amendment has been submitted in writing to the Committee members no later than three days before the regular meeting.

Adopted this 7th day of April, 2020.

Signed this 7th day of April, 2020.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

APPROVED AS TO FORM:

Xanthippe Augerot, Commissioner

Vance Croney, County Counsel

Annabelle Jaramillo, Commissioner

Overview

The following are resources, considerations, potential impacts to consider, and a general framework for ENRAC Members to evaluate Republic Services' application for a Conditional Use Permit (CUP) to expand the Coffin Butte landfill. ENRAC will develop a recommendation to be submitted to the Benton County Planning Commission to reject, accept, or accept the application with conditions. There is no legal or formal required length, content, or structure for the recommendation. The recommendation must be voted on and approved by ENRAC by April 22.

CUP Application Materials

The following are links to the CUP application & related materials:

- [Landfill expansion application](#) (submitted July 19, 2024)
- [Revised application](#) (submitted Oct. 30, 2024)
- [Additional information](#) (submitted Jan. 15, 2025)
- [First Addendum to Burden of Proof](#) (submitted March 14, 2025)
- To learn more about the decision process visit bentoncountyor.gov/coffin-butte-landfill

What to Consider Per Code

Per Code [53.215](#), the following are the considerations, but not limited to, when evaluating the CUP:

The decision to approve a conditional use permit shall be based on findings that:

- (1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;*
- (2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and*
- (3) The proposed use complies with any additional criteria which may be required for the specific use by [Benton County Development Code](#). [Ord 90-0069]*

The following are additional Codes as reference:

- [Chapter 23 – Solid Waste Management](#)
- [Chapter 77 – Landfill Site \(LS\)](#)

The following should be kept in mind when evaluating the application:

- Your analysis must focus only on the expansion area, NOT the landfill itself or its history
- The definition of “area” can be interpreted by you and/or by issue; such as, impacts to neighboring communities, impacts that go beyond the landfill, impacts on other jurisdictions, etc.
- You can consider & evaluate short-, mid- &/or long-term Impacts
- Benton County cannot control where the waste that is received at the landfill originates
- If the application is approved, the current cap of 1.1 million tons accepted per year will cease
- If the application is approved, Metro (Portland area's disposal district) will not be able to send materials to Coffin Butte per existing policy



ENRAC Deliberations Framework for CUP Application

The following is a framework to organize topics to be analyzed and feedback to be captured. The objective is for ENRAC Members to agree on a recommendation to the Planning Commission via either consensus or by majority vote. The 'Topics & Issues' were captured from the March 12 ENRAC meeting. For 'Potential Impacts', include your thoughts, research links, and/or any items for ENRAC to consider. For 'Thoughts on Recommendation', include your positions or perspectives on whether the Topic/Issue leans you to recommend approval, denial, or approval with conditions for the application. Staff will compile all comments as sent for discussion at the next ENRAC meeting. Lastly, please identify any additional topics you want included and/or thoughts on reorganizing the current framework.

ENVIRONMENTAL IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Air Pollution		
Greenhouse Gas Emissions		
Leachate		
Soil		
Toxicology		
Water Pollution (surface &/or ground)		
Monitoring (general &/or specific)		
Regulations (general &/or specific)		
Other?		

HUMAN IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Local Residents / Community		
Odor		
Social/Societal		
Other?		

MONETARY IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Economics		
Ratepayers & Fees		
Other?		

SYSTEMIC/NETWORK EFFECTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Regional Impacts		
Sustainable Materials Mngt.		
Waste Transport <i>(additional mileage, GHG emissions, traffic, roads, etc.)</i>		
Other?		

Overview

The following are resources, considerations, potential impacts to consider, and a general framework for ENRAC Members to evaluate Republic Services' application for a Conditional Use Permit (CUP) to expand the Coffin Butte landfill. ENRAC will develop a recommendation to be submitted to the Benton County Planning Commission to reject, accept, or accept the application with conditions. There is no legal or formal required length, content, or structure for the recommendation. The recommendation must be voted on and approved by ENRAC by April 22.

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ENVIRONMENTAL IMPACTS

Abbreviations noted, if not extensive:

- BC Benton County (though usually as Benton County Governance)
- BCC Benton County Commission (& Commissioners)
- BC PC Benton County Planning Commission
- CUP Conditional Use Permit (application in consideration; assumed to be most recent unless noted)
- CBL & CB Operations Coffin Butte Landfill, also Coffin Butte, but implies and implicates ownership by Valley Landfills, Inc. and Republic Services
- EPA Federal Environmental Protection Agency
- DEQ Oregon Department of Environmental Quality, assumed to be Oregon chapter unless otherwise noted
- GHG Greenhouse Gas Emissions, typically CO2 and methane, though others exist
- ENRAC
- DSAC
- SWAC
- VOC Volatile Organic Compound

All recommendations and documentation below assumes the inclusion of the above CUP Application documents already outlined in this letter.

All documents cited in this letter are shared here: https://drive.google.com/drive/folders/1K2eYDx56-TTG-xx_LOCHjrOiOagkuwSV?usp=sharing

Topic/Issue	Potential Impacts	Thoughts on Recommendation
Air Pollution	<ul style="list-style-type: none">❖ Odor Issues – see below Odor section❖ VOC Emissions	❖

<p style="text-align: center;">Greenhouse Gas Emissions</p>	<ul style="list-style-type: none"> • Methane Emissions <p>Considering the extensive documentation below, with some focus on the “CBL and EPA - timeline.pdf,” and its supporting documents.</p> <p>See documents:</p> <ul style="list-style-type: none"> • CBL and EPA - timeline.pdf • ENRAC - EPA Jun 2022 CBL Inspection Report - Heinz.pdf • ENRAC - EPA Jun 2024 CBL Inspection Report - Conley.pdf • ENRAC - EPA Subpoena CBL January 2025.pdf • ENRAC - Planning Commission Findings and Decision 2021.pdf • EPA landfill area demographics 1 mile radius exp.png • EPA landfill area demographics 3 mile radius exp.png • EPA landfill area demographics 5 mile radius exp.png • The Hidden Costs of Landfills.pdf • 5.3 Delegation of BCC 77 Duties from SWAC to ENRAC - 240702 - Order D2024-048.pdf • 133902.pdf • A huge landfill in Oregon is spewing methane. Its... _ Canary Media.pdf • Benton County News July 112024.pdf • Benton Cty Land Use Appl Process Map.pdf • CB Aerial Map.pdf • CB Basic Facts.pdf • CB CUP Process Flow Chart.pdf • CB Ex. Summary.pdf • CB Expansion Overview.pdf • Coffin Butte Online Resources.docx • Email August 2024 Wyden Merkley Hoyle Urge EPA to Investigate Landfill Concerns in Benton County.pdf • Email June 2024 - URGENT Methane Leaks at Coffin Butte What You Need to Know.pdf • ENRAC Collab OneNote.pdf • EPA Inspection of Coffin Butte Landfill Accumulation of Flammable Methane.pdf • FAQs Benton Cty. June26.pdf • FAQs Coffin Butte.pdf • FINAL SGB Letter to Sen. Merkley - Coffin Butte Landfill.pdf • Gmail - Coffin Butte Resubmits 2023 Annual Landfill Report.pdf • July 10 ENRAC Meeting Video Recording.pdf 	<ul style="list-style-type: none"> • Methane Emissions – JAS 2025-04-02 <p>Considering the extensive documentation provided, with some focus on the “CBL and EPA - timeline.pdf,” and supporting documents, a general pattern of institutional negligence is observed that needs important inculcation.</p> <p>CBL was monitored by the EPA on at least two separate occasions, 2022 and 2024, both times finding significant methane emission events at various sites at the CBL site inspected. It is noted in the CUP that the events from 2022 inspection events were deemed addressed. The 2024 inspection, to my reading, did not include official DEQ or EPA action items merely from their reporting, so no action was required from CBL.</p> <p>However, within the further documentation provided, between a faulty and slow regulation and observation process between OR DEQ and EPA (my reading on jurisdictions are complicated and not always fully understood), a narrative suggesting that methane is not adequately and immediately addressed on site still remains. By my reading, had the spot inspection in 2024 been more successful and redress of previous infractions were more consistent, the need for Sen. Merkley, state officials, and local efforts by SGB to suggest further institutional and regulatory oversight may have been unnecessary. Instead, it can be observed that an incomplete and inadequate regulatory framework has led to at least a learned and institutional lack of a culture of caring for the landfill and assuring methane security has been consistently met. Other details in the supporting documents (business info subpoena, resignations at CBL environmental lead) lend shade, if not fully realized or corroborated, that the system is not stable. The very recent activity of the EPA and DEQ suggest they are still in the process of understanding what to do about recent inspections and how to approach CBL in their infractions. As such, this is clearly an in-progress issue.</p> <p>Further, that the State of Oregon is currently considering SB 729 (with further supporting documentation included), suggests that a further need for improved and increased monitoring and regulation is required before the current institution of methane security can be achieved.</p> <p>It is also noted that methane is the largest factor in consideration here for GHG emissions, and while power co-generation and plume burning is present, the emissions from leakage is the biggest problematic part of that.</p> <p>It is also noted that methane leaks should also be associated with odor, VOC, and other volatile pollution emission as methane itself acts as</p>
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	<ul style="list-style-type: none"> • OPB Interview How much methane seeps out of Oregon landfills.pdf • SWACRecommendation.pdf • Testimony in support of SB 726 133902.pdf • Landfill Methane - Moms Clean Air Force.pdf • Benton County Talks Trash Final Report: bctt_final_report_4-11-2023.pdf - https://cd.bentoncountyor.gov/wp-content/uploads/2023/12/bctt_final_report_4-11-2023-1.pdf 	<p>increased carrier gas for those pollutants. Monitoring and testing of those leaks should be better understood.</p> <p>Further testimony and reporting in the Benton County Talks Trash documentation should be fully considered, of course. The history of SWAC, DSAC, ENRAC, BC PC, and BCC are all complicated in the assessment of methane emissions alone.</p> <p>Therefore, it is recommended that until further and fully demonstrable progress can be made to have site inspections be more successful and consistent, that methane can be assured to be secure upon random inspection, in-progress EPA considerations fully resolved, and the case for SB 729 and improved methane regulation and monitoring is resolved, the present CUP application should be denied.</p> <p>These progressions may constitute need for further consideration and redress in a further CUP, but because of the lack of real enforcement within a “recommendation with conditions,” at this time, a full denial is the safest route.</p>
Leachate		
Soil		
Toxicology		
Water Pollution (surface &/or ground)	<ul style="list-style-type: none"> • See also Leachate discussion • Arsenic Issues & Groundwater • PFAS pollution <p>Documents:</p> <ul style="list-style-type: none"> ❖ LandfillRelatedWaterQualityIssues.pdf ❖ J Geier to BoC groundwater arsenic Aug 2024.pdf 	<ul style="list-style-type: none"> • Arsenic Issues & Groundwater – JAS 2025-04-02 <p>Numerous documents, with focus on the “LandfillRelatedWaterQualityIssues.pdf” report suggest that the situation with Arsenic contamination is not fully settled. My reading of the material suggests that there could be potential leak issues or contamination from the landfill infrastructure, though indeed better evidence is needed and evidence to the contrary is presented.</p> <p>Therefore, without additional evidence, the BC PC is recommended to take particularly close look at whether combined evidence here or elsewhere can constitute a clear and present danger to local environment and groundwater. It is not currently clear that the CUP presents a danger to environmental impact and several important gaps in testing and knowledge seem to remain.</p>

Monitoring (general &/or specific)		
Regulations (general &/or specific)		
Other?		

HUMAN IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Local Residents / Community	<p>Local Residents & Community</p> <ul style="list-style-type: none"> Benton County Talks Trash Final Report: bctt_final_report_4-11-2023.pdf - https://cd.bentoncountyor.gov/wp-content/uploads/2023/12/bctt_final_report_4-11-2023-1.pdf 	<ul style="list-style-type: none"> Local Residents & Community – JAS 2025-04-02 <p>The Benton County Talks Trash initiative, spurred by the original 2021 CBL CUP and general public outcry, is an important summary of the local, historic, and community perspectives related to this CUP.</p> <p>As public comment will likely corroborate, there is a very mixed and vocal community, especially those within close proximity to the landfill, that have concerns. NIMBYism is a constant issue with any large project, though indeed the backyard being a landfill is more dramatic than many.</p> <p>There is important consideration and network effects with the consideration of local residents. Shall the concerns of a vocal minority lead the discussion, even when they are the ones most impacted by those changes? Generally, it would be the assumption from the ENRAC Board that this is true—externalized pollution has been a classical and on-going environmental justice issue, especially when that minority, however vocal, is denied its rights and due process—and even then—to resist a distant majority willing to sacrifice a portion of health and well being elsewhere.</p> <p>Therefore, it is extremely important that any evidence that the above environmental impacts to local residents be considered with the greatest of weight towards the recommendation or denial of this present CUP. The planning commission needs to carefully incorporate all those voices, views, and evidences of impact.</p> <p>Therefore, due to numerous concerns within the BCTT report and issues raised about further expansion of the CBL, the present CUP application should be denied.</p>

Odor	<ul style="list-style-type: none"> Odor Issues <p>Odor is a complex metric. What can be smelt by humans is not linearly associated with what may be present in air and air samples, even if testing were possible at every instance.</p> <p>Perhaps similarly, a variety of VOCs and various airborne pollutants are not detectable at all by scent and constitute a difficult monitoring and regulation problem.</p>	<ul style="list-style-type: none"> Odor Issues – JAS 2025-04-02 <p>Odors may be considered a carrier metric for various other pollutants, VOCs, and quality of life around an undesirable infrastructure.</p>
Social/Societal		
Other?		

MONETARY IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Economics	<ul style="list-style-type: none"> Benton County Economics: <p>Supporting Documents:</p> <ul style="list-style-type: none"> ❖ Basic_Economics_of_Coffin_Butte_Landfill.pdf ❖ Benton County Talks Trash Final Report: bctt_final_report_4-11-2023.pdf - https://cd.bentoncountyor.gov/wp-content/uploads/2023/12/bctt_final_report_4-11-2023-1.pdf ❖ SPLG_Waste.pdf - https://cdn.ilsr.org/wp-content/uploads/2020/12/SPLG_Waste.pdf 	<ul style="list-style-type: none"> Benton County Economics – JAS 2025-04-02 <p>Of note in the provided report, BC stands to continue and increase benefit fairly significantly in the associated costs and use fees of hosting CBL within Benton County. While there is nothing necessarily wrong with that, it is important to make clear and transparent that this is happening. Economics and politics always make corroborations, but to understand them and their implications is key.</p> <p>However, of greater note in this report and as raised in BCTT reports and commentary, the elimination of intake caps is most concerning. With a noted recent pattern from 2019 onward and changes in the regional landfill options, CBL has increased to near present intake capacity. The CUP, if approved, would eliminate any cap on intake, allowing significant increases in waste intake from regional outlets. While it is acceptable to assess the longevity of the present intake and fill rates as stated in the CUP, my reading is that it is not mandated or regulated how long that capacity need remain as stated.</p> <p>The pending SMMP and further changes in local and regional solid waste and material processing is encouraging. However, it is consistently noted</p>

		<p>that Republic and other waste management corporations have consistently dragged and prevented in providing actionable alternatives to landfill use—it being cheaper and easier to continue with old practices than spurn new activity, collaborations, real and demonstrable recycling and composting options, and creative solutions within the current system of waste management.</p> <p>As such, extending the CBL and approving the CUP does not put due economic pressure on BC, infrastructure, and cultural practices in order to instigate better SMMP and waste management practices. It only extends the inevitable need to do so, and worryingly so.</p> <p>It bears repeating, Republic Services is a for-profit, publicly traded corporation. They stand to continue to extract wealth from our local trash infrastructure and culture.</p> <p>Therefore, without better consideration, coordination, and pressure to change current waste management practices, the present CUP application should be denied.</p>
Ratepayers & Fees		
Other?		

SYSTEMIC/NETWORK EFFECTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Regional Impacts		
Sustainable Materials Mngt.		
Waste Transport (additional mileage, GHG emissions, traffic, roads, etc.)		

Other?		
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I have to write this piece because our process necessitated its reflection. It is not complete, though it would be difficult to say any part of this decision making process could or would be, even at time of writing.

As with most things, what most of environmental action and consideration really requires is a good story that can conceptualize and narrativize the data, facts, experiences, and influences that play upon the complicated task at hand. Our process in ENRAC does not encourage that well, in fact eludes it quite intentionally I believe. But as I have been appointed its chair and have the background to understand that, it is also my necessity to encapsulate and present what I have experienced.

From the Benton County Commissioners and BC Planning Commission:

From: "5.3 Delegation of BCC 77 Duties from SWAC to ENRAC - 240702 - Order D2024-048.pdf"

NOW THEREFORE IT IS HEREBY ORDERED, the Environment & Natural Resources Advisory Committee is delegated the duties and responsibilities formerly assigned to SWAC in BCC 77.305 without further action by the Board. This delegation is limited to "review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Map Plan and narrative."

But this mandate has taken on a variety of articulated forms, largely from BC staff, from apparently needing to assess the CUP on ENRAC's base of expertise, to considering what documents and resources we were interested and willing to find (many included above), to a consensual and binding vote, to merely providing some commentary and recommended reviews to the BC PC, many overlapping with varying degrees of clarity. To point, we are all variously qualified volunteers with extremely limited direct expertise and available time to do so.

While every opportunity to allow ENRAC to make its own decisions and assessments has been voiced by BC staff, and they have taken every opportunity to be supportive and helpful, additional concerns are noted.

Relationship to VNEQS (<https://www.coffinbuttefacts.org/>), the online portal and vocal discussion community to deny the landfill expansion, has understandably been straining to BC. However, VNEQS activists have been directly vilified by staff in meetings (e.g., "they're not good people"). Similar sentiment was levied against the outgoing and dissolved SWAC board as well. While this is taken with a grain of salt, as well as an obfuscation about what exactly happened within SWAC and the complicated history (some of which is piecable by BCTT reporting), it is still clear that BC staff have a clear and present preference and some chips that may not evidence a level playing field.

Most recently, and demonstrably to the operation of the ENRAC board, only now, under more direct scrutiny, are public meetings laws and regulations, active and enforceable for over a year, being clearly articulated and enforced to ENRAC meetings and practices (though, indeed, other boards seem similarly complicated and confused). The laid back culture of ENRAC has generally allowed for a sense, if underutilized, that collaboration and communication was easily allowable. Understandably and problematically, present public meeting laws, as articulated by BC staff, do not allow for direct communication between board members on any aspect of deliberation, most communications synchronous or asynchronous assumed to contain deliberative aspects, resulting in communications being constantly filtered, documentation sharing

constrained, and all meetings and contents required to be made public while the process of making them public has been curtailed or impossible. While this has not been the functional operation of ENRAC since its reformulation in 2020, the recent scrutiny with the CUP mandate has activated this application of public meeting laws and made our process even more onerous, especially that we do not have the processes or practices in place before needed to allow good board functioning. It is recognized that the legislative thrust for public meetings to be transparent and accountable is important, but the ability to function as ENRAC desired or was led to believe seems curtailed by both the mandate to now abide by those rules and few practiced solutions to allow for that activity.

Additionally, in the process of ENRAC's deliberations as the CUP has been approved and deemed complete for ENRAC's assessment, with the above changes to process, the expedited nature of that assessment has been further encouraged by BC staff, suggesting numerous times that a simple vote, whatever assessment of documents and process ENRAC desired, could be done quickly and easily—moving on to next projects of the ENRAC board. While it is understandable that our timeframe was short, a certain amount of rushing the process and lip service paid to our important role in assessing the CUP is noted. The additional speediness and willingness to skip the laborious part of assessing the entirety of the CUP (1200+ pages) and any amount of introduced documentation, has been notably present.

As such, it is difficult to get a sense that ENRAC is particularly enabled or empowered to do the best job it can do to assess the very important activity we have been tasked with. Perhaps this is by a certain kind of bureaucratic design, though no sense of that is directly perceivable from BC staff—there remains a bureaucratic and institutional inertia against a sense of ideal functioning, adequate review, and democratic thriving.

At time of writing, ENRAC remains in deliberation and in consideration of how to articulate, present, and accommodate all of these influences. And we have fleetingly little time to do that, let alone to a level of scrutiny many would deem applicable.

What needs most to be considered is what level of actionable precaution and consideration of data should be included to assess the CUP Application. There will always be more data and more opinions, more arguments and important vital considerations to every aspect of BC, community, residents, region, and environment. ENRAC understands the BC PC to have a more regimented and policy angle on its approval process, will be assessing and accumulating copious public comment and existing documentation, and we hope to support that endeavor. But, to point, ENRAC makes its assessment without those regimented needs and hopes to encapsulate a different and environmentally driven perspective herein.

Assessment at the time of requirement is what is needed.

Therefore, with the above arguments and considerations, the ENRAC board recommends...



ENRAC Deliberations on CUP Expansion Application

REPORT: April 2, 2025

Overview

The following are resources, considerations, potential impacts to consider, and a general framework for ENRAC Members to evaluate Republic Services' application for a Conditional Use Permit (CUP) to expand the Coffin Butte landfill. ENRAC will develop a recommendation to be submitted to the Benton County Planning Commission to reject, accept, or accept the application with conditions. There is no legal or formal required length, content, or structure for the recommendation. The recommendation must be voted on and approved by ENRAC by April 22.

CUP Application Materials

The following are links to the CUP application & related materials:

- [Landfill expansion application](#) (submitted July 19, 2024)
- [Revised application](#) (submitted Oct. 30, 2024)
- [Additional information](#) (submitted Jan. 15, 2025)
- [First Addendum to Burden of Proof](#) (submitted March 14, 2025)
- To learn more about the decision process visit bentoncountyor.gov/coffin-butte-landfill

What to Consider Per Code

Per Code [53.215](#), the following are the considerations, but not limited to, when evaluating the CUP:

The decision to approve a conditional use permit shall be based on findings that:

- (1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;*
- (2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and*
- (3) The proposed use complies with any additional criteria which may be required for the specific use by [Benton County Development Code](#). [Ord 90-0069]*

The following are additional Codes as reference:

- [Chapter 23 – Solid Waste Management](#)
- [Chapter 77 – Landfill Site \(LS\)](#)

The following should be kept in mind when evaluating the application:

- Your analysis must focus only on the expansion area, NOT the landfill itself or its history
- The definition of “area” can be interpreted by you and/or by issue; such as, impacts to neighboring communities, impacts that go beyond the landfill, impacts on other jurisdictions, etc.
- You can consider & evaluate short-, mid- &/or long-term Impacts
- Benton County cannot control where the waste that is received at the landfill originates
- If the application is approved, the current cap of 1.1 million tons accepted per year will cease
- If the application is approved, Metro (Portland area's disposal district) will not be able to send materials to Coffin Butte per existing policy

ENRAC Deliberations Framework for CUP Application

The following is a framework to organize topics to be analyzed and feedback to be captured. The objective is for ENRAC Members to agree on a recommendation to the Planning Commission via either consensus or by majority vote. The 'Topics & Issues' were captured from the March 12 ENRAC meeting. For 'Potential Impacts', include your thoughts, research links, and/or any items for ENRAC to consider. For 'Thoughts on Recommendation', include your positions or perspectives on whether the Topic/Issue leans you to recommend approval, denial, or approval with conditions for the application. Staff will compile all comments as sent for discussion at the next ENRAC meeting. Lastly, please identify any additional topics you want included and/or thoughts on reorganizing the current framework.

ENVIRONMENTAL IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Air Pollution		Methane is released from landfills, so if expanded there is potential for increased methane GHG emissions. On the other hand, if the landfill were to not expand, there will be increased air pollution elsewhere as the region may have to truck our waste further to dispose of it.
		Approve with conditions, such as increased monitoring and stronger sorting of organics.
	Increased particulate matter and odor emissions during construction and expanded landfill operations. Possible worsening of local air quality for nearby communities	approval with conditions: Require air quality monitoring stations and dust suppression strategies during construction and operation
Greenhouse Gas Emissions	Methane emissions are a huge concern.	Recommend requiring the most stringent applicable standards for monitoring and ameliorating, with independent monitoring of that monitoring. See Row 2 above.
	Additional methane and CO ₂ emissions from increased waste volume	approval with conditions: Ensure strong GHG mitigation plans (e.g., expanded gas capture system, renewable energy utilization) and regular reporting
Leachate	Leachate is quite dangerous and after learning from Beyond Toxics that landfills liners do not last forever, it is scary to know that toxins are leaking into the soil and groundwater.	Approve with conditions, such as increased groundwater and river monitoring.

	Increased waste volume could produce more leachate, potentially posing risk to groundwater and surface water if not managed properly	approval with conditions: Strengthen leachate collection and treatment infrastructure; require third-party audits of system capacity
Soil	Risk of contamination from accidental leachate release	approval with conditions: Require soil testing and protective barriers; implement best practices for soil erosion control
Toxicology	Potential long-term exposure to hazardous materials or pollutants through air, water, or soil pathways if not properly managed	Require a toxicological risk assessment and mitigation plan
Water Pollution (surface &/or ground)	Huge concern. Not sure how to separate out leachate, soil, toxicology that all seem to relate to the nasty stuff in the water coming from the landfill.	Recommend requiring the most stringent applicable standards for monitoring and ameliorating, with independent monitoring of that monitoring.
	Leachate seepage could contaminate groundwater or nearby surface water bodies, especially during extreme weather events	approval with conditions: Strengthen barriers and conduct hydrogeologic studies to guide water protection
Monitoring (general &/or specific)	Huge concern. Based on press reports, Republic has been less than stellar in monitoring and ameliorating methane emissions	I think strong monitoring is super important.
	Need for expanded and more frequent monitoring of air, water, and soil quality due to the scale of the proposed expansion	approval with conditions: Set mandatory monitoring frequency, real-time data access for the public, and independent oversight of monitoring results
Regulations (general &/or specific)	Expansion must comply with state and federal regulations regarding landfill operation, emissions, water protection, etc	CUP approval contingent upon full regulatory compliance with DEQ, EPA, and county requirements, and routine compliance verification
Other?	Climate resilience concerns	
	My understanding is that Coffin Butte, because of local geology/soil, is not a sight that would be selected for a start-from-scratch landfill. The landfill is there only because of the old Camp Adair dump.	If the expansion is granted, specify that no further expansion will be allowed. After the 5 or 6 years “bought” by the expansion, shut the place down. Permanently. Begin planning now for a new appropriate site.

Links to be included above under “Air Pollution” & “Greenhouse Gas Emissions”:

<https://cdn.sanity.io/files/xdjws328/production/657706be7f29a20fe54692a03dbedce8809721e8.pdf>

<https://www.opb.org/article/2025/01/18/epa-inspection-coffin-butte-methane-leak/#:~:text=An%20Environmental%20Protection%20Agency%20inspection,the%20town%20of%20Adair%20Village.>

Recent report that includes CB. Methane emissions are an issue here:

<https://cdn.sanity.io/files/xdjws328/production/b562620948374268b8c6da61ec1c44960a8d5879.pdf>

HUMAN IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Local Residents / Community		Vocal residents are quite opposed to the expansion. If we do not expand, the county is yet to come up with options for where our waste will go.
	Increased traffic, noise, and perceived risks may affect quality of life. Expansion could raise long-term concerns about property values and environmental health	approval with strong community engagement: Require a community liaison, grievance mechanism, and public outreach before and after expansion
Odor	Landfill expansion may lead to intensified odors, particularly during warmer months or operational changes	approval with conditions: Install additional odor control systems and require real-time odor monitoring with public reporting
Social/Societal		I am curious about the future impacts of the landfill on society. 10, 25, 50 years from now?
	Risk of inequitable burden on low-income or marginalized communities; perception of being a 'dumping ground.'	approval with equity assessment: Conduct a social equity impact analysis and engage directly with impacted residents.
Other?	Mental well-being concerns among community members	

MONETARY IMPACTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Economics		If the landfill does expand, it can help to maintain the jobs that are already employing those who work at the landfill and the waste haulers.
	Could result in job creation, increased tax revenue, and economic growth locally, but also pose long-term infrastructure costs	approval with conditions: Request an economic cost-benefit analysis and transparent budgeting for public infrastructure use
Ratepayers & Fees		If the landfill does expand, fees may not change. Maybe a different rate style could help to alter how much waste is entering the landfill.
Other?		

SYSTEMIC/NETWORK EFFECTS		
Topic/Issue	Potential Impacts	Thoughts on Recommendation
Regional Impacts		If the landfill doesn't expand, I am not sure where our trash will go.
	Could shift regional waste dynamics; some counties may become more reliant on Benton County for disposal (?)	approval with regional coordination: Encourage regional waste planning and develop an inter-jurisdictional framework for impact management
Sustainable Materials Mngt.		This section is crucial to consider.
	Expansion may disincentivize upstream waste reduction, reuse, and recycling if capacity is too easily available	approval with conditions: Require landfill operator to invest in or support waste diversion programs and tracking of material flow
Waste Transport <i>(additional mileage, GHG emissions, traffic, roads, etc.)</i>		I think this is important to consider. The landfill is already here, so expanding means that another one will not have to be built yet. If it is not expanded, we will have to truck our waste further. Is there potential to use the trains?
	Increased truck traffic could worsen road conditions and contribute to emissions, especially if haul distances increase	approval with conditions: Include traffic impact analysis, road maintenance agreements, and transportation-related emission offset programs
Other?	Risk of future inter-county political tensions or resistance to further expansion proposals	approval with planning safeguards: Establish a landfill lifecycle strategy



Oct 21

DETAILS ON THE EPA INSPECTION OF COFFIN BUTTE LANDFILL WHICH REVEALED ACCUMULATION OF FLAMMABLE METHANE GAS, MULTIPLE EXCEEDANCES OF METHANE LIMITS

Following up on the recent [Statesman Journal](#) article on significant issues around Coffin Butte landfill, I'm providing the details of the EPA Inspection Report that was highlighted in the article.

First, a bit of background: certain municipal solid waste landfills are required to follow EPA/state emissions regulations which include conducting surface emissions monitoring in certain parts of the landfill four times a year, and installing a gas collection system in certain parts of the landfill sufficient enough to capture gas (40 C.F.R. Part 60, Subpart WWW; 40 C.F.R. Part 62, Subpart OOO; 40 C.F.R. Part 63, Subpart AAAA; 40 C.F.R. Part 98, Subpart HH).

A very small fraction of landfills in this country appear to be inspected. The U.S. EPA does not have nearly enough resources to conduct inspections of all landfills. And state regulators, though responsible for air permits and landfill emissions regulations, do not have staff capacity or expertise to inspect landfills. Through a public records request, we received an EPA inspection report on Coffin Butte Landfill.

The EPA performed an announced clean air inspection of Coffin Butte landfill on June 23, 2022. Republic Services owns Coffin Butte. According to the report, the landfill began as a military dump in the 1940s. It receives approximately 3,500 to 4,500 tons per day of waste. Wastes received include municipal solid waste, petroleum contaminated soils, construction and demolition (C&D) waste, C&D material recovery facility (MRF) residuals, and other industrial wastes. The report notes that final cover on the Landfill is compacted soils with a synthetic membrane, with penetrations booted and plastic welded. Interim cover is at least 24 inches of soils. Much of the interim cover area is covered in tarps or, in areas without work planned for a few years, a thicker layer of EPDM. In both cases, this is with the primarily goal of reducing water infiltration into the Landfill. Daily cover is 6 inches of soil or approved alternative daily cover (ADC). Republic uses C&D MRF shaker fines, MSW incinerator ash, and tarps as ADC at the Landfill.

The report further outlines that the landfill collects around 25 to 30 million gallons of leachate each year. Leachate flows by gravity to sumps and is pumped to covered storage ponds. Leachate is trucked to local publicly owned treatment works. Not surprisingly, no leachate is recirculated, and no liquid wastes are added to the Landfill. The gas collection and control system (GCCS) contains over 300 landfill gas (LFG) collection points, including horizontal wells, vertical wells, and parts of the leachate system with gas collection. Collected landfill gas partially routed to a separately owned/operated gas to energy plant run by PNGC Power.

The EPA surface emissions monitoring inspection found very troubling results:

Extreme methane limit exceedances: Quoting from the EPA report, “Over the course of the day, Daniel Heins identified 61 points in exceedance of 500 parts per million (ppm), exhausting his supply of marking flags. Of these, 21 flagged exceedances were above 10,000 ppm. Many flagged exceedances represented clusters of exceedances at multiple points or broad areas of exceedances. Of the flagged exceedances, 26 were at or partially at gas collection wells (including both active and abandoned or decommissioned). Eight exceedances were at leachate cleanouts. Daniel Heins focused monitoring on areas under intermediate cover, though the first six exceedances were in final cover areas. During the afternoon monitoring, Daniel Heins measured multiple exceedances that continued to be above 500 ppm multiple feet in the air, with multiple feet lateral distance from the emission source, indicating substantial landfill gas plumes.”

- **Discrepancies between Republic’s reported monitoring and what the EPA found:** Quoting directly from the report, “Daniel Heins expressed potential concerns with Republic’s SEM/Method 21 procedures. Despite Republic having seen no more than 6 exceedances in the recent SEM reports supplied ahead of the inspection that included penetration monitoring, including reports with 0 exceedances, he identified 61 points in exceedance of 500 ppm, including 21 points above 10,000 ppm, with 26 exceedances at gas collection wells that Republic should have specifically been monitoring on a quarterly basis since the Oregon State Plan became effective in November 2020.”
- **Maxed out readings of methane, visibly inflated tarps, indicating an accumulation of flammable gas - potential safety concern:** Quoting directly from the report, “Flag #51 was by a broad area where the tarp was visibly inflated with gas. The tarp was not moving in the wind, it looked to be being pushed out steadily over a wide area towards the top of the south slope on the central area of the landfill, being held down by straps, cover anchors, and sandbags. Neither Daniel Heins nor Phil Caruso could identify any place where the wind could be lifting under the tarps, as the tarp edges were sandbagged and staked down. Daniel Heins measured a concentration of 2% at flag #51 before pulling away to avoid maxing out his instrument. He measured the methane concentration to be 2000 ppm at 3’ in the air at this location, indicating a plume of gas coming out from the inflated tarp area. Along the top of this section of tarp, from flag #52 to #54, every post or tarp hole Daniel Heins monitored exceeded the surface methane standard, with readings of up to 7% shown before the instrument maxed out.”

“Daniel Heins expressed concerns with the areas of tarp that were inflated with and leaking out landfill gas, as detected during the SEM, noting that in additions to compliance concerns with the surface methane standard that such an accumulation of flammable gas creates a potential safety concern.” Republic disputed that the tarps were inflated with landfill gas, claiming that the wind has blown them up.

There were clear differences in how Republic did surface emissions monitoring in compliance with EPA regulations, as opposed to the EPA Inspector, resulting in finding less exceedances than the EPA. The Republic representative’s responses were documented as follows in the report:

- “Phil Caruso did not dispute any of the readings, though noted that he would not have checked many of the exceedance locations, that he would have spent less time monitoring, or that he would have considered a higher location to be “the ground” when placing his probe 5 to 10 centimeters (cm) above the ground per the SEM regulations.”
- “At an exceedance (flag #1) with a hole in the ground from an animal burrow, Phil Caruso stated that he would have considered the “ground” to be where the ground would have been if an animal didn’t dig a hole into it at that location, rather than the ground at the base of the hole, and thus measured from a significantly higher location than Daniel Heins.”
- “At an exceedance (flag #2) between overlapped tarp material, with one piece of tarp raised above the other with a gap of air in between, Phil Caruso stated that he would have monitored with his probe above the upper tarp, rather than measuring the 5 to 10 cm from the tarp against the ground.”
- “When Daniel Heins was monitoring a cluster of decommissioned wells with a patch of distressed soil (flag #3), Phil Caruso stated that he would have moved on after not directly getting above 500 ppm within twice his instrument response time even if there was an increase in reading, rather than moving around the penetration points slowly to find maximum reading point and then waiting twice the response time at this maximum reading location.”
- “When Daniel Heins was monitoring at leachate cleanouts, Phil Caruso stated that he does not monitor at these and that they are not fully penetrating the cover. Daniel Heins responded that it was likely that many of these ultimately did penetrate the cover, especially in areas of thinner intermediate cover, and that regardless he recommended checking these as they were proving to be repeated sources of extremely elevated emissions, many over an order of magnitude above the surface methane standard. Phil Caruso stated that he was not required to monitor these. Daniel Heins and Phil Caruso had a similar discussion at the valve box dug into the cover with a reading of 4% methane (flag #37), with Phil Caruso stating that this was not a penetration and thus he did not have to monitor this.
- “When Daniel Heins was monitoring at a horizontal penetration of the cover associated with a well (flag #16), Phil Caruso stated that he would not have monitored this as a penetration.”
- “Phil Caruso stated that he would not have monitored the Cell 5 leachate riser that Daniel Heins measured multiple exceedances at, as it was outside of the waste mass.”
- “For cover integrity monitoring, Republic stated that they look for holes and cracks in the soils and wind damage on the tarps, but that there was no set answer for what degree of tarp damage would necessitate repair.”





SOLID WASTE IN BENTON COUNTY FAQ

June 26, 2024

LANDFILL

Who owns and operates Coffin Butte Landfill?

Republic Services, Inc. (operating as Valley Landfills, Inc.) owns and operates Coffin Butte Landfill. Benton County does not own or operate this landfill.

When will Coffin Butte Landfill reach its estimated capacity?

The Benton County Talks Trash (BCTT) Workgroup estimated the Coffin Butte Landfill is expected to reach its permitted capacity between 2037 and 2039. Republic Services plans to apply for a Conditional Use Permit to expand the landfill.

How many landfills are there nearby?

There are seven regional landfills in Oregon and two in Washington near the Oregon state line. Three landfills are located west of the Cascades. Oregon's landfills can be found here: oregon.gov/deq/ghgp/pages/landfill-methane-emissions-reduction.aspx

Can Benton County stop Coffin Butte Landfill from accepting solid waste from outside the county or region?

No, Benton County cannot stop the landfill from accepting waste from outside the County or region. The U.S. Supreme Court ruled that prohibiting outside waste would violate the Commerce Clause of the U.S. Constitution.

What does the "regional landfill" designation mean?

A regional landfill, as defined by Oregon Revised Statute (ORS) 459.005(23), receives more than 75,000 tons of solid waste per year from outside its immediate service area. Coffin Butte Landfill has met this definition since 1993.



Oregon Major Disposal Sites

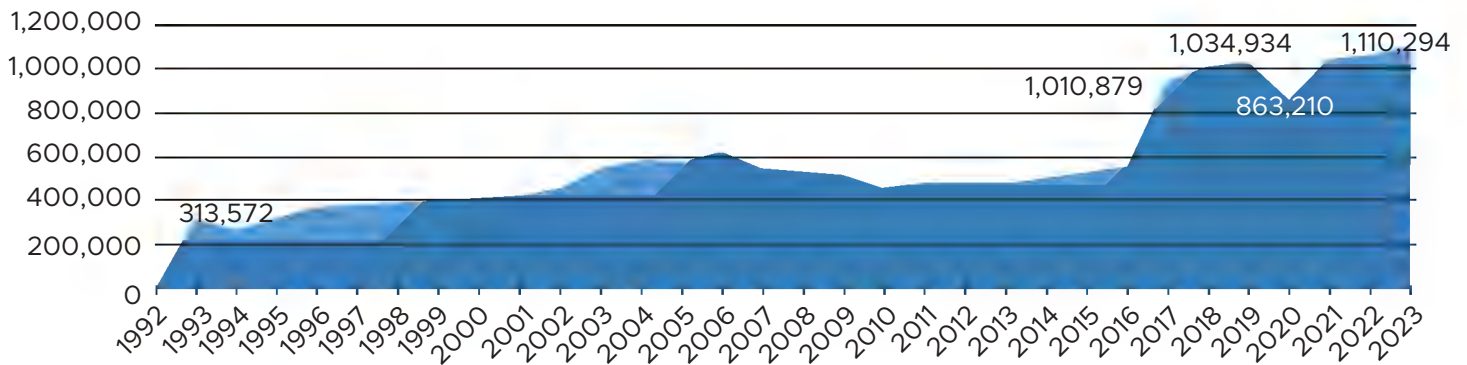
REGIONAL

1. Finley Buttes Regional, *Waste Connections*
2. Columbia Ridge Regional, *Waste Management*
3. Roosevelt (WA) Regional, *Republic Services*
4. Wasco County Regional, *Waste Connections*
5. Riverbend Regional, *Waste Management* (closing in 2 years)
6. Coffin Butte Regional, *Republic Services*
7. Dry Creek Regional, *Rogue Disposal*

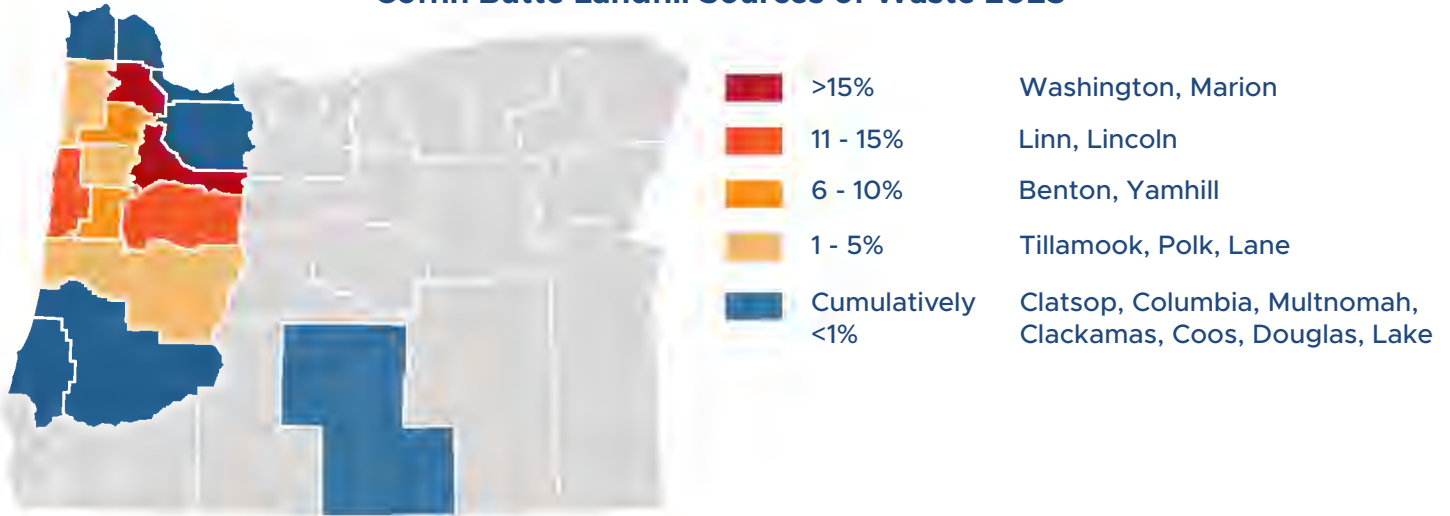
IN-COUNTY

8. Short Mountain, Lane County
9. Roseburg, Douglas County
10. Knott, Deschutes County (closing in 5 years)
11. Reworld Marion, Covanta Holding Corp

Coffin Butte Annual Tons (from all sources)



Coffin Butte Landfill Sources of Waste 2023



COFFIN BUTTE LANDFILL OPERATIONS AND IMPACTS

What is Coffin Butte Landfill's service area?

In 2023, Coffin Butte Landfill accepted waste from 16 counties. Benton County contributes about 10% of the landfill's annual waste.

How much revenue does the landfill generate for Benton County?

In 2021, the landfill generated \$2 million in franchise fees for Benton County's General Fund and is projected to increase to \$3.5 million by 2024. These funds support various public services, including safety, health, and community services.

The total estimated General Fund budget that was originally adopted for 2023-25 was \$146,564,540.

Decisions to approve or deny land use permits at the landfill are not revenue-based decisions.

What is the environmental impact of the landfill?

Federal and State regulations are essential for safeguarding the health of our communities and environment. Proper waste containment and closure procedures protect ecosystems and groundwater quality.

The landfill must comply with DEQ and EPA regulations on emissions and waste management.

What is Benton County doing about landfill methane and greenhouse gases?

While Benton County does not directly regulate landfill emissions, it recognizes the impact that landfill gasses have on the community living near the landfill and the earth in terms of climate change.

What is the impact of Coffin Butte Landfill on surrounding counties?

The landfill provides essential waste management services for Benton County and the region by supporting efficient waste management for several Oregon cities and counties.

■ What are the main types of materials landfilled at Coffin Butte?

Commonly landfilled materials include construction and demolition debris, compostable materials, packaging, curbside recyclables, and miscellaneous inorganics. Over half of these materials could be recycled, composted, or used for energy recovery.

■ What steps is Benton County taking to improve solid waste management?

The County is developing a Sustainable Materials Management Plan (SMMP) and promoting changes to support sustainable materials management. The aim is to minimize landfill use and maximize recycling and reuse of materials.

60% OF OREGON'S GARBAGE COULD BE RECYCLED, COMPOSTED, OR USED TO GENERATE ENERGY



15%	Food
15%	Wood
15%	Paper
14%	Misc. Inorganics
12%	Plastic
5%	Metal
4%	Asphalt Roofing
4%	Textiles
3%	Carpet
3%	Gypsum
2%	Yard Debris
2%	Furniture & Mattresses
2%	Misc. Organics
2%	Glass
1%	Electronics
1%	Hazardous Materials

LANDFILLED MATERIALS BY TYPE:

Compostable: 49%
Construction and Demolition: 20%
Packaging: 17%
Curbside Recyclables: 12%
Other: 2%

LANDFILL GOVERNANCE

■ Who has the authority to make decisions about the landfill?

The landfill's operations are subject to a complex web of federal, state, and local regulations, in addition to decisions made by the landfill operator.

FEDERAL REGULATIONS:

Resource Conservation and Recovery Act (RCRA):

Administered by the Environmental Protection Agency (EPA), the RCRA sets the framework for the proper management of hazardous and non-hazardous solid waste. Key provisions include:

Subtitle C: Governs hazardous waste from its generation to its disposal, commonly referred to as “cradle-to-grave” management. This includes requirements for waste generators, transporters, and treatment, storage, and disposal facilities (TSDFs).

Subtitle D: Focuses on non-hazardous solid waste, establishing criteria for municipal solid waste landfills (MSWLFs). These criteria cover design, operation, groundwater monitoring, and closure requirements to protect human health and the environment.

EPA Standards: These standards ensure landfills incorporate protective measures like liners, leachate collection systems, and gas monitoring to prevent environmental contamination.

STATE REGULATIONS:

Oregon Department of Environmental Quality (DEQ):

The DEQ enforces state regulations and standards for solid waste management, including the permitting and oversight of landfills. Key responsibilities include:

Permitting: Issuing permits for landfill operations, which detail specific conditions and requirements that the landfill must follow.

Inspections and Monitoring: Conducting regular inspections and monitoring to ensure compliance with environmental standards.

Enforcement: Taking enforcement actions against non-compliant facilities, which can include fines, operational restrictions, or even closure orders.

Waste Reduction Programs: Implementing state-wide initiatives to promote recycling, composting, and waste reduction.

COUNTY AUTHORITY:

Benton County Board of Commissioners (BOC) and County Departments:

The BOC plays a critical role in local land use decisions affecting the landfill. Their responsibilities include:

Conditional Use Permits (CUPs): When appealed from the Planning Commission, the BOC reviews and makes the final decision on CUP applications for landfill expansions or significant operational changes. These permits impose specific conditions to mitigate potential impacts on the community and environment.

Land Use Planning: Ensuring landfill operations align with the County's comprehensive land use plan and zoning regulations.

Public Hearings and Community Involvement:

Facilitating public hearings and soliciting community input on landfill-related decisions to ensure transparency and address public concerns.

Solid Waste Ordinances: Benton County has ordinances that govern solid waste management within its jurisdiction, including regulations on waste collection, recycling, and disposal.

Benton County Planning Commission: Their duties include:

Reviewing Land Use Applications: Assessing, recommending, or making decisions on CUP applications and other land use requests related to the landfill that consider factors like environmental impact, traffic, and compatibility with surrounding land uses.

Community Engagement: Engaging with the public with land use hearings to gather input and ensure that community concerns are considered in decision-making processes.

POTENTIAL LANDFILL EXPANSION

What happens if Republic Services applies for a landfill expansion?

If Republic Services or any other entity applies for a landfill expansion, the application will undergo the same review process as other Conditional Use Permit (CUP) applications. This involves a thorough evaluation by County planning staff that considers factors such as environmental impact, traffic implications, and community feedback. The process is designed to ensure transparency and provide opportunities for public input and provide approval or denial of the application.

What does the Benton County Planning Commission do?

The Benton County Planning Commission plays a critical role in the County's land use planning and development processes. They review CUP applications and other land use proposals, assess their compliance with County regulations, and consider the impacts on the community. The Planning Commission decides whether to approve or deny CUP applications. If appealed in a timely manner, the Benton County Board of Commissioners make the final decision on the appeal. The Commission also helps develop and update County planning policies and regulations to guide sustainable development and growth in the County.

What factors are considered during the review of a Conditional Use Permit application?

County staff evaluate CUP applications based on criteria outlined in the zoning code, including the project's compatibility with surrounding land uses, potential impacts on the environment, transportation infrastructure, and public health and safety. They also assess proposed mitigation measures and design standards to ensure the project meets all necessary requirements.

How long does the Conditional Use Permit process typically take?

The timeline for processing a CUP application varies depending on the complexity of the project, the completeness of the application, and other factors. County staff provide an estimated timeline and keep applicants informed throughout the process to ensure clarity.

Are there any additional resources or expertise considered during the application process?

Yes, applicants are encouraged to seek professional expertise, such as engineering, planning, or environmental consulting services to support their application. This helps ensure that accurate and comprehensive information is provided that facilitates a thorough review by County staff and decision-makers.

What is a Pre-Application Meeting?

A Pre-Application Meeting is an opportunity for applicants to meet with staff from various County divisions and state partners to receive valuable feedback on more complex projects before completing the final application. These meetings are not public meetings or official application submissions but serve to guide applicants in preparing a more robust and complete application.

Where can I find more information about the Conditional Use Permit process in Benton County?

For more information about the CUP process, including application requirements, zoning regulations, and contact information for County planning staff, visit [Benton County's Land Use and Planning website](#) or contact the County planning office directly. This resource provides comprehensive details and support for applicants and community members interested in land use and planning processes.

BENTON COUNTY TALKS TRASH (BCTT) INITIATIVE

■ How has Benton County coordinated with the community and partners about solid waste management?

The Benton County Talks Trash (BCTT) Workgroup was a collaborative initiative aimed at addressing community concerns about the Coffin Butte Landfill. It sought to facilitate thoughtful dialogue, gather diverse perspectives, and develop actionable recommendations to improve waste management practices in Benton County.

The BCTT Workgroup involved community members and partners that developed a Final Report that identified 218 findings and recommendations for a sustainable solid waste future.

■ Who made up the BCTT Workgroup?

The workgroup included a variety of partners such as local government officials, waste management professionals, environmental advocates, community members, and industry representatives.

■ How did the BCTT Workgroup engage with the community?

The workgroup engaged with the community through regularly scheduled public meetings, forums, tours, and workshops. These events allowed community members to express concerns, ask questions, and receive updates on waste management practices. Site visits helped workgroup members and the public gain a firsthand understanding of landfill operations.

■ What types of research and data analysis did the BCTT Workgroup conduct?

The workgroup collaborated with environmental scientists, waste management experts, and regulatory agencies.

The workgroup collected data on landfill capacity, waste diversion rates, and environmental monitoring. This data was analyzed to inform policy recommendations and identify areas for improvement.

■ What are some of the outcomes and achievements of the BCTT Workgroup?

Key achievements include improved communication between partners, historical context of Coffin Butte, a library of previous decisions, estimated life of the landfill, process changes influenced by workgroup recommendations, and increased public awareness about waste management.

A specific outcome was the recommendation to create a regional Sustainable Materials Management Plan (SMMP), which the County is currently developing.

SUSTAINABLE MATERIALS MANAGEMENT PLAN

■ What is the Sustainable Materials Management Plan (SMMP) and how is it being developed?

The SMMP aims to identify opportunities and reduce negative impacts across the lifecycle of materials. The plan development will involve problem identification, information gathering, solution making, and securing endorsements and buy-in. Benton County is working with consultants and partners to create a regional, action-oriented plan.

■ Why did the Board of Commissioners dissolve the Solid Waste Advisory Council (SWAC)?

The SWAC was replaced by the regional SMMP Task Force to better address the evolving needs of regional materials management planning.



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What's happening with the proposed Coffin Butte expansion?

Coffin Butte Landfill is requesting a pre-application meeting, which is the very beginning of Benton County's Conditional Use Permit (CUP) process. This is a land use modification required under Benton County's development code. Its purpose is to expand the waste disposal area of the landfill on to an existing parcel of property, south of Coffin Butte Road.

This request is considerably different than the 2021 expansion proposal, and is the result of more than two years of listening, dialogue and collaboration among key stakeholders, including community leaders, landfill neighbors, NGOs, local governments, state leaders and Benton County staff.

We believe this application is reflective of the topics discussed during the Benton County Talks Trash process while also providing continuous, reliable and safe disposal of the community's waste.

Why is the CUP needed?

This CUP application proposes adding six years of life to Coffin Butte Landfill - about half what we requested in 2021. There is currently less than one year of airspace in the cell currently being used for waste disposal. When the proposed expansion airspace is combined with the not-yet-accessible airspace in the quarry, the total estimated life at Coffin Butte is anticipated to be about 18 years.

Due to very real capacity limitations, we are moving quickly to construct a small cell in the quarry to serve as a bridge until the airspace requested in this CUP application is permitted and ready to meet the community's disposal needs.

Why can't we wait until after Benton County develops a SMMP (Solid Materials Management Plan)?

Industry practice is to start working on an expansion project when there is 10-12 years of life remaining at a site. This is a prudent time frame given that it takes an average of three years to construct disposal cells in accordance with state regulations and permitting. The local land use process typically takes at least that long - and frequently longer. It's unlikely that the SMMP process would be complete before Coffin Butte runs out of accessible airspace.

KEY FACTS



New CUP is 50 percent smaller than previous proposal



Application incorporates feedback received during the Benton County Talks Trash process



Increased transparency and public engagement throughout the CUP application process.

Coffin Butte’s Proposed Expansion: Learn the Facts

PROPOSAL HIGHLIGHTS

Coffin Butte Road

- Leaves roadway intact
- Proposes widening and improving existing thoroughfare
- Roadway improvements paid for by Coffin Butte Landfill

Smaller Scope and Size

- The 2024 CUP application proposes an expansion that would add approximately six years of life to Coffin Butte.
- The previous application requested an expansion that was double in size
- The 2024 CUP application contains the landfill's working face and disposal operations to parcels of land that are already designated as a Landfill Site (LS) zone.

ADDITIONAL INFORMATION

- In recent years, we heard considerable feedback that any potential closure of Coffin Butte Road would limit residents’ entrance and egress, especially in the event of an evacuation due to wildfire.
- The application proposes adding a left turn lane for trucks to ensure a smooth flow of traffic for residential vehicles; bike lanes would be added in both directions as an additional safety and aesthetic feature.
- CUP application demonstrates how proposal meets land use criteria set forth in Benton County’s development code
- The application contains the landfill’s working face and disposal operations to parcels of land that are already designated as a Landfill Site (LS) zone.
- Proposal increases vegetative screening along major transportation corridors
- Coffin Butte pledges to listen, to do its best to respond to community questions, and most importantly, consider feedback during the pre-application phase.



Sign up for Coffin Butte updates at
CoffinButteLandfill.com

Sara Gelser Blouin
State Senator, District 8



Oregon State Senate

Senator Jeff Merkley
500 Liberty Street SE Suite 320
Salem, OR 97301

May 20, 2024

Dear Senator Merkley,

I appreciated the opportunity to attend your April 7th townhall in Corvallis. I'm so impressed that you not only hold these forums, but that you connect so authentically with the diversity of people who attend. Thank you for being such a role model in that regard!

While many worthy topics were raised by the attendees, I wanted to highlight the public comments regarding the Coffin Butte Landfill and the proposed landfill expansion by Republic Services. This issue is a hotly debated issue in my legislative district and one of significant concern to many people.

Through meetings and other communications with many constituents, it's become clear that there are significant environmental and climate issues that intersect with local waste management practices. I am also concerned about worker health and safety based on testimony provided by members from the Local 701 Mechanics Union to the Benton County Commission. The points raised by these union members about unsafe working conditions and exposure to hazardous air pollutants align with observations and concerns expressed by residents living downwind from the landfill.

I am particularly concerned with recent reports of excess methane emissions at Coffin Butte. In 2023 an announced EPA inspection found 61 instances of methane emissions escaping from areas of the Coffin Butte landfill that should be sealed and operating with a piped methane capture system. Some of these measurements showed that methane gas in the air exceeded 7%, which significantly increases risk of fire and explosion.

As you are aware, methane is a super-polluting greenhouse gas with about 80 times the planet-warming potential of carbon dioxide in the first 20 years. According to data reported to the EPA, municipal solid

waste landfills constitute the third-largest source of methane emissions in the United States generated by human activity. Studies of methane leakage detected by fly-over measurements (for example, infrared imaging provided by Carbon Mapper) verified the large methane plume over Coffin Butte that extends far beyond the footprint of its waste cells. In this way, Coffin Butte is an example of the recent scientific direct emission measurement study co-authored by the EPA which found average methane emissions at landfills were much higher than those officially reported under regulatory programs.

Current state and federal methane monitoring at landfills relies on outdated, unreliable monitoring methods. It is for this reason I want express my support and encouragement for your efforts to secure adequate funding for satellite landfill methane monitoring. Congress has a critical role to play in providing federal funding for Oregon and other states to utilize remote technology such as satellites, aircraft, drones, and other advanced technologies to detect methane emissions at landfills for purposes of mitigating those emissions. Utilizing remote monitoring technologies can make finding large methane leaks exponentially easier to discover and fix.

I welcome further discussions on landfill methane and how to address this problem, starting with the landfill in my own district. Please let me know how I may assist your efforts to find funding to implement satellite methane monitoring, starting with Coffin Butte in Benton County, Oregon.

Thank you again for your excellent work for all Oregonians in the US Senate. I'm very proud to call you my Senator and my friend.

Sincerely,

A handwritten signature in cursive script that reads "Sara A. Gelser Blouin".

Sara Gelser Blouin
Oregon State Senator (SD 8, Albany and Corvallis)



Jason Schindler <jaschindler42@gmail.com>

Coffin Butte Resubmits 2023 Annual Landfill Report

1 message

Coffin Butte Landfill <coffinbutte@republicservices.com>

Wed, Sep 18, 2024 at 1:00 PM

Reply-To: coffinbutte@republicservices.com

To: Jason Schindler <jaschindler42@gmail.com>

Having trouble reading this email? [View it in your browser.](#)

COFFIN BUTTE
Landfill



Coffin Butte Resubmits 2023 Annual Landfill Report

September 18, 2024

Updates include additional information about methane surface monitoring and odor mitigation efforts

September 18, 2024 – Coffin Butte Landfill has filed an updated version of its annual landfill operations report with Benton County, as requested by the Board of Commissioners.

The county's Disposal Site Advisory Committee is scheduled to discuss the document at its upcoming meeting [this Thursday \(Sept. 19\)](#).

The updated report includes additional information regarding odor and methane mitigation, as well as airspace and landfill capacity forecasting. The report also includes an accounting of operating complaints submitted by the community about the landfill and how Coffin Butte is addressing those concerns.

The review of the annual report comes as a Coffin Butte is in the process of incorporating feedback from the county into its CUP application. The proposal would add six years of life to the landfill and provide continuous, reliable and

affordable disposal options for county residents while local and regional officials align on a solid materials management plan (SMMP).

You can read the [revised annual report here](#) (new information is located on pages 5-7 and 12-13). The entire report and other pertinent information about landfill operations is on the Coffin Butte website under the [resources and reports tab](#).

The updated CUP application will be published once the documents are submitted to the county.

Devoted to Our Community

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Adobe Acrobat



Adobe Acrobat could not open 'Coffin Butte Landfill - Benton County, Oregon.url.download' because it is either not a supported file type or because the file has been damaged (for example, it was sent as an email attachment and wasn't correctly decoded).

To create an Adobe PDF document, go to the source application. Then print the document to Adobe PDF.

OK

From: Joel Geier <clearwater@peak.org>

Subject: 2023 arsenic data from Coffin Butte monitoring wells is off the charts

Date: August 6, 2024 at 6:46:57 PM PDT

To: AUGEROT Xanthippe <Xanthippe.Augerot@bentoncountyor.gov>, MALONE Patrick <Pat.Malone@bentoncountyor.gov>, WYSE Nancy <nancy.wyse@bentoncountyor.gov>

Cc: MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>, Bailey Payne <Bailey.Payne@BentonCountyOR.gov>, Ken Eklund <futureeverything@writerguy.com>

Dear Commissioners:

Thank you for your patience in taking public comments today, even when community members ran overtime. For at least several of the folks who spoke, this may have been the first time speaking in this kind of situation. Three minutes can go pretty fast.

I also appreciated that you tabled the discussion of whether or not to accept this report. I managed to get back to my home office in time to catch the video stream as Republic's representatives were wrapping up their planned presentation, and you and the County Administrator started to ask pointed questions.

On the issue of Republic Services providing supporting data for their statements about arsenic (thank you Commissioner Augerot for pushing on this), I really thought that their response was not something that you should accept.

You shouldn't have to choose between having a 750-page, mostly boilerplate document added to your already thick packets. They should be able to provide you with the relevant information, in a much more compact form. If they make an assertion, they should support it with the relevant evidence. That's not a big ask.

This evening I looked through the most recent Annual Environmental Monitoring Report for 2023. Big thanks to Mr. Bailey Payne for making the effort to get this to me, despite the large file size! Hopefully this experience will also be helpful for sharing the file with DSAC members who really need to have access to this report, for their own evaluation.

By means of a text search, I quickly found the most relevant plot, buried deep in the report on p. 245. This is a plot of the arsenic data for "eastside monitoring wells." I extracted this one plot and I'm sharing it here.

The arsenic situation is even worse than I thought. Republic's most recent sampling data are so high that they had to change the "Y" scale for concentration, on this plot, in comparison with data from past years.

I've previously argued that the well that they're relying on as a "baseline" for arsenic on the east side of the landfill (MW-9S) was compromised by the fact that this area received surface runoff when they constructed "Toketie Marsh" as an artificial, remedial wetland in the early 1990s, before they ever sampled MW-9S for arsenic. I still think that's the most plausible hypothesis for why they found arsenic levels in the range 35 to 41.5 ppb when they first sampled that well for arsenic in 1995. Those are the levels that DEQ has been accepting as "baseline."

These latest measurements from MW-23 and MW-27 blow right past those levels (50 ppb in MW-27 and nearly 70 ppb in MW-23). Even if Republic disagrees with my argument about the "baseline," there's no way for them to explain this.

Ginger Rough and everyone else in Republic must have known about these new data for arsenic when she sent you her memo dated 2/15/2024 which is included in the annual report. Judge for yourselves whether she's being honest with you.

Maybe more importantly, please consider lending the county's resources to checking rural wells in the areas most likely to be affected -- not just in Benton County but also in neighboring areas of Polk County where rural households are at risk.

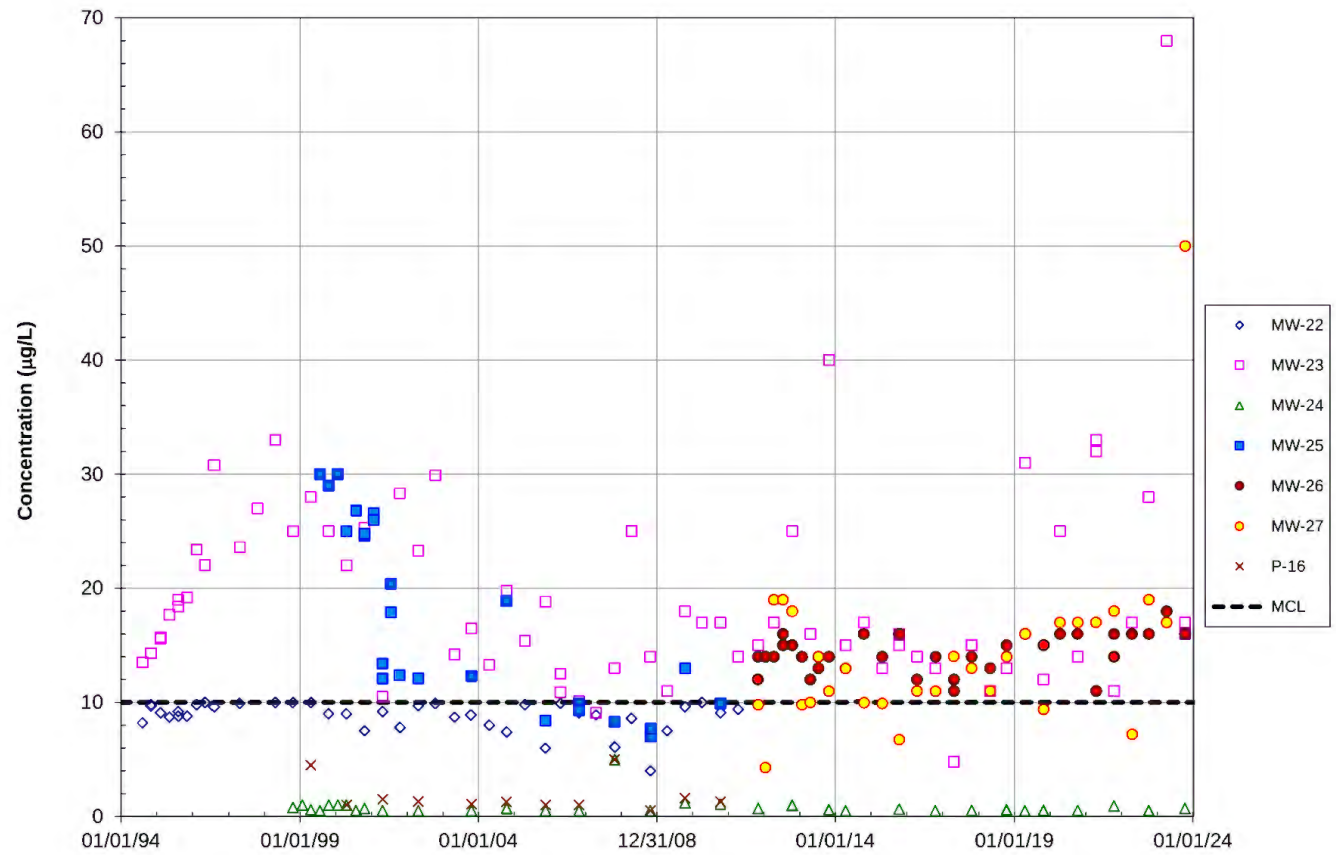
At least a couple of the people who spoke to you today have had a hard life, living in what's known as "rural poverty." I know, because they're my neighbors. Before I became a "Ph.D." I also came from a difficult rural situation. These folks are at risk, and they're relying on you to make good decisions.

--

Joel Geier

Resident, north Benton County

Coffin Butte Landfill
East Side Wells: Arsenic



From: "AUGEROT Xanthippe" <Xanthippe.Augerot@bentoncountyor.gov>
To: "Joel Geier" <clearwater@peak.org>
Cc: "MALONE Patrick" <Pat.Malone@bentoncountyor.gov>, "WYSE Nancy" <nancy.wyse@bentoncountyor.gov>, "MCENENY Rachel" <rachel.mceneny@bentoncountyor.gov>, "Bailey Payne" <bailey.payne@bentoncountyor.gov>, "Ken Eklund" <futureeverything@writerguy.com>
Sent: Tuesday, August 6, 2024 8:11:04 PM
Subject: Re: 2023 arsenic data from Coffin Butte monitoring wells is off the charts

Joel,
Thank you for making the effort to dig the 2023 arsenic data out of the monitoring report. Those numbers are very high. Does the report indicate when the samples were collected, to your point about Ginger Rough's memo?

Best,
Xan
Sent from my iPhone

From: "Joel Geier" <clearwater@peak.org>
To: "AUGEROT Xanthippe" <Xanthippe.Augerot@bentoncountyor.gov>
Cc: "MALONE Patrick" <Pat.Malone@bentoncountyor.gov>, "WYSE Nancy" <nancy.wyse@bentoncountyor.gov>, "MCENENY Rachel" <rachel.mceneny@bentoncountyor.gov>, "Bailey Payne" <bailey.payne@bentoncountyor.gov>, "Ken Eklund" <futureeverything@writerguy.com>
Sent: Tuesday, August 6, 2024 8:25:05 PM
Subject: Re: 2023 arsenic data from Coffin Butte monitoring wells is off the charts

If we can trust the dates on the X axis of the plot, it appears that those samples were from mid- to late 2023, and definitely prior to January of 2024.

From: "Joel Geier" <clearwater@peak.org>
To: "AUGEROT Xanthippe" <Xanthippe.Augerot@bentoncountyor.gov>
Cc: "MALONE Patrick" <Pat.Malone@bentoncountyor.gov>, "WYSE Nancy" <nancy.wyse@bentoncountyor.gov>, "MCENENY Rachel" <rachel.mceneny@bentoncountyor.gov>, "Bailey Payne" <bailey.payne@bentoncountyor.gov>, "Ken Eklund" <futureeverything@writerguy.com>
Sent: Tuesday, August 6, 2024 8:46:03 PM
Subject: Re: 2023 arsenic data from Coffin Butte monitoring wells is off the charts

P.S. I think the exact sampling dates can be found in the report (I have no complaints about the documentation) but I didn't make a note of those as I was searching for this plot. But if the data are consistent with the plots then yes, Republic definitely knew about this before their memo of February 2024.

From: Joel Geier <clearwater@peak.org>
Subject: Re: 2023 arsenic data from Coffin Butte monitoring wells is off the charts
Date: August 7, 2024 at 6:56:06 AM PDT
To: AUGEROT Xanthippe <Xanthippe.Augerot@bentoncountyor.gov>
Cc: MALONE Patrick <Pat.Malone@bentoncountyor.gov>, WYSE Nancy <nancy.wyse@bentoncountyor.gov>, MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>, Bailey Payne <bailey.payne@bentoncountyor.gov>, Ken Eklund <futureeverything@writerguy.com>

Some follow-up:

The spike in arsenic of 50 ppb in MW-27 (one of the eastside "compliance boundary" wells) was measured in a sample taken on October 14, 2023.

The spike in arsenic of 68 ppb in MW-23 was observed in a sample taken on April 7, 2023. This well is located on the south side of the landfill (across Coffin Butte Road from the driveway that leads to the methane flares).

I'm attaching a photo that I took of the slope above this area on February 15, 2023. The photo shows one of about a dozen places in the vicinity where there was visible seepage through holes in the tarps. This was during a period of relatively dry winter weather so the tarp was elsewhere dry, except where there was seepage coming through the holes in the tarp. Note the vegetation including dry weed stalks from a previous season's growth, indicating that these holes had gone unrepaired at least since spring of 2022.

The seasonally fluctuating arsenic levels in MW-23 might be driven by seepage during the rainy season, combined with fairly rapid percolation into the soil in/around the roadside ditch near this well.

During the dry part of the year (summer months), seepage from the landfill wanes, but there is still relatively clean groundwater moving down off Tampico Ridge (the ditch approximately follows a natural stream course). So we would expect for contaminant levels to drop in the groundwater around MW-23, by the time this is sampled in October.

The high arsenic and increasing manganese levels in MW-27 and the other east-side compliance boundary well, MW-26, may be from a different source. It seems unlikely that these could be influenced by seepage coming off the south side of the landfill, based on the general direction of groundwater flow around the landfill. The possibility of a leak (or multiple leaks) from the base of the easternmost cell should be considered.

You should be aware that Republic Services has a history of similar problems at two of their landfills in the San Francisco Bay Area, the West Contra Costa Sanitary Landfill and the Ox Mountain Sanitary Landfill (a.k.a. Corinda Los Trancos Landfill).

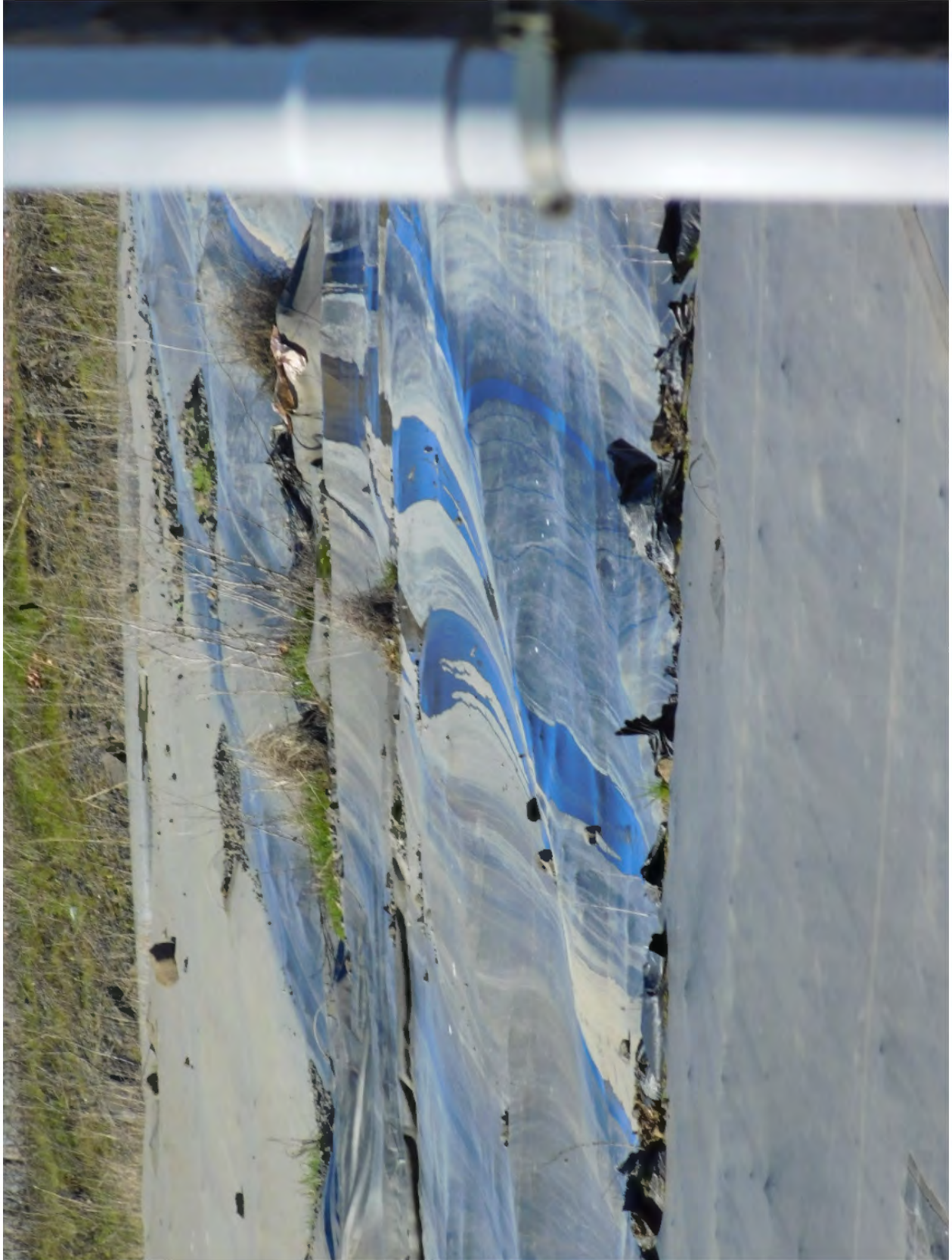
Here's a link to a settlement agreement for several incidents at the West Contra Costa Landfill.

https://www.waterboards.ca.gov/sanfranciscobay/board_decisions/adopted_orders/2021/R2-2021-1010.pdf

This covers multiple violations, but Violation 3 seems the one most relevant here:

Republic and WCCSL allegedly violated Water Code section 13267(b)(1) by failing to report seepage from the disposal area immediately after it was discovered (sometime in March 2017) and file a written report with information on the seepage within five days thereafter.... Seepage occurred near the bottom of the south-facing Landfill slope and is visible in Google Earth historical images as early as April 1, 2015. Republic and WCCSL discovered the landfill seepage as early as March 2017, as indicated in Information Regarding Area B Runoff Pond, Slope Inclination, Construction and Demolition Slope Maintenance Project Information, and Seepage Monitoring Data – West Contra Costa County Sanitary Landfill, submitted to the Regional Water Board on August 27, 2017. Therefore, a seepage report should have been submitted no later than five days after the end of March (April 5, 2017). Because Republic and WCCSL did not submit a report until August 27, 2017, there were at least 145 days of violation.

Note both the 2-year delay in Republic recognizing a seepage problem that was big to show up on Google Earth, and even after that, the failure to report the problem to local authorities in a timely manner.



From: KWIATKOWSKI Maura maura.kwiatkowski@bentoncountyor.gov

Subject: July 10 ENRAC Meeting

Date: July 11, 2024 at 8:02 AM

To: MCGUIRE Sean Sean.McGuire@bentoncountyor.gov, Deb Merchant dame5859@icloud.com, Jackson Rheuben rheubenjackson@gmail.com, Jason Schindler schinji@gmail.com, Kanchan Ojha ojhak@oregonstate.edu, Michael Hughes michael.a.hughes1951@gmail.com, Olajubutu, Damilola Faidat olajubud@oregonstate.edu, Tamplin, Sydney tamplins@oregonstate.edu

Cc: CRONEY Vance M Vance.M.Croney@bentoncountyor.gov, SCHUETZ Petra petra.schuetz@bentoncountyor.gov, PAYNE Bailey bailey.payne@bentoncountyor.gov



Good morning, everyone.

It was my pleasure to join you for your ENRAC meeting yesterday.

Video of the meeting is now available [on the meeting page](#) by clicking on the Meeting Video button.

A copy of Bailey Payne's Coffin Butte Landfill History presentation is attached.

Thanks,
Maura



Maura Kwiatkowski

Administrative Services Manager
Board of Commissioners Office

O: 541-766-3531 C: 541-609-9641

maura.kwiatkowski@bentoncountyor.gov

www.bentoncountyor.gov

Coffin Butte Landfill History
.pdf
2.9 MB

