

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

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Date: 10/23/25

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BOC ID: BOC 2

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Commissioners Wyse, Malone and Shepherd:

LEACHATE, TRAFFIC IMPACTS, UNDUE BURDEN

My name is Mark Yeager, I live at 37269 Helm Drive in Corvallis. I have lived in Benton County since 1982. I am a registered Civil and Environmental engineer, and a certified water rights examiner in Oregon.

I have served multiple terms on Benton County's Solid Waste Advisory Council and Disposal Site Advisory Committee from the 1990s – through 2023. I am a member of the Adair Rural Fire District Budget Committee.

I am submitting this testimony in opposition to this CUP application.

I served on the BCTT subcommittee that reviewed the entire record of every prior land use decision regarding the landfill site. At the conclusion of our review of all prior land use proceedings, the public members of our subcommittee developed key findings that can be found beginning on page 98 of the BCTT report.

Key Finding CUP F-2 states, "Benton County has not and does not actively monitor compliance with many Conditions of Approval, nor does it proactively act to enforce compliance."

While staff are asserting that this application can be approved with 30+ conditions of approval, most, if not all of those conditions are either too general to be enforceable and will not prevent or mitigate the incompatible nature of this application, OR are designed to monitor, not mitigate the problems. Monitoring is not mitigation, and monitoring cannot prevent problems such as odor, noise or litter from seriously interfering with uses on adjacent property or the character of the area.

TRAFFIC IMPACT ANALYSIS

A 4-page, detailed review of the TIA entered into the written record for the planning commission on April 21, 2025, identified several flaws in the TIA, including the use of outdated driveway movement volumes, an assumption that the proposed expansion would not result in any increase in traffic volumes (i.e., no recognition or analysis of the tonnage cap removal impact on vehicle trips), no analysis of the Hwy 99/Coffin Butte Road/Camp Adair Road intersection – again based on the flawed assumption that volumes to the site will not change with approval of the expansion, no analysis of the trip impact of the excavation and movement of 3.5 million cubic yards of material from the expansion site, and no analysis of the need for an eastbound left turn lane at the entrance to the scale road.

These concerns have been summarily dismissed as insignificant by the Republic Services paid consultant without any analysis in the record.

While this proposal does not explicitly close Coffin Butte Road physically (yet, that will come later), the effect of their proposed traffic plan will functionally close the road for use by the public. Using a public thoroughfare as the primary path for internal operations is not approvable.

On average, vehicles enter the dump site every 78 seconds. With all the routing of vehicles on and off Coffin Butte Road, north to south and east to west, the easterly 3000 feet of CBR will essentially be unusable by the public. In addition, Coffin Butte Road is a designated collector and freight route in the County TSP, and the proposed traffic plan will clearly interfere with movement of timber and farm trucks.

In the absence of a revised TIA that accurately describes the proposed development's impact on the transportation system, this application must be denied.

ROAD MAINTENANCE IMPACTS

There is no analysis of the proposed development's short and long-term financial burden on the repair and maintenance of the Benton County public transportation system. The major County roads impacted by the development's operations include, among others, Coffin Butte Road, Camp Adair Road, Independence Highway, and Springhill Road. They will all be subjected to increased traffic volumes and accelerated wear and tear.

Because most trips to the dump are made by heavily loaded tractor trailers and garbage trucks, the damage to the road system is many times greater than that of passenger vehicles. Who's going to pay for future repairs?

The County is spending very little money of road maintenance now and has no plan to increase funding to account for the outsize damage done to roads by this development and its increased impacts due to expansion and the removal of the tonnage cap allowing unlimited trips to the dump.

These impacts must be evaluated and included in the analysis to determine if there is an **undue burden** imposed on the County's residents to repair and maintain the transportation system.

LANDFILL LEACHATE

For over 40 years I have worked in the municipal engineering field focusing primarily on water supply, wastewater treatment, and stormwater management.

The proposed method of disposing of landfill leachate from the expansion parcel imposes **an undue burden on public facilities and services** and violates BCC 53.215(2).

Landfill leachate is a highly toxic, foul-smelling black or brown liquid, containing high concentrations of organic and inorganic compounds, including metal ions such as chromium, lead and mercury, as well as high PFAS concentrations (forever chemicals).

This toxic liquid forms when rainwater and decomposing wastes mix, percolates through the waste, and dissolves compounds creating a cocktail of hazardous chemicals. Liquid waste often ends up in trash, and garbage also generates liquids as it breaks down.

It is common to find pesticides, pharmaceuticals, paint, personal care products, solvents, batteries, and other electronics in trash. We have submitted evidence into the record documenting many inappropriate and illegal materials are being thrown into dumpsters and making it into the dump. I have personally witnessed these activities at the public dumping facility at the landfill.

The Coffin Butte landfill has a huge (2 acres) uncovered daily “working face” that receives large amounts of rainwater most of the year. Coffin Butte receives about 50 inches of rain per year.

And the plastic cover that exists on most of the Coffin Butte landfill has been documented to have many tears and holes that allow rainwater into the buried trash (while methane and landfill gases leak out).

Coffin Butte currently generates approximately 40 million gallons of leachate per year. About half of the leachate is hauled in tanker trucks to Corvallis wastewater treatment plant and half is hauled to the City of Salem.

On a normal day, 20-24 tanker loads are hauled to these facilities. Each time these tankers are loaded onsite, leachate odors are sent into the air to mix with the other odors generated at the landfill, migrating offsite affecting adjacent properties. No conditions of approval can prevent these odors from leaving the site. This impact cannot be mitigated.

A neighbor living just to the south of the current loading station has reported she can smell it strongly each time they're loading leachate.

In contrast, the Columbia Ridge Landfill in Gilliam County receives nearly 3 times the annual volume of trash, and they impound and recycle all their leachate onsite. Gilliam County gets 13 inches of rain per year. The amount of rainfall affects both leachate and methane production. Unlike Coffin Butte, landfills in eastern Oregon generate far less leachate and typically have 200 feet or more of clay between the bottom of the landfill and the groundwater level.

To effectively remove the pollutants, leachate requires **ADVANCED TREATMENT** before discharge. Untreated leachate is being sent to conventional (non-advanced) municipal wastewater treatment plants (WWTPs). However, this method is neither safe nor effective because very little actual "treatment" occurs at a conventional municipal WWTP.

The solution to pollution should **NOT** be dilution, but that is essentially what is happening now.

The discharge of leachate into WWTPs in Oregon is **NOT REGULATED** by DEQ. Quoting from DEQ's guidance manual for landfills "Discharges to publicly-owned treatment works (POTW) are not directly regulated by the Department."

Neither the Corvallis nor the Salem WWTPs have any special or advanced unit processes operated to deal with landfill leachate. Leachate accepted at those facilities essentially passes through untreated.

Leachate also contains very high levels of PFAS.

PFAS are widely used, long-lasting chemicals, components of which break down very slowly over time. Studies have shown that exposure to PFAS in the environment may be linked to harmful health effects in humans and animals.

While the existing landfill will continue to generate millions of gallons of leachate for decades to come, a 35% increase in surface area from the new landfill location will add substantially to the volume of leachate. The Applicant stated their intent to stop hauling leachate to Corvallis by the end of 2025, but they have not publicly identified where they plan to take that portion of the leachate. Without a firm plan for handling this material, the County cannot approve this application.

PFAS into Willamette River

Because of increasing concern related to PFAS compounds, the City of Corvallis began monitoring incoming wastewater along with leachate from the landfill. When the landfill delivers the leachate to Corvallis, it is stored in tanks on site, and then slowly mixed in with sewage from the rest of the city.

The analysis confirmed that landfill leachate concentration of PFAS compounds is orders of magnitude greater than city sewage background levels. When mixed with the influent wastewater, it is “treated” and then discharged into the Willamette River. Concentrations of several PFAS constituents being discharged into

the River after “treatment” are higher than the background levels coming into the treatment plant.

Recent studies have also shown that the aeration processes at conventional wastewater treatment plants result in releases of airborne PFAS. Previous testimony by Pam Castle discussed this in detail.

Another quote from the DEQ guidance manual on landfills and leachate states “The Department recommends treatment methods that reduce leachate contaminants, not methods that transfer the environmental problem to another medium.”

What is happening with the current method of managing leachate from the landfill is exactly what DEQ recommends against. While there may be some reduction of conventional pollutants like ammonia, other pollutants like heavy metals, pharmaceuticals, and PFAS are simply being either discharged into the river, end up in the air, or end up in the sludge that is spread on local public and private property.

The Willamette River is a public facility and public service. This leachate disposal method constitutes an undue burden on public facilities in violation of BCC 53.215(2) by exposing wildlife, recreational enthusiasts, and water users (both drinking water and agricultural) to increased contaminant levels and impacting use of the Willamette River.

There are several communities downstream of these discharges that rely on the Willamette River as their drinking water supply source. (Adair Village, Independence, Sherwood, Wilsonville, Tualatin Valley)

Portions of the existing landfill (Cells 1 and 1A) were “closed” in the 1970s, and 50 years later, those cells are still generating 2 million gallons of leachate per year. The engineer for the Applicant gave the impression that overall leachate volumes will decrease over time, once the existing landfill is capped and closed. However, the BCTT report established that no landfill cell at Coffin Butte has been closed since the mid-1990s.

Republic hasn’t given a timetable for closure and capping the existing landfill.

What if they continue to leave it in “interim cover” and seek future expansions, or, if this expansion is approved, proceed to implement their 2021 plan to close Coffin Butte Road and fill the valley with trash?

The long-term environmental impacts (a.k.a., serious interference) undue burdens and long-term liabilities associated with hosting a massive landfill and its planned expansion need to be objectively evaluated by the County. This has not been done. Instead, the County is relying solely on consultants paid by Republic Services to act as so-called “experts.”

We need to protect the interests of current and future residents of this County. Along with landfill gas emissions reduction, effective leachate pollutant reduction is one of the key aspects of that evaluation. Neither the BC staff nor their consultants have asked any serious questions or received any meaningful information regarding these issues.

With Corvallis exiting the leachate business at the end of 2025, and Republic refusing to reveal their plan for handling the wayward 20

million gallons of leachate per year, how can the County recommend approval of this application?

ENRAC RECOMMENDATION TO DENY

In 2023, the County illegally “dissolved” the Solid Waste Advisory Council (SWAC), although it is still required today by BCC 23.020. Apparently, someone realized they might have a procedural problem regarding review of this proposed conditional use permit. The code (BCC 73.305) still requires review by the Environmental Health Division and SWAC. The County is simply ignoring the Health Division review requirement and passed off the SWAC review to the County’s Environment and Natural Resources Advisory Committee (ENRAC).

Up until now, ENRAC had been focused on trails and natural areas, not landfills.

The ENRAC recommendation to deny this application is in your packet under Agency comments. It has a very detailed analysis of the concerns and impacts associated with this proposal.

I recommend you carefully read the transmittal memo dated April 16, 2025, and particularly the individual member comments at the end of their packet. Jason Schindler, ENRAC chair, has a detailed discussion of the County staff role in directing ENRAC’s review of this application.

PLANNING COMMISSION UNANIMOUS DENIAL

In 2025, your Planning Commission reviewed thousands of pages of applicant documents, staff reports, and written public testimony,

along with at least 20 hours of verbal testimony. The Planning Commission carefully considered the evidence presented and voted to unanimously deny this application.

Attempting to derail that vote and set the Planning Commission up for having their decision overturned on appeal to you, the County-hired attorney wrote purposely misleading findings and presented them to the Planning Commission. Including statements such as the Planning Commission “rejected evidence presented by the applicant’s experts.”

These attorney-crafted “findings” clearly mis-stated what occurred during the Commission’s deliberations. It is insulting that the falsehoods attempted in those findings are being paraded as the rationale now for overturning the PC decision. Please do not reject all the work of the PC to carefully consider this application and conclude that denial was appropriate.

SUMMARY

This decision boils down to whether you believe Republic personnel and the consultants they hired to develop reports and comments to support the application.

Or do you believe the expert public testimony and lived experiences of the residents of Benton County?

There are no second chances here, no do overs. If this expansion is approved, Republic Services will be free to expand and exploit as much land as they own (more than 700 acres) to create a larger and larger dump.

The County has allowed this to happen already with the landfill moving into the quarry without the conditional use permit required by BCC 77.305.

In fact, I believe the proposal before you is simply Phase One of the plans they submitted in 2021 - to close Coffin Butte Road and fill the area between Coffin Butte and Tampico Ridge with trash. Their proposed traffic plan and intense use will effectively close the road to the public.

Do you really believe that Republic is spending all this time and money to get approval for use of the property south of Coffin Butte Road for a mere 6 more years of life from the landfill? Of course not.

Remember that Coffin Butte began as a hole in the ground to burn trash during World War II to support the Adair military installation. It is an accidental dump.

When Coffin Butte was first being considered as a regional dump in 1973, the Chair of the North Benton Citizens Advisory Committee, wrote to the Planning Commission chair on November 5, 1973...

“Let it be clearly understood that we are unalterably opposed to a long term continuation of the use of the Coffin Butte site for its current service area. We are even more vigorously opposed to its expansion to serve a three-county area.”

Coffin Butte now serves more than 23 counties in two states.

He also writes “There is a substantial body of facts relating to the unsuitability of this site and the surrounding area which have seemed so evident to us as to make any consideration of the Coffin Butte site utterly ridiculous, totally intolerable.”

“It is the consensus of the North Benton Area Committee that the location of a regional disposal facility would be extremely short-sighted and very dangerous.”

“Coffin Butte is far better suited to be a public park than a public dump.”

Tollefson was a PhD professor at OSU.

The North Benton Citizens Advisory Committee was correct. Here we are 52 years later, the same story, with dramatically worse conditions.

The County has cultivated a monopoly for Republic Services while systematically disenfranchising residents who dare to question the wisdom and safety of becoming the home of one of largest trash dumps in Oregon.

I urge you to stop this and all future expansion efforts. It is time for a paradigm shift in waste management in Western Oregon.

Expansion approval means business as usual with more residents exposed to air and water hazards, serious, irreparable harm and undue burdens, and a Corvallis and Benton County reputation as Trash Town Oregon.

Finally, in recognition of the Kalapuya Tribe, I want to close by quoting from the Land Acknowledgement in the foreword of the BCTT report:

“It is important that we recognize and honor the ongoing stewardship and spiritual relationship between the land and people indigenous to this place we now call Benton County. We thank them for continuing to share their knowledge and perspectives on how we care for, impact, and protect the land we live on.”

I urge you to live up to that acknowledgement and deny this application.

Respectfully submitted,

Mark Yeager