

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

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**Testimony to the Benton County Board of Commissioners In Opposition to the Coffin
Butte Landfill Expansion Request, LU-24-027**

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I appreciate the hard work and diligent attention you are giving to this decision.

Four major points.

First, the Staff Report seems designed to find ways to make the expansion potentially acceptable rather than considering whether it is a good idea to begin with. It reminds me of how some Tri-city officials once argued that the banks of the Columbia could be a great place to put the whole country's high level nuclear waste "with the proper engineering."

The staff report has a pattern of noting problems, presenting the two sides as being relatively equal, and then recommending a condition that justifies the expansion.

This approach minimizes the problems or risks by assuming that proper required conditions will readily solve the problems. For example, the problem of litter appears easily fixed by adding another bull fence and more litter pickup. Neighbors observing trash floating high in the air might disagree that litter will be so easily contained, or that the burden should be on them to call for clean-up and trust it will happen.

Likewise, by the time monitoring wells identify leaks, it is likely to be too late to stop the harm. This is geology, not indoor plumbing. In the early days, Valley Landfill bought nearby properties with problematic wells. Coffin Butte's hydrological footprint will be much larger, as is the volume of waste. Buying E.E. Wilson is not so simple should contaminants flow to the east. And it is notable that the US. Geological Survey concluded in a 2000 study that all landfills will leak eventually. (<https://pubs.usgs.gov/fs/fs-040-03/pdf/fs-040-03.pdf>)

Your decision should reflect what is simply best for the County, not whether the expansion's issues can be theoretically addressed.

Second, Republic Services uses the term "speculative" when discussing opponents' concerns over Conditions of Approval. The current failure of federal and state government to enforce laws, of the County to enforce COAs, or of Republic Services to meet local expectations cannot be ignored. It is speculative to assume that the COAs will work as the staff report asserts. For example, the reliance on self-reporting in the past has been a true

problem. I personally experienced how reporting an odor hit a wall when the state said Republic Services denied there was an odor problem that day. I, and others, know what we smelled. And I live 7 miles away. Also consider how both state and federal officials found methane leaks that far exceeded those Republic Services self-reported. And there still has been no definitive state or federal action although the leaks far exceeded the legal levels.

The staff recognizes, I quote: *"Benton County does not have the staff resources or expertise to evaluate whether a proposed conditional use complies with state and federal air and water quality standards."* So we are to trust the federal government's permitting process in the Trump era? And the state's plate is overflowing already, especially as we head towards a recession. We know that Republic Services has plenty of resources to lobby or litigate. Denying the expansion is the only way the County can control what happens next.

Three, the assertion that the expansion does not change anything since the landfill already exists, is unacceptable. A vibrant nature refuge, operating agriculture, citizens who enjoy where they live (on non-stinky days), and some lovely vistas still define the character of that area. The expansion will greatly expand the surface area that will leak methane, be affected by run-off from freak intense rains, and be vulnerable to fire or other unpredictable events. More underground hydrological systems will be in play. Risks related to PFAs, methane and other gases and chemicals can only increase.

Yes, the existing dump is an ugly wart on the landscape that can be seen from Suver to North Albany already, but the expansion will greatly broaden that ugliness and bring the associated problems closer to Adair Village, the Soap Creek valley, and all north Corvallis.

Four, the law gives you discretion to interpret those key phrases such as "adjacent", "undue burden", "seriously", and my personal greatest concern, "character of the area". Lawyers are not neutral experts. They serve the interests of their clients or their own personal goals. So long as you are reasonable, you owe no deference to any particular lawyer's interpretation of the law. You are purposely given the power to apply your own judgement of how the waiver would affect the County and how to apply the law.

Republic Services is just starting into the quarry section. It is well-documented that the existing facility has 12-14 more years of air space. It is not closing tomorrow or in five years. The concerns of Newport and other jurisdictions deserve attention, except maybe Yamhill County's since it recently closed its dump to happily use ours. Heed the pleas for a regional solution. Let's start planning now for better alternatives rather than simply continuing what's convenient today.

Lane County has taken serious steps to reduce its landfill waste. Gilliam County demonstrates why we should consider moving our waste to a properly sited landfill. Alternatives for transporting waste are emerging.

Expansion only enables us, and places like Newport and Washington County, to avoid doing what is right. We have treated Coffin Butte as a bottomless facility, as have the other counties that contribute 92% of the waste filling that space. But each load carries an immediate price and long-term risks for all of us. Benton County alone bears those harms and risks. This is the time to set a limit.