From: WYSE Nancy
To: Benton Public Comment
Subject: LU-24-027 FW: Letter from Constituent Regarding the Landfill
Date: Tuesday, February 11, 2025 4:49:15 PM
Attachments: image001.png
250121 Letter from Barbara Wythes.pdf

Nancy V. Wyse *(She/hers)*
Commissioner
Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis
www.bentoncountyor.gov

From: DELAVEGA Marriah <marriah.delavega@bentoncountyor.gov>
Sent: Tuesday, January 21, 2025 1:02 PM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Cc: MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>; CRAGER Rick <rick.crager@bentoncountyor.gov>; SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; MCGUIRE Sean <Sean.McGuire@bentoncountyor.gov>; PAYNE Bailey <bailey.payne@bentoncountyor.gov>
Subject: Letter from Constituent Regarding the Landfill

Hello all,

Please find the attached letter that arrived in today's snail mail.

Sincerely,

Marriah De La Vega
Executive Assistant to the Board of Commisisoners and County Administrator
D : 541-766-6800 C : 541-368-6985
Email:
marriah.delavega@bentoncountyor.gov
www.Bentoncountyor.gov

Ms. Barbara Wythes
7685 NE Todd Dr
Corvallis, OR 97330

PORTLAND OR RPDC 972
17 JAN 2025 PM 4 L



Benton County
Board of Commissioners
4500 SW Reseach Wy
Corvallis Or 97333
97333-10930

Petition re: Land Use LU-24-027

Coffin Butte Expansion

We are extremely concerned about Republic Services' attempts to expand Coffin Butte landfill.

This proposal is not in accordance with the Principles as defined in the **2040 Thriving Communities Initiative** which values:

-Vibrant, Livable communities: A landfill makes a mockery of the "vibrant, safe and livable community" which we should "strive to ensure" and is not "forward thinking". We should be implementing more long-term solutions for waste, including reducing the production of single use items and the expanding of recycling and reuse programs.

-High Quality Environment and Access: The landfill will be a toxic, environmental hazard for decades to come. Even if the existing standards, as defined by DEQ and state and local requirements, were enforced, (which is currently not the case) the plans proposed by Republic Services (including no cap on annual tonnage brought in) will only make matters worse. The current and future air, soil and water quality issues will not be resolved without enforcing current standards and limiting future expansion.

-Community Resilience: "Recovering from human caused disasters, threats and changes" is of course critical. But should we not also be preventing, or at least minimizing human caused disasters such as this land fill and Republic Services' disregard for sited emissions violations, methane leaks, PFAS dangers and pollution of the Willamette River?

Violations of BCC 53.215.1- "Interference with uses of adjacent property "

The far-reaching odors from the landfill site and the noise and destruction of Coffin Butte are ruinous of property values and make the EE Wilson Wildlife Area virtually unusable for recreating on many days.

Violations of BCC 23.325.2 – "Imposition of undue burden on public improvements, facilities, utilities or services"

Heavy truck traffic to Coffin Butte drastically increases deterioration of our roads, leaves roadsides strewn with debris and creates more tailpipe emissions near homes and schools.

Leachate from Coffin Butte is dangerous to ground water and soil, creates even more truck traffic, burdens our water treatment facilities and pollutes a major recreational feature of the area, the Willamette River.

Please DO NOT LET THIS EXPANSION PROCEED!

Respectfully,

Name	Address	Date
Barbara Mythes / Barbara Mythes	7685 NE Todd Dr Corvallis	1/14/25
Gary Sielaff / Gary Sielaff	1844 NW Meadow Wood dr. Albany, Ore. 97321	1/14/25
Bonnie Albright / Bonnie Albright	962 NW Highland Terrace Ave	1/14/25
Nancy Murphy	138 So. 12th Philomath 97370	1/14/25
Carmen Skaggell	Philomath	
Barbara Gordon	PO Box 1030 Philomath	1/14/25
Jane Pearlmutter	4830 SW Hollyhock Cir Corvallis	1/14/25
Jennifer Lommers	8055 NE Barberry DR Adair 97330	1/14/25

Belinda Barnes	PO Box 522 Corvallis	1/14/2025
Katherine Gallahan / Katherine Gallahan	2635 NW Foothill Dr Corvallis	1/14/2025
Nancy Bryant / Nancy A. Bryant	2422 N.W. Molly Court, Corvallis, OR	1/14/25
David Segura	7685 NE Todd Dr Corvallis OR 97330	

From: WYSE Nancy
To: Benton Public Comment
Subject: LU-24-027 RE: Coffin Butte Landfill & the Perils of Privatization- Gazette Times January 23, 2024
Date: Monday, February 3, 2025 4:56:09 PM
Attachments: image001.png

Nancy V. Wyse *(She/hers)*
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Address: 4500 SW Research Way, Corvallis
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From: BECKY MERJA <bdanger55@msn.com>
Sent: Monday, January 27, 2025 7:22 AM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>
Subject: Coffin Butte Landfill & the Perils of Privatization- Gazette Times January 23, 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Commissioners, FYI, In case you missed this very well written As I See It:

COFFIN BUTTE AND THE PERILS OF PRIVATIZATION
Written by Barry Reeves and published by the GT on January 23rd.

Amidst the discussions around the ongoing environmental calamity that is Republic Services' Coffin Butte Landfill, it is difficult to come to grips with just how, exactly, we've arrived at this dilemma. The "dilemma" in question includes these features:

■ The landfill in north Benton County receives fully one-third of all the garbage from Western Oregon. Less than 7% comes from Benton County.

■ The landfill is owned by Republic Services, headquartered in Phoenix, the second largest solid waste company in the United States

■ The landfill is emitting vast amounts of methane, a greenhouse gas whose impact on global warming is 30 to 90 times greater than that of

carbon dioxide.
■ Republic Services is requesting an expansion of the existing landfill.

So how did we arrive here, in a county, and near a community, Corvallis, that is considered a hub for sustainability? The answer, I believe, lies in an understanding of the impact of the neoliberal economic model that has, like a toxic cloud, influenced our economic/political decisions for more than four decades. This ideology has been the central driver of record levels of income inequality, increasing homelessness and environmental degradation. Referred to by other names — Reaganomics, trickle-down economics, etc. — neoliberal economics has these components:

■ Small government — whatever government does, the "private sector" can do better more "efficiently"
■ Deregulation — regulations hamper growth and innovation and are "costly"
■ Privatization — privatizing government functions leads to greater "efficiency"
■ Austerity policies that cut government funding for social programs
■ Free trade policies (NAFTA, etc.) that allow jobs to be moved abroad where labor costs are lower and environmental regulations less stringent.

Coffin Butte, then, can be seen as a case study on the long-term impact of privatizing a municipal function, waste management, within the belief structure of neoliberalism. Rather than a function of local government, with the possibility of oversight and accountability, a large corporation will manage the site to benefit shareholders and to maximize profit. As local governments cede control over municipal functions, they become more beholden to their corporate "partners" and less beholden to their citizen "stakeholders."

As the power relationships evolve, a management/consulting class takes on the role of intermediary between this corporate-government "partnership" and the public. Managers/consultants then are responsible for creating a veneer of collaboration between the corporation (Republic Services), local government and the public. This can take the form, for

example, of citizens' advisory boards, often with catchy titles concocted by the manager/consultants ("Benton County Talks Trash").

This veneer of collaboration, however, is cover for the actual intention behind the process. That intention is, primarily, to manufacture consent within the narrow framework of the status quo and to siphon off activist energy. Should public participants/activists who choose to participate in these advisory boards refuse to "stay in their proscribed lanes" of discourse and decision-making, they will then find themselves stonewalled or marginalized. In other cases, the advisory board may simply be suspended.

The managerial/consultant class is also tasked with "partnering" with environmental groups. This "partnership" involves "greenwashing" — giving an appearance of environmental stewardship. The effect, also, is to blunt or co-opt environmental groups who are incentivized, like citizen's advisory boards, to "stay in narrow lanes" and avoid any serious threat to the status quo. Deregulation, taking many forms, enhances this power dynamic between public good on the one hand and corporate interests on the other, favoring of course, the latter!

Though there is no quick fix for our dilemma, as a starting point, we should absolutely forbid any expansion of Coffin Butte landfill. As the saying goes, "If you've dug yourself into a hole, the first step to take is to stop digging!"

Barry Reeves was an emergency medicine physician in Corvallis for many years. His interests and focus include social justice, nonviolence and community building as a pathway to respond to the dual threats of rising authoritarianism and environmental disruption from climate change.

From: WYSE Nancy
To: Benton Public Comment
Subject: LU-24-027 FW: Republic"s request for a 58-day extension to complete "odor study" / compliance issues
Date: Thursday, January 30, 2025 3:25:45 PM
Attachments: DSCN4951.JPG
image001.png

FYI

Nancy V. Wyse *(She/hers)*
Commissioner
Office: 541-766-6754 | Cell: 541-760-6067
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Address: 4500 SW Research Way, Corvallis
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From: Joel Geier <clearwater@peak.org>
Sent: Wednesday, January 29, 2025 9:42 AM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Cc: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; PAYNE Bailey <bailey.payne@bentoncountyor.gov>; MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>
Subject: Republic's request for a 58-day extension to complete "odor study" / compliance issues

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Dear Commissioners:

I hear that tomorrow you'll be considering whether to grant Republic Services an extra 58 days to add more material to their revised application to start a new landfill on the south side of Coffin Butte Road.

Per the cover letter from former Benton County counsel Jeff Condit, now working as an attorney for Republic, the main purpose of this extension would be to give them more time to complete an "odor study" which they claim will help to meet the County's requirement to assess impacts of the existing landfill operation.

Let me suggest, today would be a good day to do your own "odor study." All you need is to drive out to Adair Village -- home to more than 1000 of your constituents, plus daytime location of hundreds of school children attending Santiam Christian School -- and take a sniff for yourselves.

Once you've done that, you'll have a better idea of whether more "odor studies" are really needed to confirm what North Benton County residents already know: This operation stinks.

Along your way, you can get an idea of why it stinks. I'm attaching a photo that I took on Sunday, which shows the condition of the tarps along the whole south face of the landill. They're completely shredded.

You can also see exposed garbage up on top, which -- per conditions of approval of past CUPs granted by the county -- is all supposed to be covered by the end of each working day. The landfill was closed on Sunday, so this was the condition how they left it over the weekend.

I took this photo from 3 miles away, near the edge of residential neighborhoods of North Albany. Even at this distance, you can easily see there's a problem.

North Benton County residents don't need more "odor studies" to gaslight us for what we experience on a regular basis. Nor does this company need another grace period, to complete their application.

What we do need is for Benton County government to start enforcing conditions of past CUPs. The lack of enforcement by the County was one of the most clear findings to come out of the BCTT process. A year or more ago, we were told that you were planning to act on that finding, and hire a compliance officer who would start to bring this operation into compliance. Could you please inform us as to when and how you plan to follow through on that promise?

Yours sincerely,
Joel Geier
North Benton County resident



From: SHEPHERD Gabe
To: Benton Public Comment
Subject: FW: LU-24-027: Benton County Code detail
Date: Monday, February 3, 2025 9:10:08 AM
Attachments: image001.png

Gabe Shepherd *(he/him)*
Commissioner
Desk: 541-766-6813
Cell: 541-609-9136
Email: gabe.shepherd@bentoncountyor.gov
www.Bentoncountyor.gov

From: Paul Nietfeld <pnietfeld@gmail.com>
Sent: Friday, January 31, 2025 10:58 AM
To: SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Subject: Benton County Code detail

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Commissioner Shepherd,

Congratulations on your election to this important and influential position. I hope your term is starting off well.

I wanted to make you aware of a couple of points on county process and code regarding the topics of Solid Waste and Landfill Site.

1. In the 1/30/2025 Board of Commissioners discussion on the proposed 58-day extension requested by the franchisee for LU-24-027, I believe late in the discussion you made a reference to "starting with the Planning Commission" in regarding the public consideration process for this application. I am certainly not a lawyer nor a county code expert, but I believe the Benton County Code still specifies that for any proposal to expand the area approved for landfill "The Benton County Environmental Health Division and the Solid Waste Advisory Council shall review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Plan Map and narrative." [**77.305**] As you may be aware, the Board of Commissioners announced a "temporary pause" of Solid Waste Advisory Council (SWAC) activities in November 2023; this action has effectively disbanded SWAC, which was established by

Benton County Code Chapter 23 and functioned in part as an avenue for public comment on solid waste issues.

Proceeding with formal consideration of LU-24-027 without conforming to code requirements for recommendations from the Environmental Health Division and the Solid Waste Advisory Council would seem to leave the county vulnerable to future challenges to the decision on this CUP, whatever the outcome. My humble suggestion is that rather than take this risk, or revise the code to eliminate this prudent provision, the county reconstitute SWAC, allow it to hold public meetings on this topic and provide a recommendation to the Planning Commission as required by county code.

2. On a related note, you should be aware that during the course of the Solid Waste Process Workgroup ("BCTT") proceedings it was revealed that the county could not produce any record of a permit for the filling of Coffin Butte Cell 6 (quarry site). See **LSCL R-6** and the debated and indeterminate **LLU F-23** items in the BCTT Final Report. The decisions on this contentious issue clearly predate your term as Commissioner, but you should be aware that a) the county is unable to provide a clear record of approval for Cell 6, b) the county has allowed the franchisee to move forward with emplacing waste in this cell despite the lack of a clear permit, and c) the lack of a formal, documented permit for this extremely large cell means that there is no record of any public debate, consideration by county agencies, formal vote of approval or defined Conditions related to this cell. These points may come up during the public discussion on LU-24-027.

I would be happy to provide more underlying detail on either or both of these issues if you wish.

Hoping that most of your duties are more pleasant and productive than the points I discuss above.

Regards,
Paul Nietfeld

From: WYSE Nancy
To: Benton Public Comment
Subject: LU-24-027 FW: For Board of Commissioners : "Landfill Issues and Expansion"
Date: Monday, February 3, 2025 4:43:42 PM

Nancy V. Wyse (She/hers)
Commissioner

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-----Original Message-----
From: DELAVEGA Marriah <marriah.delavega@bentoncountyor.gov>
Sent: Monday, February 3, 2025 12:50 PM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Cc: PAYNE Bailey <bailey.payne@bentoncountyor.gov>
Subject: FW: For Board of Commissioners : "Landfill Issues and Expansion"

Dear Commissioners,

Please see the note below that was submitted via the contact us option on the website. Bailey will add the message to the community feedback that is being gathered.

Sincerely,

Marriah De La Vega
Executive Assistant to the Board of Commissioners and County Administrator

D : 541-766-6800 C : 541-368-6985
Email: marriah.delavega@bentoncountyor.gov

www.Bentoncountyor.gov

-----Original Message-----
From: Benton County, Oregon <wordpress@bentoncountyor.gov>
Sent: Monday, February 3, 2025 10:50 AM
To: *Benton Web BOC <bocinfo@bentoncountyor.gov>
Subject: For Board of Commissioners : "Landfill Issues and Expansion"

From: Sara Ash <saralil25@gmail.com>
Subject: Landfill Issues and Expansion

Sent For: Board of Commissioners <bocinfo@bentoncountyor.gov>

Message Body:
Dear Commissioners,

I am writing to you to express my serious and urgent concerns about Coffin Butte Landfill. We live only a few miles from this public hazard, and we have several concerns:

- Air Quality: We smell the stench of this rotting mass quite regularly. The methane smell and the smell of rotting garbage cannot be good for our health, our neighbors, visitors or the community.

- Water Quality: I am very concerned about our water quality. With all the leachates being generated from the landfill, it is only a matter of time before our and other wells are contaminated.

- Truck Traffic: It is one thing to have the truck traffic required to serve the needs of our own community, but the number of trucks coming from all over the state, bring a level of congestion, pollution, and added danger to our local roads and Highway 99.

- Pollution: The amount of litter that spills out of the trucks heading to the landfill is mind boggling. Highway 99 is of course the worst, but so our other roads of approach, Granger Road, Arnold, and other roads in and around Adair Village. The litter is rarely picked up and it is getting worse every week. It is a blight on our neighborhoods and our community at large. Nothing like saying welcome to Corvallis or Welcome to Benton County than a litter strewn Highway, truck traffic, and a large pile of stinky garbage.

I implore you to please not expand the Landfill. There is no amount of money Benton County could make on this endeavor that will not be eaten up by the lawsuits associated with well water and surface water contamination, excess methane emissions, and loss of property value. Inviting other counties to utilize this dump is inviting environmental disaster. Landfills are better suited for dry climates, not our extremely wet one. The Coffin Butte Landfill is like the County owning a ticking timebomb of pollution, well contamination, degradation, and lawsuits. Stop the Expansion!

Sincerely,
Sara Ash

--
This e-mail was sent from a contact form on Benton County, Oregon (https://www.bentoncountyor.gov)

From: WYSE Nancy
To: Benton Public Comment
Subject: LU-24-027 FW: trash and cash
Date: Tuesday, February 4, 2025 3:57:43 PM

As Kiko states, we had a conversation on February 1st in the parking lot of Philomath High School immediately following the Merkley-Hoyle Town Hall. He asked several questions about the landfill, which are detailed in this email. I did my best to explain the concept of "ex parte contacts" to him and suggested that he send me (and/or the BOC) an email.

Nancy V. Wyse (She/hers)
Commissioner

Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis

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-----Original Message-----
From: kiko denzer <kiko@handprintpress.com>
Sent: Tuesday, February 4, 2025 3:40 PM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Cc: MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>; vneqs@googlegroups.com; larkin@beyondtoxics.org
Subject: trash and cash

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners Wyse, Malone, and Shepherd,

First, thank you, Commissioner Wyse, for taking the time to talk with me after last week's town hall in Philomath.

Per your suggestion, I am sending you some thoughts and concerns regarding our trash, and what we do with it.

From what I have been able to discover, other Oregon counties have proactive plans for managing waste.

In Yamhill County, citizens opposed to the expansion of their regional landfill took the issue to the Land Use Board of Appeals, who agreed with them. They then had to sue the landfill in order to get it to close. Meanwhile, they set a goal for Zero Waste and are actively taking aggressive steps to meet their goal.

Lane County recently announced plans to build and operate the most advanced integrated reuse and recycling facility in the nation.

Polk County is looking into building a waste transfer station, to break their dependence on Coffin Butte Landfill.

Metro Portland decided, years ago, that sending trash to landfills in the Willamette Valley went against their stated values of protecting the environment. Because the Valley supports one of the most productive ag economies in the nation, they decided it was an irrevocably bad idea to dump their trash in the garden where farmers grow their food,

so they took a moral stance to guide their waste policies.

Closer to home, we have obvious problems with the Coffin Butte Landfill.

Benton County planning documents clearly state specific goals for waste management and waste reduction (BCC Ch. 23). The franchise agreement with Republic Services includes those and other environmental goals, but extensive evidence shows that Republic is failing to meet its legal obligations.

Perhaps they are more concerned with financial gain than they are with meeting their goals? There is certainly evidence in that direction as
well: In August of ’22, Forbes Magazine quoted investment manager Michael Hoffman as saying that garbage “is capital-intensive and [while] it’s not compounding at 20% per year like software…for the big players it’s become an extraordinarily repeatable and inflation-resistant business.” Goals like “waste reduction” don’t generate income as quickly or easily as waste collection and disposal.

Cascade Investments (Bill Gates’ personal holding company), has a 34% stake in Republic’s business. According to Forbes, it earns more than $200M/year from it’s investment — profits that are paid by the residents of 1/3 of the state of Oregon; profits that also leave the state, never to return.

Meanwhile, Benton County residents face a future in which we will have to pay all the costs of managing the consequences of storing all the waste collected in Coffin Butte — consequences which include (and will quickly exceed) a host of already well-documented problems:

- dangerous methane leaks (methane, of course, being a potent greenhouse gas, highly flammable and clear and present fire risk in a heavily wooded area),
- continuing release of noxious and dangerous fumes and gases
- millions of gallons of toxic leachate (currently being dumped into our rivers, essentially untreated and full of heavy metals and PFAS (aka “forever chemicals”).)
- arsenic leaching into well water,
- illegally dumped and buried toxic wastes,
- continuing surprise fires

The agreement with Republic Services requires insurance coverage merely equal to the liability coverage for 15 average single family homes. How can this amount cover the consequences of dealing with decades of trash from 1/3 of the entire state? And after the landfill closes, the agreement effectively terminates any liability for the contractor at all! Clearly, the consequences of waste disposal will be borne by the public.

Every citizen generates waste that will need collection and disposal, and every citizen needs a safe, clean, and healthy environment that will protect them against pollution, wildfire, and economic hardship. So it seems only logical that our government has an urgent obligation to serve those needs in the best way possible. Currently, however, we’re hog-tied by a contract that allows an outside, private entity to make undisclosed gains without regard for the damages incurred against the present and future interests of local citizens.

Does such a situation not put us in a profoundly dangerous situation?

My question, then, is simple: If we, as a county, contract for services to meet specific goals, and if the contractor consistently fails to meet those goals, why are we continuing the contract? Especially when there is both precedent and example for better solutions to the overall problem of a “throw-away” society?

It seems to me we need to look beyond the interests of out-of-state entities who convert our trash to their cash. We need to look past the intricacies and minutiae of bureaucracy. We need to serve the immediate and profound needs of all your constituents — all our children, grandchildren, and all future generations.

Obviously, these issues and concerns extend beyond the bounds of the specific agreement with Republic Services, and won’t be answered quickly and/or easily. It will take a long conversation, free of the “interests”
of outside parties who have no long-term stake in or commitment to the long-term outcomes. The responsibility is ours.

But as clear as the situation seems to me, it's also clear to me that between citizens and government, we have the capacity to significantly and effectively address the situation so that our descendants will remember us with gratitude, for addressing needs they will have after we are all long dead.

With sincere thanks for your service (and for reading this long email!)

— Kiko Denzer
928 n. 9th, Philomath, OR 97370 • 541-740-7243

From: WYSE Nancy
To: Benton Public Comment
Subject: LU-24-027 FW: VNEQS: refuse Coffin Butte Expansion extension request
Date: Tuesday, February 11, 2025 4:51:07 PM

Nancy V. Wyse (She/hers)
Commissioner

Office: 541-766-6754 | Cell: 541-760-6067
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Address: 4500 SW Research Way, Corvallis

www.bentoncountyor.gov

-----Original Message-----
From: VNEQS <valleyneighbors@coffinbuttefacts.org>
Sent: Tuesday, January 28, 2025 11:12 AM
To: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>; MCENENY Rachel <rachel.mceneny@bentoncountyor.gov>
Subject: VNEQS: refuse Coffin Butte Expansion extension request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Official Schuetz, Commissioners Wyse, Malone and Shepherd, and Administrator McEneny:

We in the group VNEQS (Valley Neighbors for Environmental Quality and Safety) understand you will be discussing Jeff Condit's 58-day extension request at this Thursday's Commissioner meeting with Heads of Departments. Mr. Condit is proposing this two-month pause to the Coffin Butte Landfill Expansion Application timeline so that Republic Services can complete some odor studies.

We recommend against granting this extension. Here's why:

Republic Services has been dragging their feet and this feels like yet another attempt to stretch the process out. They've been given ample time to resubmit materials. With their Jan 15 submission, out of one side of their mouth they say what they've submitted is "complete for purposes of review"… yet out of the other side, say they want to "give you" this extension of time to review additional materials they want to develop ("technical adjustments" and "additional information on odor modeling and other issues") before you rule on completeness.

As one of our group says, this is like a teacher accepting a term paper, right at the deadline, from a student who claims they've completed the paper and wants to be graded as "on time" but at the same time wants another 58 days to come back and add "additional information" on "issues" before the teacher grades the paper.

Honestly, we think they are gaming you - and think it's high time you stood up to them and said enough is enough. Let them know you are through making special accommodations for them. Stick to the process: declare the application "incomplete" (it will move forward anyway, we know), and keep the ball rolling. As Mr. Condit notes, the process already has a way to accept any new information. We recommend against your granting them this latest "extension."

This issue should have been put to rest after the decision of the Planning Commission in 2021. The applicant did not present convincing arguments for an expansion then, nor have they presented convincing arguments with the passage of the latest deadline.

It's unreasonable to keep putting the community through this protracted level of stress when the applicant is still unable to present a complete and coherent application.

Respectfully submitted on behalf of VNEQS,

Debbie Palmer

From: Barbara Wythes
To: Benton Public Comment
Subject: Coffin Butte Expansion LU-24-027
Date: Thursday, April 3, 2025 6:50:46 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We are extremely concerned about Republic Services' attempts to expand Coffin Butte landfill.

This proposal is not in accordance with the Principles as defined in the **2040 Thriving Communities Initiative** which values:

-Vibrant, Livable communities: A landfill makes a mockery of the "vibrant, safe and livable community" which we should "strive to ensure" and is not "forward thinking". We should be implementing more long-term solutions for waste, including reducing the production of single use items and the expanding of recycling and reuse programs.

-High Quality Environment and Access: The landfill will be a toxic, environmental hazard for decades to come. Even if the existing standards, as defined by DEQ and state and local requirements, were enforced, (which is currently not the case) the plans proposed by Republic Services (including no cap on annual tonnage brought in) will only make matters worse. The current and future air, soil and water quality issues will not be resolved without enforcing current standards and limiting future expansion.

-Community Resilience: "Recovering from human caused disasters, threats and changes" is of course critical. But should we not also be preventing, or at least minimizing human caused disasters such as this land fill and Republic Services' disregard for sited emissions violations, methane leaks, PFAS dangers and pollution of the Willamette River?

Violations of BCC 53.215.1- "Interference with uses of adjacent property "

The far-reaching odors from the landfill site and the noise and destruction of Coffin Butte are ruinous of property values and make the EE Wilson Wildlife Area virtually unusable for recreating on many days.

Violations of BCC 23.325.2 – "Imposition of undue burden on public improvements, facilities, utilities or services"

Heavy truck traffic to Coffin Butte drastically increases deterioration of our roads, leaves

roadsides strewn with debris and creates more tailpipe emissions near homes and schools.

Leachate from Coffin Butte is dangerous to ground water and soil, creates even more truck traffic, burdens our water treatment facilities and pollutes a major recreational feature of the area, the Willamette River.

Please DO NOT LET THIS EXPANSION PROCEED!

Barbara Wythes and Devid Leyva

7685 NE Todd Dr

Corvallis, Oregon

t

From: WYSE Nancy
To: Benton Public Comment
Subject: LU-24-027 FW: Considering the coffin butte landfill expansion.
Date: Monday, March 10, 2025 5:04:21 PM
Attachments: image001.png

FYI

Nancy V. Wyse *(She/hers)*
Commissioner
Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis
www.bentoncountyor.gov

From: Malcolm Anderson <malcolm.w.anderson@gmail.com>
Sent: Monday, March 10, 2025 2:13 PM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Subject: Considering the coffin butte landfill expansion.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I would just like to take a minute to write and add my voice to the overwhelming majority of Benton County residents when I ask you to turn down republic services application to expand the coffin butte landfill. Republic services has clearly shown that they cannot run the landfill in a way that protects the environment or surrounding community. They routinely exempt much of the landfill from methane requirements releasing unknown amounts of this potent greenhouse gas into the environment but then have the hubris to ask for more land to trash. They are making huge amounts of money taking in trash from all over the state and yet Benton County will have to deal with the after effects for generations. However as long as the county is getting their small cut they seem to be willing to bend over backwards to accommodate this toxic mess. Benton county has exhausted a lot of political capital with its constituents lately with numerous unpopular policies including the eminent domain issues surrounding the building of a new court house in a way that seemed to alienate a huge number of people. Huge and repeated failures and overspending in the benton county public works department and other issues I won't bother going into. Pushing this down the throats of the vast majority of benton county residents who have shown themselves to be actively opposed will just further undermine trust in county government and further the divides we face as

corporations continue to find partners in government willing to steamroll the public in order to make a little more money.
Thank you for your help in placing the welfare of the citizens of benton county above corporate greed.
Malcolm Anderson

--
Malcolm Anderson
Owner/ Lead Climber
Peak Tree Care Inc.
CCB#208873
ISA Certified Arborist/ Tree Climber Specialist #240612
23054 Old Peak Rd.
Philomath, OR 97370
541-760-4551

From:	Christina Marie Clark
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Thursday, March 20, 2025 6:37:09 PM

Full Name:
Christina Marie Clark

Email:
hind_0_subnet@icloud.com

Street Address, City and Zip code:
6901 NW Appaloosa Lane, Corvallis, OR 97330

Submit your written testimony here :
To the Benton County Planning Commission,
I am a longtime resident of Corvallis, deeply concerned about the proposed expansion of the Coffin Butte Landfill. I urge you to deny the Conditional Use Permit (CUP) application, as this expansion threatens the health and well-being of our community, particularly our children and grandchildren, and the natural beauty we cherish.
My family has lived here for 24 years, nurturing our family with vegetable gardens and fruit trees, supporting local wildlife by building habitat with native plant species, and growing a variety of plants to support 3 local charitable garden groups with thousands of plants for their fundraisers. I want my grandchildren to grow up healthy, enjoying this beautiful community—breathing clean air, drinking safe water, and playing outdoors without fear. The landfill's current operations already jeopardize this vision, and expansion will only make it worse.
The landfill accepts one-third of Western Oregon's garbage, with less than 7% coming from Benton County. We're a dumping ground for other regions, bearing the burden of their waste—326,000 tons from Marion County alone in 2021—while facing methane leaks, PFAS in leachate, and unbearable odors. The 2022 EPA inspection found methane levels 20 times above federal limits, posing health risks like respiratory issues and contributing to climate change. I'm alarmed by how pollution from this landfill could impact our family's well-being and that of all other community members, human and otherwise.
Expansion means more trucks, more noise, and more pollution, threatening our air, water, and the Luckiamute River headwaters. Our community, the McDonald-Dunn Forest and the E.E. Wilson Wildlife Area are at particular risk—leachate and litter don't respect boundaries. I fear my grandchildren will inherit a Corvallis scarred by a mountain of garbage, unable to enjoy the outdoors as I do.
Benton County must prioritize sustainability, not expansion. The Benton County Talks Trash workgroup recommended reducing regional trash inflow, yet this proposal ignores that call. The waste needs to go somewhere less damaging—where communities aren't forced to sacrifice their health and environment for others' refuse.
Please deny the CUP and protect Corvallis for future generations. My grandchildren deserve a healthy, vibrant home—not a legacy of pollution.
Sincerely,
Christing Clark
Corvallis, Oregon

Time: March 20, 2025 at 6:37 pm
IP Address: 98.246.190.43

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Jason Clifford
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Thursday, March 20, 2025 2:36:54 PM

Full Name:
Jason Clifford

Email:
cliffoja@gmail.com

Street Address, City and Zip code:
2620 SE Thompson St Corvallis,OR 97333

Submit your written testimony here :
I'm writing today in favor of the conditional use permit submitted by Republic Services. Benton County has been on a long journey through the Benton Talks Trash workshops and the generation of the well thought out Sustainability Materials Management Plan. Continuing to host landfill services within the County will allow the next step of materials management and place Benton County as a leader in responsible resource management. We can be an example to the rest of the Pacific NW in responsible materials management but only if we have the leverage of hosting a landfill. We cannot expect that other counties will have the resources to do the heavy lifting already done in the materials management plan. Further, there is no viable alternative to hosting landfill services. Either garbage trucks will need to travel long distances (Eugene, Portland, or Bend) adding considerable costs, traffic, and emissions to what we have currently or new landfills will need to be built in counties that do not have the resources or skilled labor that Benton County does. While others may argue differently, our County is best equipped to host a landfill and should bear the moral responsibility of managing it effectively.

Time: March 20, 2025 at 2:36 pm
IP Address: 174.204.199.165

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Karen Jensen Nelles
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Thursday, March 20, 2025 3:03:38 PM

Full Name:
Karen Jensen Nelles

Email:
nellesrc@peak.org

Street Address, City and Zip code:
2237 NW Dixon Street

Submit your written testimony here :
Coffin Butte should not be expanded. Republic Services does not do a good job controlling methane gas and toxic leachate produced by the landfill that accepts garbage 90% from outside Benton county. The landfill should be reduced and other counties should take care of their garbage. Now is the time to do something different. Why did Benton Country agree to raise Republic Services garbage rates when only 10% of the landfill is supplied by Benton County. Benton County should do a better job of recycling. Benton County should tell Republic Services that Coffin Butte is no longer a regional landfill for the Willamette Valley. We need to reduce garbage by doing a better job sorting. All counties dumping in coffin butte should start now sorting and composting garbage to reduce the amount. Coffin butte should not be expanded. It should be reduced and managed differently. Republic Services is doing a terrible job. Their employees are working in toxic conditions and they do not care. Methane gas escapes from coffin butte on a daily basis and they do not care. Toxic leachate contaminates surrounding groundwater and they do not care. I do not trust Benton County commissioners to make the best decisions for residents of Benton County. Do the right thing. DO NOT EXPAND COFFIN BUTTE!

Time: March 20, 2025 at 3:03 pm
IP Address: 73.190.97.13

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Kathleen Newman
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Thursday, March 20, 2025 5:22:46 PM

Full Name:
Kathleen Newman

Email:
kathynewman@gmail.com

Street Address, City and Zip code:
1521 NW 23rd St Corvallis, OR 97330

Submit your written testimony here :
I hike in Dunn Forest and EO Wilson wildlife area. I see the privately owned for profit landfill sitting on Coffin Butte as though it were an old factory, built before modern technology and concern for water and air pollution standards became standard. It continually sends toxic emissions into our community, and attempts to reduce or control them have been ineffectual. If it were an ugly old above ground factory left over from the Camp Adair days with visible emissions, we would be appalled by having this out of compliance facility operating. However, because we confuse garbage collection, landfill operation, and general community helper services, Benton County tends to view the landfill as some necessary evil, unaware that only 7% of the garbage is ours. The significant funds that the county receives from the operation are a large portion of their discretionary budget, making the commissioners reluctant to rein in the documented pollution violations. The last thing we need to do is allow this facility to expand! Yes, we need to be responsible for regional waste disposal in an environmentally safe manner, but importing large loads of trash for profit at the expense of air and groundwater is indefensible.

Time: March 20, 2025 at 5:22 pm
IP Address: 47.25.252.140

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Joanna Nuccio-Stockslager
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Thursday, March 20, 2025 1:11:28 PM

Full Name:
Joanna Nuccio-Stockslager

Email:
joannans@comcast.net

Street Address, City and Zip code:
1580 NW Cascade Heights Drive, Albany, OR 97321

Submit your written testimony here :
First let me state that I am opposed to the expansion of Coffin Butte Landfill. I swim in the Willamette in areas ranging from Albany to Salem. The river has become a hazard to my health due to the extreme amount of untreated leachate dumped into the Willamette by Republic Services. This contamination will only increase with the proposed expansion. This violates BCC 53.215 (2) and the Benton Co comprehensive Plan policies 5.1.2, 5.2.1, and 5.74.

The amount of leachate currently produced by Coffin Butte is unacceptable. There is no treatment for this these toxic chemicals including PFAs [forever chemicals] dioxin, and microplastics. Dumping this waste into the Willamette is in violation of Benton County Comprehensive Plan policy 6.5.5 (Benton County shall strive for the safe storage, collection, reduction, reuse, recovery, and appropriate disposal of hazardous waste materials.) This waste should at least be hauled to a landfill in a drier climate for disposal. Water treatment plants are not equipped to remove harmful chemicals such as PFA's. Expanding the landfill will in effect be expanding the leachate.

When I completed my MPA many years ago, I remained very aware in my work that my main goal was the well-being of citizens. Serving in government remains a service-oriented job – accountable to the citizens for health and well-being.

I appreciate your service and know that you will remember to keep the well-being of Benton County citizens and wildlife in mind in your decision making.

Time: March 20, 2025 at 1:11 pm
IP Address: 71.193.247.130

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Mary Giles
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Friday, March 21, 2025 4:10:05 PM

Full Name:
Mary Giles

Email:
mlsgiles@gmail.com

Street Address, City and Zip code:
4105 NE Fair Acres Dr., Corvallis 97330

Submit your written testimony here :
I am and have been for years appalled about the amount of trash coming from outside our area to the Coffin Butte Landfill. I remember living in a rural community in Washington as a child. There were individual dumps all over. They stunk and attracted all kinds of bugs and rodents. I would imagine if the truth were known that many people died and/or contracted serious illnesses from their own garbage.
I don't live particularly close to the Landfill but I worry about the people that do. I know some have lived in the area for decades and have every right to complain about the loss of livability in their own homes. I'm sure the community of Adair and surrounding areas that have young families are worried sick about the health of their families.
The idea that a great deal of that garbage is coming from other communities is beyond comprehension to me. If Republic Services wants to run a landfill here, they should invest in the latest equipment available to destroy the garbage and clean up the surrounding atmosphere.

Time: March 21, 2025 at 4:10 pm
IP Address: 76.115.212.120

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Warren LIsser
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Friday, March 21, 2025 7:54:48 AM

Full Name:
Warren LIsser

Email:
wshilltop@gmail.com

Street Address, City and Zip code:
31487 Braden Ln, Philomath, Oregon 97370

Submit your written testimony here :
I am writing to strongly urge you to deny any expansion of the Coffin Butte Landfill. Republic Services has expanded the acceptance of waste from the greater geographical area of Western Oregon so that the actual refuse from Benton County only amounts to about 7% of the volume. Republic Services has done a poor job of monitoring their release of methane gases, and to my knowledge they are in violation of those releases with the DEQ.

I know that Benton County receives $3-4 million dollars in franchise fees, but this is a drop in the bucket for when Republic Services abandons the landfill and Benton County is the one responsible for paying the cleanup costs.

Coffin Butte needs to severly limit the amount o garbage being brought in by other cities and counties that are not local. We are paying the price for Republic Services, an Arizona corporation, operating and dictating the terms of how they are going to collect garbage in our local landfill.

Benton County needs to assert themselves and listen to the citizens that don't want this landfill to expand. Don't be swayed by the short term money that seems so alluring.

Time: March 21, 2025 at 7:54 am
IP Address: 199.58.97.145

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From: Carol Walsh
To: Benton Public Comment
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Friday, March 21, 2025 8:10:50 PM

Full Name:
Carol Walsh

Email:
walsh.carol@comcast.net

Street Address, City and Zip code:
990 NW Highland Terrace Ave

Submit your written testimony here :
I've loved living with my family and recreating in Benton County since 1997. I believe that the values statements put forth in the Benton County Comprehensive Plan match my values. It seems I'm not along…a citizen participation process was used to describe the values that we were led to believe would be used for county planning. Unfortunately, those values have been violated by our county leaders in their agreements that have led to an increase in the landfill operated by Republic Services. There will be further degradation of our environment if the current expansion request is granted.
Goal 5 of the comprehensive plan speaks to natural resource and open spaces. It acknowledges that natural resources of the county are central to the long-term sustainability and livability of the county. By taking in trash from places other than Benton County and agreeing to further expansion of the landfill, the commissioners are willingly selling off our natural resources, including clean water and vibrant wildlife.
We enjoy biking in the county, especially on Sulfur Springs, Tampico, and various connector roads to Independence Highway. I also enjoy gardening in my yard, hiking in the county north of Corvallis, playing disc golf at Adair Park and visiting EE Wilson. All these activities are negatively impacted by the landfill operated by Republic Services and allowed by the Benton County commissioners. The landfill is unsightly now and will be even worse if farm and forestlands are turned into more trash piles.
Biking has become dangerous because of the increased number of large Republic Services trucks on the road thus I have stopped that to avoid untimely death. EE Wilson and hiking trails are negatively impacted by odors emitted by the landfill. Even gardening in my yard is often unpleasant due to the smells that travel to us. Wildlife, native species and water ways will be negatively impacted if more trash is brought into Benton County. Please follow our values and stop!

Time: March 21, 2025 at 8:10 pm
IP Address: 76.105.251.203

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Kimberly Callahan
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Saturday, March 22, 2025 12:46:21 PM

Full Name:
Kimberly Callahan

Email:
kac707@gmail.com

Street Address, City and Zip code:
1967 NW Hayes Ave, Corvallis, 97330

Submit your written testimony here :
In short, just say no. While garbage is a fact of life, the volume being generated in Oregon and the trucking it all over the state to make it the problem of a few towns is not. Republic could get serious about recycling and reclamation. They could get serious about garbage collection services of the future. They could get serious about being neighbors and good partners. But instead they do the bare minimum when it comes to recycling (and even that is debatable), they continue the same outdated garbage collection practices, they don't take seriously the complaints of neighbors, and they don't demonstrate that they understand what it means to citizens to house a dump in one's county.

Time: March 22, 2025 at 12:46 pm
IP Address: 76.115.211.96

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	North Krimsly
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Saturday, March 22, 2025 9:07:40 AM

Full Name:
North Krimsly

Email:
krimsly@gmail.com

Street Address, City and Zip code:
3588 SE Midvale Dr, Corvallis, OR 97333

Submit your written testimony here :
Hello Benton County Administrators, I strongly urge you to stop the Coffin Butte Landfill expansion. It will create too many problems including undesirable quality of life for neighbors of the landfill, toxic runoff which could have negative health consequences for many residents, additional greenhouse gas (methane) production, reduced quality of bicycle riding in that area, and many more problems. We can extend the life of the current landfill as-is by immediately stopping taking any further waste from other counties and municipalities in Oregon. Allowing waste from other cities and counties is something that should never have been approved. Once we've stopped taking other peoples' garbage, that will buy us time to find a new location for a second landfill. And that second landfill should also not take any garbage from other counties and cities, or we will be in the same situation we are now in a few years. Yes, this means our waste removal rates will increase, and that is a reasonable price to pay so we can safeguard our quality of life in Benton County.

Time: March 22, 2025 at 9:07 am
IP Address: 76.144.49.157

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Joanne Patricia Stevenson
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Saturday, March 22, 2025 2:09:17 AM

Full Name:
Joanne Patricia Stevenson

Email:
amazinjoanie@q.com

Street Address, City and Zip code:
7035 NW Appaloosa Lane,Corvallis,Oregon 97330

Submit your written testimony here :
Dear Board of Commisioners,
We bought our Appaloosa home in 1979. This was such a pristine area. Coffin Butte mountain was at least one- tenth of the height it is today and far less odiferous.
Corvallis has long been considered one of the ideal places in the US to live. Well it won't be any more! Lawfully a realator is required to reveal issues pertaining to a local landfill.
Here are some of the problems; the county has taken on so many surrounding counties trash and with it water,air(there are methane gas leaks)and noise pollution(trucks coming and going starting at 4:30 am)and risk of fires. Spun glass is now being dumped which is a hazmat issue.
It's disgusting that Republic Services is prioritizing money above life!
Sincerely,
Joanie Stevenson

Time: March 22, 2025 at 2:09 am
IP Address: 104.28.116.140

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Laura Tully
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Saturday, March 22, 2025 2:14:39 PM

Full Name:
Laura Tully

Email:
lori.a.tully@gmail.com

Street Address, City and Zip code:
4202 Scenic Drive NW, Albany 97321

Submit your written testimony here :
Hello,

I am a resident of Benton County, having lived in North Albany for over 25 years on Scenic Drive. What attracted me to that location is the rural feel of the area with easy access to the Willamette River and lots of country roads for bicycling. I live an active lifestyle which has been significantly degraded by the recent activity at the Coffin Butte landfill. I used to regularly bicycle along Independence Highway and surrounding roads, but in the past 5-10 years the amount of truck traffic from Coffin Butte, specifically Republic Services and Knife River trucks, has made it so dangerous that I no longer bike in that area. There is also a large amount of debris along the highways (Independence and 99W) leading to the landfill which is unsightly and dangerous if in the bike lane. When I learned about the dumping of leachate from the Coffin Butte landfill into the Willamette from the Corvallis water treatment plant (which is not designed to treat toxic metals, PFAs, or other hazardous liquids), I worry about how much exposure my family has from paddling and wading in the Willamette River. The proposal from Valley Landfill to expand Coffin Butte is a threat to me and other residents in terms of personal safety and ability to enjoy the area as it will further increase the amount of truck traffic and leachate, as well as a threat to the wildlife that live in and along the Willamette River. This proposal is in direct opposition to the Benton County comprehensive plan policy BCC 53.215 (1) that states "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" and BCC 53.215 (2) "The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area". Lastly I am concerned about my property value if this landfill expansion is allowed to proceed due to the impact to the character of the area and long-term financial liability to the county and its citizens. I strongly urge you to reject the expansion proposal for Coffin Butte landfill and support the rights of landowners in Benton County.

Regards,
Laura Tully
4202 Scenic Drive NW
Albany OR 97321

Time: March 22, 2025 at 2:14 pm

IP Address: 73.67.175.180

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From: Jo Ann Casselberry
To: Benton Public Comment
Subject: Opposition to LU-24-027 - Please NO Expansion for Our Children"s Future
Date: Sunday, March 23, 2025 10:50:52 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission,

I urge you to take this opportunity to be an environmental champion & create a healthier future for Benton County by opposing LU-24-027. Don't we owe it to our children & grandchildren to give them a better, healthier place to live in the future? Please think long term.

My name is Jo Ann Casselberry. I live at 751 SE Alexander Ave, Corvallis OR.
I oppose the expansion of the Coffin Butte Landfill (LU-24-027) & urge you to oppose it as well.

I know that many others have provided testimony about the science of the negative environmental impacts of expanding this landfill operation. A case has been made that the Landfill Expansion does not meet the required Land Use Criteria.

We stand at a crossroads where the reduction of methane gases provides an opportunity to make a large positive impact to slow climate change. **Don't we owe it to our children & grandchildren to take this opportunity to make Benton County a better, healthier place to live in the future?** Isn't clean air & clean water a core value of the Benton County Comprehensive Plan? (See 6.1.2, 6.1.4, 6.3.1, etc.)

At this point the Coffin Butte Landfill has large methane plumes. There appears to be no effort or enforcement to reduce these methane emissions. It seems extremely unwise to allow for them to get even larger, thereby rapidly degrading the air & water quality of the Corvallis area. It makes no sense.

It appears to me that the only motivation to expand the landfill would be the short term financial benefit. Of course that is a temptation. But **please think long term!** No amount of extra money now is going to help future generations when they cannot breathe the air or drink the water. **I urge you to take this opportunity to be an environmental champion & create a healthier future for Benton County by opposing LU-24-027.**

Thank you.
Jo Ann Casselberry
7521 SE Alexander Ave
Corvallis OR 97333

From: Pamela Castle
To: Benton Public Comment
Cc: Pamela Castle
Subject: Testimony for LU-24-027
Date: Sunday, March 23, 2025 4:45:07 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. Coffin Butte Landfill has a record of producing large quantities of methane that are not mitigated and are released into the atmosphere. Republic Services have shown that they have not met past conditional use criteria (Benton County Talks Trash key findings) and have not sufficiently mitigated methane emissions in the past. There is no reason to expect that they will mitigate the methane emissions in an expanded landfill and if they make an attempt there is no reason to expect it would be in an environmentally sound manner.

In addition to being a potent greenhouse gas, methane is highly flammable making a fire at the landfill a real risk. Our area is already vulnerable to wildfires. A fire at the landfill is a daunting thought – it is a considerable liability and would put undue burden on our fire-fighting service, making an expansion at odds with Benton County Code 53.215 (2). Odor from the landfill reaches my home in northwest Corvallis and methane plume maps show high levels of methane extending up to a mile from the landfill. If there were to be a fire, I'm confident that smoke would blanket much of Corvallis. Such smoke would contain many pollutants including fine particulate and would present a serious health hazard for the entire community. This potential liability is too great for the county to consider allowing expansion of the landfill. Benton County Comprehensive Plan policy 6.3.1 dictates that land use decisions must take into account air quality implications such as what would happen in the event of a fire, not a small risk given the large quantities of methane at surface level at the landfill. According to Benton County Comprehensive Plan policies 6.1.2 and 6.1.4, air quality must be managed to ensure protection and minimize degradation. Approving the landfill expansion is at odds with those two policies. I sincerely hope you will use your power of discretion to deny the landfill expansion application.

Respectfully,

Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From: Pamela Castle
To: Benton Public Comment
Cc: Pamela Castle
Subject: Testimony for LU-24-027
Date: Sunday, March 23, 2025 4:45:07 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. Coffin Butte Landfill has a record of producing large quantities of methane that are not mitigated and are released into the atmosphere. Republic Services have shown that they have not met past conditional use criteria (Benton County Talks Trash key findings) and have not sufficiently mitigated methane emissions in the past. There is no reason to expect that they will mitigate the methane emissions in an expanded landfill and if they make an attempt there is no reason to expect it would be in an environmentally sound manner.

In addition to being a potent greenhouse gas, methane is highly flammable making a fire at the landfill a real risk. Our area is already vulnerable to wildfires. A fire at the landfill is a daunting thought – it is a considerable liability and would put undue burden on our fire-fighting service, making an expansion at odds with **Benton County Code 53.215 (2)**. Odor from the landfill reaches my home in northwest Corvallis and methane plume maps show high levels of methane extending up to a mile from the landfill. If there were to be a fire, I'm confident that smoke would blanket much of Corvallis. Such smoke would contain many pollutants including fine particulate and would present a serious health hazard for the entire community. This potential liability is too great for the county to consider allowing expansion of the landfill. **Benton County Comprehensive Plan policy 6.3.1** dictates that land use decisions must take into account air quality implications such as what would happen in the event of a fire, not a small risk given the large quantities of methane at surface level at the landfill. According to **Benton County Comprehensive Plan policies 6.1.2** and **6.1.4**, air quality must be managed to ensure protection and minimize degradation. Approving the landfill expansion is at odds with those two policies. I sincerely hope you will use your power of discretion to deny the landfill expansion application.

Respectfully,

Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From: Pamela Castle
To: Benton Public Comment
Cc: Pamela Castle
Subject: Testimony LU-24-027
Date: Sunday, March 23, 2025 4:33:27 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear County Planning Commission members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. When we moved here in 2018, I had no idea that on a routine basis, we'd be greeted with landfill odor at our home- especially given that we live in the city of Corvallis many miles from the landfill.

I'd gone to OSU as an undergrad back in the late 1980s and we chose Corvallis when we returned to the pacific northwest because it is a small city in what appears to be a bucolic, yet progressive, setting. It presents itself as a forward-thinking community that emphasizes protecting the environment and enhancing the wellness of its residents. The landfill odor fits neither the community image nor its stated objectives and policies from the values defined in Benton County's 2040 Thriving Communities Initiative's Core Values (in particular, the high-quality environment goal) to many policies and goals in the Benton County Comprehensive Plan – in fact, just about all of the landfill's practices and community effects are antithetical to what this community purports to represent. Why spend time, money and energy defining goals and making policy to achieve those goals when it appears the county has no real desire to pursue them?

On days when I smell the landfill odor, I refrain from engaging in my planned outdoor activities and keep my windows closed. I do this not only because it is unpleasant, but also because it has been well-documented that landfill gas contains many contaminants and I do not want to inhale them. Having the ability to use my own property be affected by a landfill was not what I expected when I moved here. If I'd known about all of the problems associated with the landfill, I would not have purchased a home in Corvallis. It has left me deeply saddened and feeling that the leadership in Benton County has let all of its residents down by not providing the leadership that holds operators like Republic Services accountable for their negative community impacts. Republic Services has not met conditional use requirements in the past (Benton County Talks Trash key summary), there is no reason to expect they would operate an expansion in any different way.

Landfill odor affects both my use of my property and the character of the area and thus the current use does not meet the criteria defined in Benton County Code 53.215 (1). This will only worsen with an expansion of Coffin Butte Landfill and this impact on air

quality must be considered under Benton County Comprehensive Plan policy 6.1.4. Please use your power of discretion to protect this community and deny the permit for expansion of Coffin Butte Landfill as it would exacerbate existing landfill issues.

Sincerely,

Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From: Pamela Castle
To: Benton Public Comment
Cc: Pamela Castle
Subject: Testimony for LU-24-027
Date: Sunday, March 23, 2025 4:38:23 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. Expansion of the landfill will place undue burden on our transportation infrastructure by increasing the number trash- and leachate-hauling trucks on roads where their presence is already of consequence. This does not meet the criteria defined in Benton County Code 53.215 (2). The Coffin Butte landfill expansion will interfere with the character of the area by increasing the number of large, noisy trucks lumbering along our roads, often strewing litter in their wake, and thus does not meet the conditions defined in Benton County Code 53.215 (1). In addition, Benton County Comprehensive Plan policy 6.3.1 states that the county is to reduce vehicle miles traveled to preserve air quality when making land use decisions – any expansion is not in keeping with that policy. Thank you for considering my testimony. I urge you to use your power of discretion to deny the application for expansion of Coffin Butte Landfill.

Sincerely,
Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From: Pamela Castle
To: Benton Public Comment
Cc: Pamela Castle
Subject: Testimony for LU-24-027
Date: Sunday, March 23, 2025 4:41:17 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission Members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. Coffin Butte Landfill has a record of producing large methane plumes that are not mitigated but are instead released into the atmosphere. Methane is a potent greenhouse gas so Coffin Butte Landfill is contributing to climate change to a larger extent than it should be. According to the Benton County Talks Trash final report, the county has not held Republic Services accountable for meeting prior conditional use terms. Any current problems will be exacerbated by the expansion as there is no reasonable expectation that Benton County will begin holding Republic Services accountable or that Republic Services will make operational changes to mitigate methane emissions. Climate change affects us all – we are experiencing increased temperatures making outdoor activities difficult to take part in during the summer. The methane emissions will only worsen with an expansion of Coffin Butte Landfill and this impact on air quality must be considered under Benton County Comprehensive Plan policy 6.1.4. I urge you to use your power of discretion to deny the application for expansion of Coffin Butte Landfill.

Respectfully,

Pam Castle
993 NW Cypress Avenue
Corvallis, OR 97330

From:	Jeffrey Hale
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Sunday, March 23, 2025 6:21:50 AM

Full Name:
Jeffrey Hale

Email:
steelee55@gmail.com

Street Address, City and Zip code:
2150 Nw Estaview Dr, Corvallis 97330

Submit your written testimony here :
The landfill expansion is not needed or desired by county residents. Start representing your constituents instead of thinking you're smarter or better informed than the voters. The expansion is a bad deal for Benton County. Limit use by outside counties to extend the life of the dump.

Time: March 23, 2025 at 6:21 am
IP Address: 71.236.246.208

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Heather Krimsly
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Sunday, March 23, 2025 3:41:03 PM

Full Name:
Heather Krimsly

Email:
hkrimsly@gmail.com

Street Address, City and Zip code:
3588 SE Midvale Drive

Submit your written testimony here :
I strongly believe we should DENY Republic Service's request to expand Coffin Butte Landfill.

I've been following this issue for a few years now and I'd like to understand the deal we currently have with Republic Services. They bring in garbage from all over the state, dump it on our land, make a tidy profit and when the landfill is full, they'll move on with their bank accounts full, looking for the next place where they can repeat this cycle.

What is Benton County getting out of this agreement? I can only presume it's money. How much money? And where is that money going? What is the benefit of this agreement for the citizens of Benton County? How will it impact future generations?

Whatever the calculus, I can't imagine that it is worth it. In my opinion, the contract with Republic Services is a bad one and should be renegotiated or ended as soon as soon as possible. We should not be accepting waste from other places. Let other municipalities take care of their own waste while we focus our efforts on reducing and managing our own.

As the saying goes, out of sight, out of mind. Benton County has given this luxury to many communities, but we as citizens who live here can no longer afford it.

Time: March 23, 2025 at 3:40 pm
IP Address: 76.144.49.157

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Deborah and Jerry Boyd
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Monday, March 24, 2025 10:21:36 AM

Full Name:
Deborah and Jerry Boyd

Email:
debjer@peak.org

Street Address, City and Zip code:
2800 NW 29th St #13

Submit your written testimony here :
We want to thank Republic Services for the services they provide our community however we are very concerned about the expansion. We think they are becoming way too big by taking in so much trash from a third of Western Oregon. Maybe they need to start downsizing instead of expanding. I do not profess to know the legal and environmental issues/regulations concerning landfills I just think we are out growing this disposal sight. Benton County needs to start working on a new solution as it appears we have about an 18 more year capacity.

Time: March 24, 2025 at 10:21 am
IP Address: 71.193.244.61

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From: Richard Woodcock
To: Benton Public Comment
Subject: LU-24-027
Date: Monday, March 24, 2025 11:47:42 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am opposed to an expansion of the Coffin Butte landfill. For over 50 years I relied on a big breathe of sweet Soap Creek air to boost my spirits. Too often these days my nose is assaulted by an odor like vomit and feces wafting from the dump.

Republic Services promised to control their noxious belching. They have failed to keep their promise. We would be foolish to believe they would (mis)manage an expansion any differently.

I am not the only one affected. Benton County is not the only place facing this problem. It is time to "Just Say No!"

Richard Woodcock
37683 Soap Creek Road
Corvallis, OR 97330

Sent from my iPad

from my iPad

From: Mark Henkels
To: Benton Public Comment
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Tuesday, March 25, 2025 12:52:34 PM

Full Name:
Mark Henkels

Email:
mphcorvallis@gmail.com

Street Address, City and Zip code:
7540 NE Pettibone Drive, Corvallis, OR 97330

Submit your written testimony here :
Benton County Planning Commission:
Please consider these comments as you decide the merits of the Coffin Butte Landfill expansion variance: Application file number: LU-24-027. I hope that you use your legal discretion to reject the application and thereby protect the quality of life for local residents and others who utilize this area. I am glad that we empower citizens to apply their independent judgement to determine what is best for our community.

My comments here regard the ways in which the expansion would impose an undue burden on any public improvements, facilities, utilities or services available to the area [Benton County Code 53.215 (2)]. The expansion would impose an undue burden the public's ability to use and enjoy E.E. Wilson Wildlife Area and poses a permanent risk to all people who recreate, farm, or live where water from the landfill may eventually flow.

E.E. Wilson Wildlife area is directly across Highway 99W from the Coffin Butte landfill. The existing mountain of refuse looms over the site and current truck traffic, dust, and odors issues will be magnified greatly and be stretched out for decades longer if the expansion is improved. The expansion would affect all activities of this facility through both the extremely negative impact on the character of the area and because of likely, or perhaps inevitable, intrusion of both air and water pollution into the area. Community activities at E.E. Wilson are numerous and diverse. Users of E.E. Wilson include birders, hunters, fisherman, archers, naturalists and educators and their classes. Those hunting there can bag pheasant, quail, rabbits, dove, snipe, crow, waterfowl (no goose hunting), coyote, and big game. According to Oregon Fish and Game, 3,970 hunters visited E.E., Wilson in the 2022-2023 season. The ADA-accessible fishing pond is very popular, as is the archery park. As the E.E. Wilson website notes, "The proximity of E.E. Wilson Wildlife Area to many local schools, colleges and universities makes it popular for those instructors seeking an "outdoor classroom" for students." Finally, there is also a Memorial Garden that commemorates the military units based at the site during and following World War II.

The most immediate impact of the expansion on the recreation area would be how it would haunt the view to the west. Already the existing landfill operation looms over the wildlife area. You can hear the operation, but even more bothersome is when you see the large truck being raised in the air and then the dust and other debris being blown out as they dump. When you drive roads to the east of the landfill from both the north and south, the landfill stands out against the Coast Range. Between Highway 20 and E.E. Wilson, the extensive litter along the

road is saddening.

A deeper impact of the expansion would be the continuation and likely increase in the stench from the dump that predictably hits E.E. Wilson. A simple visit to the area or glance at the map reveals the vulnerability of the spot to smells emitted from the dump even when it is operating properly. During the COVID epidemic I would regularly walk there and on a few occasions I cut my trips short because of the smell. I hope that as part of your review process you spend a little time at E.E. Wilson. You will be able to envision how a second mountain of trash would negatively affect your experience, and you may get a whiff of the odors (if not worse).
But the impacts of the proposed expansion go beyond those readily identifiable problems.

The greatest potential problem is the impact on local above-ground and underground water flows, which local geology drive towards the Wildlife Area, Soap Creek and the Luckiamute River. As noted in the Benton County Talks Trash Final Report, "Groundwater flows both east and west from the area of Coffin Butte Landfill and Tampico Ridge, depending on the underlying geology. Steve Taylor et al. note that there is an unnamed tributary between Coffin Butte and Tampico Ridge and that 'associated wetlands drain east-ward toward the E.E. Wilson National Wildlife Refuge.' Rainfall in the area is approximately 42 inches a year, with the majority falling between November and May." (Page 24). The flow of water from the proposed expansion site will therefore flow towards E.E. Wilson.

Dumps produce leachate, a mix of complex substances, some of which include heavy metals and other toxic chemicals. Currently the Coffin Butte industrial site produces at least 32 million gallons of leachate, which have recently been disposed at the Corvallis and Salem sewage treatment facilities.(Annual Environmental Monitoring Report, Coffin Butte Landfill, Benton County, Oregon, Solid Waste Permit # 306, 2024) According to Science Direct, "Due to its high toxicity, landfill leachate is a major threat for aquifer and surface water health status. The exact chemical composition of landfill leachate depends on waste composition, climatic conditions, and the age and degradation rate of the solid waste ". (Bulc, 2006, as found in https://www.sciencedirect.com/topics/earth-and-planetary-sciences/landfill-leachate, 014).

The Coffin Butte facility has systems in place to reduce the leachate problem and to prevent leachate from getting off-site accidentally, but whatever Republic Services does to control of leachate, major inherent risks for leakage remain. Three reasons for the risk deserve particular attention. First, a key way to reduce leachate production is to control the amount of water flowing into the landfill material. This is partially why there is the large fabric coverings on modern landfills, such as you see at Coffin Butte. Water still gets in, however, just as methane leaks out by accident. Therefore, leachate volume exceeds the liquid contained in the material being dumped or that decomposition creates. Western Oregon is not well-suited for a landfill due to our high precipitation. In contrast, Republic Services landfill operation in Roosevelt, Washington is much better located because, "Unlike older landfills which were more often located on existing sites that were convenient rather than environmentally sound, this one was carefully chosen. Since there is very little rainfall, the site doesn't produce much leachate (liquid runoff that could be contaminated by the garbage). It is a rural site with few neighbors except for the cows." (Solid Waste Report (May 27, 2016,)
Regarding the expansion, the greater area covered by the landfill creates more opportunities for water to get in and expand the volume of leachate. While the Roosevelt Landfill receives about 8.5 inches of precipitation per year, Coffin Butte gets more than 40 inches. Greater

precipitation increases that chances of leakage coming from the bottom of the facility as well. The specific risks of problems is enhanced by the potential for mechanical failure, such as tears or holes in the bottom lining. Also, Coffin Butte's required 2024 Environmental Monitoring Report, conducted for Republic Services by Tuppen Consultants, notes that there was a temporary pump malfunction in the leachate system in January 2023. This specific incident did not cause any measurable problem, but demonstrates the inherent difficulty of maintaining such complex systems. (https://cd.bentoncountyor.gov/wp-content/uploads/2024/08/2023-Coffin-Butte-Landfill-Annual-Environmental-Monitoring-Report-Part-1.pdf, p. 3-11)

The US EPA has concluded that all landfills eventually will leak into the environment.(https://pubs.usgs.gov/fs/fs-040-03/pdf/fs-040-03.pdf) Given the multiple decade after-life of leachate production in closed dumps, the expansion of the Coffin Butte landfill could more than double the risks of these leaks seriously affecting the surrounding area. Republic Services or their successor will someday leave, but the landfill will not. Benton County residents, and those who would like to enjoy E.E., Wilson, are likely to face the consequences of the facility's impact on the surrounding area and the waters that flow from it.

From: Mark Henkels, Ph.D. 7540 NE Pettibone Drive, Corvallis, OR 97330
mphcorvallis@gmail.com

Time: March 25, 2025 at 12:52 pm
IP Address: 208.65.190.203

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Mark Jeffery Igelman
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Tuesday, March 25, 2025 7:16:13 AM

Full Name:
Mark Jeffery Igelman

Email:
jeff.igelman@comcast.net

Street Address, City and Zip code:
7420 NW Valley View Drive, Corvallis 97330

Submit your written testimony here :
Dear Benton Co Commissioners,

Please reject Republic Services request to expand their landfill operation. I have lived in the Lewisburg area for 30+ years and the smell from the dump can be over powering at times and has gotten noticeably worse over the years.

Thank you.

Jeff Igelman

Time: March 25, 2025 at 7:16 am
IP Address: 98.246.190.19

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From:	Jean Weisensee
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Tuesday, March 25, 2025 10:54:12 AM

Full Name:
Jean Weisensee

Email:
jweisensee76@gmail.com

Street Address, City and Zip code:
1549 SW Birdie Drive, Corvallis, OR 97333

Submit your written testimony here :
I am a retired RN living in SW Corvallis and strongly oppose any expansion of the Coffin Butte Landfill. Personally, I am grateful I don't live closer to it, as I would not want to put up with what its nearer neighbors have to. The proposed expansion is a bad idea no matter how you look at it. It would mean a definite increase in the truck traffic into the site which means more road damage. It would also mean more methane, PFAS and other noxious and toxic gases escaping into the atmosphere as well as more leachate, which ultimately ends up in the Willamette River. This is a disaster waiting to happen. The PFAS within that soup are known to be carcinogenic and therefore a detriment to safe drinking water and to the health of people who recreate in and on the river. This expansion will clearly place an undue burden on public facilities which include our airshed, watershed, and roadways, violating BCC 53.215 (2) “the proposed use does not impose any undue burdens on any public improvements, facilities, utilities or services available to the area.” All these things require me to request that you deny this expansion.

Time: March 25, 2025 at 10:54 am
IP Address: 76.27.237.81

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From: Dan DeKeizer
To: Benton Public Comment
Subject: I oppose the application to expand the landfill - LU-24-027
Date: Wednesday, March 26, 2025 7:44:02 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I write to give my public comment on LU-24-027, the application to expand the landfill in Benton County. I strongly oppose this application and urge the planning commission to deny it.

I am a nearby resident of the existing landfill, and have seen over the last couple of years an increase in truck traffic, an increase in trash blown off trucks littering highway 99 and Camp Adair Rd and continued strong and persistent odors from methane emissions. All this is with the existing landfill space and a tonnage cap on the amount being dumped there. This traffic, increased trash along the roadsides and the air and ground pollutants inherent in landfill operations, in my opinion, significantly disrupt the use and enjoyment of the area surrounding the landfill. The E.E. Wilson natural area, which abuts the existing landfill, is an area which should be full of birds, other animals and plant life, and enjoyed by Benton County and surrounding residents and visitors. But it is often unusable due to methane odors, and the noise and trash off the roadway can't be positive for the animal life there.

Allowing the landfill to expand south of Coffin Butte Road will increase the damage to the area and environment, not mitigate it.

Our Benton County Comprehensive Plan has, among other goals, "to maintain and improve the quality of the air, water and land resources…" This application goes directly against these goals.

I urge the Planning Commission to use the discretion assigned to and expected from them by the establishing laws and code to protect our air, water, and the future of Benton County by rejecting application LU-24-027 entirely. There are no reasonable conditions of use which could be added to this application which adequately protect the people and natural resources of Benton County from the consequences of increasing the landfill size as proposed.

Thank you,

Dan DeKeizer

37600 Soap Creek Rd

Corvallis, OR 97330

From:	Daniel Dix
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Wednesday, March 26, 2025 9:39:33 AM

Full Name:
Daniel Dix

Email:
ddix@verizon.net

Street Address, City and Zip code:
7110 NW Valley View Dr

Submit your written testimony here :
I do not want to continue being the trash solution for the rest of the state. If we expand the site and fill it with other's trash, the Benton County taxpayers will be paying millions of dollars to clean it up for decades after. Other counties will have to arrive at a solution then anyway. Find a solution now, somewhere other than Benton County. Limiting usage to Benton County only, will extend the life of the site while longer terms solution can be determined.

Time: March 26, 2025 at 9:39 am
IP Address: 73.37.90.86

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From: Bryn Hazell
To: Benton Public Comment
Subject: Written Testimony - LU-24-027 (Landfill Expansion Application)
Date: Wednesday, March 26, 2025 12:11:04 PM

Full Name:
Bryn Hazell

Email:
brynhazell@msn.com

Street Address, City and Zip code:
3247 SW Hawkeye Ave., Corvallis 97333

Submit your written testimony here :
I am submitting Marge Popp's letter to the editor of the Gazette-Times because it's better than anything I could have written and I support her perspective.

From today's (3/25/25) Gazette-Times
This 'limited' expansion is another ruse
AS I SEE IT

MARGE POPP

Proponents of Coffin Butte Landfill expansion claim Republic Services' conditional use permit application requests only a "limited" expansion. This characterization is misleading and obscures the true impact of the project.

Republic Services aims to exploit a loophole in the 2020 franchise agreement to lift the 1.1 million-ton annual cap on trash intake, paving the way for importing unlimited amounts of waste. This move would increase the profitability of its operations at the expense of our community and environment.

The expansion involves significant expenditure, with tens of millions of dollars allocated to moving leachate ponds and millions of pounds of dirt on the south side of Coffin Butte Road. This investment is purportedly for only six additional years of landfill lifespan?

The current landfill footprint already has an estimated 14 to 16 years of capacity remaining at current trash intake levels, making the economic rationale behind this expansion questionable.

Far from being "limited," this project is a large-scale endeavor designed to maximize landfill capacity, potentially leading to the eventual closure of Coffin Butte Road and transforming the valley into a vast waste disposal site for other counties.

An email exchange between Benton County Attorney Vance Croney and Republic Services employee Julie Jackson, dated Oct. 14, 2020 (obtained via a Public Records Request), reveals Republic Services' long-term ambitions for the site.

Vance Croney writes, "Hmm. Republic has a chunk of land south of Coffin Butte that is already zoned Landfill which only requires conditional use approval to begin use as a landfill

cell. It also has many acres of EFUzoned land that certainly can be used for additional cells, but would require rezoning. Are we both talking about the Landfill zoned acreage as creating an additional 15-20 years of life?"

Julie Jackson replies: "Vance, This is just the estimate for the cell area we are asking to rezone. We have many acres that could hold waste and that will likely be a future discussion with the County."

Republic Services has a history of inaccurate reporting and noncompliance with the conditions of use for the Coffin Butte Landfill, and Benton County has not taken appropriate action. The lack of consequences for noncompliance suggests a failure of our local government to protect our community and natural resources.

A 2023 EPA investigation revealed significant methane leakage exceedances, further underscoring Republic Services' lack of transparency and accountability. Recent communications between the EPA and Republic Services indicate further issues with the accuracy of information provided by the company.

The EPA's subpoena requiring written verification concludes with this sternly worded caution for the signatory:

"I am aware that there are significant penalties for submitting false information in response including the possibility of fine and imprisonment."

Interestingly, the landfill manager responsible for signing this document resigned about this time.

It is imperative that we demand honesty and transparency from both our county government and Republic Services. This requires a capable and proactive staff that can think critically and independently as well as engaged participation from the community.

Our county government and commissioners have become overly reliant on Republic Services to act responsibly, prioritizing the status quo over diligent oversight.

Similarly, complacent residents have placed too much trust in elected officials and county staff to act in their best interests.

With Benton County staff being well-compensated, we should expect and demand experienced and dedicated individuals who are committed to serving the community's interests.

It is time for us to recognize the true consequences of this expansion to our community and environment, and we must demand responsible governance and environmental stewardship.

We need to wake up and smell the dump!

Time: March 26, 2025 at 12:10 pm
IP Address: 76.138.133.138

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From: Melissa Cowan
To: Benton Public Comment
Subject: Coffin Butte Landfill Expansion
Date: Thursday, March 27, 2025 8:48:17 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Benton County Planning Commission Chair, Nick Fowler,

This letter is regarding LU-24-027, the application to expand the Coffin Butte Landfill.
As a full time resident of Corvallis, Benton County, I strongly oppose expansion of the Coffin Butte Landfill.

The environmental and health concerns are well documented and are of grave concern to me.
However, I believe the main reason we cannot move forward with this expansion is that Benton County STILL does not have a Sustainable Materials Mangement Plan or adequate toxic monitoring procedures in place at Coffin Butte
It is untenable that this expansion is being considered when systems are not in place to manage the landfill at its current size and capacity.
We are simply not ready for this expansion.

Sincerely,
Melissa Dawley Cowan
Corvallis Resident

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Thursday, March 27, 2025 3:57:14 PM

Subject of Testimony: Coffin Butte Landfill Expansion

Full Name: Michael Newman

Email: mnewmanm@gmail.com

Street Address: 1521 NW 23rd St, Corvallis OR 97330

Written Testimony:

Members of the Planning Commission:

I am a Corvallis resident and am concerned about the environmental impact of an expanded Coffin Butte Landfill. I strongly object to the proposed expansion and urge the Planning Commission to deny the application.

The Benton County Code (BCC) 53.215(3) requires that the application for a conditional use permit comply with "any additional criteria which may be required for the specific use by this code." BCC chapter 77 lists various requirements for land use activities in the Landfill Site Zone. Specifically, BCC 77.105(1) allows "municipal waste solid disposal, IN ACCORDANCE WITH A SOLID WASTE DISPOSAL FRANCHISE AND AN APPROVED SITE DEVELOPMENT PLAN" (emphasis added).

The applicant VLI's Coffin Butte Expansion application looks to the future, not the past. In the past, however, the existing Coffin Butte Landfill has emitted methane at explosive concentrations. Only a fraction of the gas has been captured and burned. The lack of monitoring has allowed VLI to continue releasing excessive methane with no adverse consequences to them or their profits. VLI has no reason to comply with future requirements when they have failed to comply with existing requirements. VLI includes their response to the
County Board of Commissioners dated February 23, 2024 (Exhibit 28, appearing in Part 13 of the 10-20-24 Revised Application). VLI takes the position that there is too much confusion about measurements and practices, so let's just continue what we're doing.

This attitude is unacceptable, and the application should be denied based on this history.

Thank you for your consideration in this important matter.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.16.45

From:	Hank Schroeder
To:	Benton Public Comment
Subject:	Written Testimony - LU-24-027 (Landfill Expansion Application)
Date:	Thursday, March 27, 2025 5:05:53 PM

Full Name:
Hank Schroeder

Email:
hank.schroeder@gmail.com

Street Address, City and Zip code:
1810 NW Juniper Place, Corvallis, OR 97330

Submit your written testimony here :
REJECT THE LANDFILL EXPANSION LU-24-027 for many reasons, including the following:

(Criterion 1) Landfill expansion will increase its negative effect on the uses and character of adjacent properties. Valley Landfills has demonstrated that it cannot limit the release of toxic and damaging substances into our environment. Excessive METHANE emissions cause serious global warming damage to our broad region. Obnoxious ODORS released from the landfill reach surrounding properties miles from the landfill. LEACHATE contains high levels of toxic substances, including PFAs that are not removed at the waste treatment facility and end up in the Willamette River, affecting many residents and communities downriver. Valley Landfills says they have no enforcement notices for any of their permits, but reported occurrences of excessive levels of dangerous substances tell a different story—even if monitoring agencies choose not to take punitive action. We local individuals must act to preserve neighboring residential, farm, and forest uses and safeguard our local and regional environment—Valley Landfills has a poor record of doing so.
> If the landfill expansion is approved, the negative effects from these harmful water- and air-borne substances will become even more of a problem.

(Criterion 2) Landfill expansion will impose severe burdens on future improvements, facilities, and services provided by Benton County by increasing its FINANCIAL LIABILITY for eventual landfill closure and cleanup. Yearly revenue received by the county from Valley Landfills is being spent on county operations, and money being set aside for landfill closure and cleanup is woefully small compared to actual closure and cleanup expenses of other landfills.
> The county will eventually inherit an even larger and more limiting financial burden if the expansion is approved, negatively affecting Benton County residents and further limiting future options.

(Criterion 3) Landfill expansion is not a sustainable strategy. Long-term planning for Benton County should include maximizing the availability of the Coffin Butte landfill operation for the county and immediate neighboring counties over coming years. The amount of refuse generated within our region is fairly stable. By REMOVING LIMITS for the amount of refuse accepted yearly, we allow Republic Services to fill the landfill faster with refuse from distant regions—and thereby shorten the useful life of the landfill and adversely affect long-term landfill services for the Benton County region. Alternatively, retaining or reducing yearly

limits would improve the service life for our local region. Benton County should not be sacrificing its health and needs for the benefit of Republic Services and distant regions. We shouldn't let Coffin Butte grow unchecked and become the state's garbage pit.
> By NOT approving the landfill expansion, yearly limits can remain, which will provide more time to create a sustainable materials management system for local waste.

You probably already know about these issues. Now is the time to act for the benefit of the residents and environment of Benton County and the surrounding region. REJECT THE LANDFILL EXPANSION.

Time: March 27, 2025 at 5:05 pm
IP Address: 76.138.139.16

Source URL: https://cd.bentoncountyor.gov/landfill-expansion-written-testimony/

Sent by an unverified visitor to your site.

From: Hank Schroeder
To: Benton Public Comment
Subject: LU-24-027 landfill expansion
Date: Thursday, March 27, 2025 5:12:08 PM

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REJECT THE LANDFILL EXPANSION LU-24-027 for many reasons, including the following:

(Criterion 1) Landfill expansion will increase its negative effect on the uses and character of adjacent properties. Valley Landfills has demonstrated that it cannot limit the release of toxic and damaging substances into our environment. Excessive METHANE emissions cause serious global warming damage to our broad region. Obnoxious ODORS released from the landfill reach surrounding properties miles from the landfill. LEACHATE contains high levels of toxic substances, including PFAs that are not removed at the waste treatment facility and end up in the Willamette River, affecting many residents and communities downriver. Valley Landfills says they have no enforcement notices for any of their permits, but reported occurrences of excessive levels of dangerous substances tell a different story—even if monitoring agencies choose not to take punitive action. We local individuals must act to preserve neighboring residential, farm, and forest uses and safeguard our local and regional environment—Valley Landfills has a poor record of doing so.
> If the landfill expansion is approved, the negative effects from these harmful water- and air-borne substances will become even more of a problem.

(Criterion 2) Landfill expansion will impose severe burdens on future improvements, facilities, and services provided by Benton County by increasing its FINANCIAL LIABILITY for eventual landfill closure and cleanup. Yearly revenue received by the county from Valley Landfills is being spent on county operations, and money being set aside for landfill closure and cleanup is woefully small compared to actual closure and cleanup expenses of other landfills.
> The county will eventually inherit an even larger and more limiting financial burden if the expansion is approved, negatively affecting Benton County residents and further limiting future options.

(Criterion 3) Landfill expansion is not a sustainable strategy. Long-term planning for Benton County should include maximizing the availability of the Coffin Butte landfill operation for the county and immediate neighboring counties over coming years. The amount of refuse generated within our region is fairly stable. By REMOVING LIMITS for the amount of refuse accepted yearly, we allow Republic Services to fill the landfill faster with refuse from distant regions—and thereby shorten the useful life of the landfill and adversely affect long-term landfill services for the Benton County region. Alternatively, retaining or reducing yearly limits would improve the service life for our local region. Benton County should not be sacrificing its health and needs for the benefit of Republic Services and distant regions. We shouldn't let

Coffin Butte grow unchecked and become the state's garbage pit.
> By NOT approving the landfill expansion, yearly limits can remain, which will provide more time to create a sustainable materials management system for local waste.

You probably already know about these issues. Now is the time to act for the benefit of the residents and environment of Benton County and the surrounding region. REJECT THE LANDFILL EXPANSION.

Hank Schroeder
1810 NW Juniper Place
Corvallis, OR 97330

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Thursday, March 27, 2025 1:09:43 PM

Subject of Testimony: Deny Coffin Butte Landfill Expansion

Full Name: Todd Thompson

Email: twthomp@gmail.com

Street Address: 1350 NW 14th St. Corvallis Oregon 97330

Written Testimony:

3/27/25
To Whom It May Concern,

When I first moved to Corvallis, 25 years ago, I would visit a friend near the dump and we would seldom smell it but today it's always very smelly and on frequent days too much to bear going outside. I've attended several of the landfill advisory groups and the fact that it processes 1/3 of the refuse in Oregon and the leachate can't be processed to remove contaminants I'm certain it's time to lessen the burden by opening another dump on the east side of the cascades where there's less rain which in turn causes less leachate and the opportunity to engineer it so it produces less methane as well. This will also give Oregon DEQ time to work out a better funding scheme now that the federal government and the EPA isn't as strongly supported as it has been in the past. I strongly request Benton county deny Republic Service's proposal to expand the landfill.

Thanks,
Todd Thompson

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 194.113.66.173

From: Eileen Tokuda
To: Benton Public Comment
Subject: LU-24-027 testimony
Date: Thursday, March 27, 2025 6:46:09 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Benton County Planning Commission Chair, Nick Fowler,

This letter is about LU-24-027, the application to expand the Coffin Butte Landfill.
As a full time resident of Corvallis, Benton County, and an ardent recreational bicyclist I strongly oppose expansion of the Coffin Butte Landfill.

The traffic on Hwy 99 leading to the Coffin Butte Landfill has become untenable. Expansion of the landfill will encourage additional trash truck traffic on a road that is a major route taken by bicyclists heading north from town. This seriously interferes with the quality and character of the region. (Criteria 1) Currently there is a recorded 256,000 trash vehicle trips per year. This translates to 4923 trips per week, or 820 rips per day (with a 6 day workweek at Coffin Butte). No wonder we cyclists detest the riding experience along Hwy 99!
This current, and proposed, amount of trash truck traffic places undue burden on public services that struggles to maintain road conditions that assist with bicyclist safety.
(Criteria 2)

The expansion would transform use of Coffin Butte Road which is a popular route for cyclists to use as an access route to numerous gravel and paved routes in the Soap Creek basin. The quality and character of the region would be significantly and irreparably impacted. (Criteria 1)

Sincerely,
Eileen Tokuda
Member Mid Valley Bicycle Club
Corvallis resident of 33 years

From: Eileen Tokuda
To: Benton Public Comment
Subject: LU-24-027
Date: Thursday, March 27, 2025 6:47:42 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Benton County Planning Commission Chair, Nick Fowler,

This letter is about LU-24-027, the application to expand the Coffin Butte Landfill.

As a full time resident of Corvallis, Benton County, I strongly oppose expansion of the Coffin Butte Landfill.

Landfill expansion would increase toxic pollution into the Willamette River further fouling municipal sources of drinking water and creating serious and negative interference with quality of life for us locals. *(Criteria 2)* Million gallons of leachate are pumped out of Coffin Butte and sent to wastewater treatment plants in Corvallis and Salem, where the leachate is passed through treatment plants not equipped to capture the hazardous contents. It is then dumped into the Willamette River, our drinking water source. These hazardous pollutants include mercury, lead, industrial solvents, and "forever chemicals" (PFAs)!

Some of the largest methane plumes in the Pacific Northwest emanate from Coffin Butte. In 2022 and again in 2024, studies done by the EPA found explosive levels of methane leaking from Coffin Butte, after Valley Landfill had reported only negligible leakage. **A landfill expansion will only exacerbate this problem at Coffin Butte**. This would seriously interfere with the health and well-being of adjacent residents and public lands within a four-mile radius, where widespread drift of noxious chemicals is regularly detected by residents and recreationists. *(Criteria 1)*

Coffin Butte already receives one-third of all of Oregon's garbage!
Benton County needs a far more serious Sustainable Materials Management Plan that provides a roadmap toward eventually closing, not expanding, Coffin Butte. The current status-quo approach to waste management violates the shift toward Sustainable Materials Management criteria endorsed by Benton County and the state of Oregon. *(Criteria 3)* **I believe Benton County should be realistically planning the *inevitable* closure of the landfill.**

An expansion of the landfill imposes the burden of increased risk and liability on Benton County, compromising the county's capacity for future public improvements, facilities, utilities, or services available to the area and to the residents of Benton County. *(Criteria 1)* In addition it will seriously interfere with current and future uses on adjacent proerty within the watershed, air-shed, and view-shed. *(Criteria 1)* It will seriously interfere with the character and identity of the area, making Benton County a dump site rather than a destination. *(Criteria 1)* It will violate the spirit and the mandate to shift from Solid Waste Management to Materials Management, a stated goal of Benton County and the State of Oregon. *(Criteria 3)*

Please vote NO on expansion of the Coffin Butte Landfill.

Sincerely,
Eileen Tokuda
Corvallis resident for 33 years

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Thursday, March 27, 2025 4:28:39 PM

Subject of Testimony: LU-24-027

Full Name: Jean M Weisensee

Email: jweisenese76@gmail.com

Street Address: 1549 SW Birdie Drive Corvallis, 97333

Written Testimony:

I am re-submitting my testimony because when I sent it a few days ago, I did not receive any sort of confirmation that you received it, so I am not sure it went through. Please, can you confirm you got this. Thank you, Jean.

I am a retired RN living in SW Corvallis and strongly oppose any expansion of the Coffin Butte Landfill. Personally, I am grateful I don't live closer to it, as I would not want to put up with what its nearer neighbors have to. The proposed expansion is a bad idea no matter how you look at it. It would mean a definite increase in the truck traffic into the site which means more road damage. It would also mean more methane, PFAS and other noxious and toxic gases escaping into the atmosphere as well as more leachate, which ultimately ends up in the Willamette River. This is a disaster waiting to happen. The PFAS within that soup are known to be carcinogenic and therefore a detriment to safe drinking water and to the health of people who recreate in and on the river. The expansion will clearly place an undue burden on public facilities which include our airshed, watershed, and roadways, violating BCC 53.215 (2). "The proposed use does not impose any undue burden on the public improvements, facilities, and utilities or services available to the area." All these things require me to request that you deny this expansion.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.27.237.81

From: Diana Bernstein
To: Benton Public Comment
Cc: Diana Bernstein; Seth Bernstein
Subject: Public Comment, Coffin Butte proposed expansion. File LU – 24–027
Date: Friday, March 28, 2025 11:09:50 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Diana Bernstein and I have resided at 10 NW. Edgewood Dr., Corvallis, OR for 23 years.

I am dismayed, disheartened, and disappointed that I even have to write this testimony for file LU – 24–027.

As I understand, the Republic Services CUP application for expansion of the Coffin Butte Landfill should only be approved if Republic Services demonstrates that it doesn't seriously interfere with uses on adjacent property; with a character of the area; or with the purpose of the zone (Benton County code 53215).

There are a number of such serious interferences as evidenced by the following:

1. Many many Benton County residents who live near the landfill have reported in numerous venues that they are clearly affected by the stench from the current Republic landfill. Expansion of the landfill increases these negative effects on them and impacts future residence to our county.

2. A 2023 EPA investigation documented excessive methane leakage. From my reading of the public record, I do not see that the excesses noted in this report have been taken seriously or addressed either by Republic Services or by Benton County. It is incompressible to me that expansion of the landfill would even be considered before the EPA concerns from two years ago have been completely addressed.

I'm asking that our community and Benton County residents not be sold out for the benefit of the rest of the western portion of the state whose landfill is being deposited in our backyard nor for the financial benefit of Republic Services.

Would you like to live near this mountain of trash and stench? If you lived there, would you want to see and smell even more trash or experience even greater environmental impacts on your property and neighborhood?

From: Seth Bernstein
To: Benton Public Comment
Subject: My comment on Republic Services application file number: LU-24-027
Date: Friday, March 28, 2025 11:20:32 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Seth Bernstein and I have resided at 10 NW. Edgewood Dr., Corvallis, OR for 23 years.

As I understand, the Republic Services CUP application for expansion of the Coffin Butte Landfill should only be approved if Republic Services demonstrates that it doesn't seriously interfere with uses on adjacent property; with a character of the area; or with the purpose of the zone (Benton County code 53215).

It does interfere and therefore the application for expansion of Coffin Butte should be rejected.

1. Many many Benton County residents who live near the landfill have reported in numerous venues that they are clearly affected by the stench from the current Republic landfill. Expansion of the landfill increases these negative effects on them and impacts future residence to our county.

2. A 2023 EPA investigation documented excessive methane leakage. From my reading of the public record, I do not see that the excesses noted in this report have been taken seriously or addressed either by Republic Services or by Benton County. It is incompressible to me that expansion of the landfill would even be considered before the EPA concerns from two years ago have been completely addressed.

3. The proposed expansion of Coffin Butte Landfill will place an undue burden on public facilities violating BCC 53.215 (2). There will be more truck traffic on local roads hauling garbage and more trucks hauling leachate away to locations unspecified.

4. The increased leachate from this new garbage cell is unacceptable. There is not a treatment for this alphabet soup of toxic materials and it is metered into the Willamette River to make it go away. That is in violation of Benton County Comprehensive Plan policy 6.5.5 (Benton County shall strive for the safe storage, collection, reduction, reuse, recovery, and appropriate disposal of hazardous waste materials.)

I'm asking that our community and Benton County residents not be sold out for the benefit of the rest of the western portion of the state whose landfill is being deposited in our backyard nor for the financial benefit of Republic Services.

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, March 28, 2025 11:46:35 AM

Subject of Testimony: CUP for coffin butte expansion

Full Name: Lucille L Honig

Email: lucy@honeysw.com

Street Address: 27477 Writsman Creek Dr., Corvallis 97330

Written Testimony:

I live about 2.5 miles south of the landfill. I have lived here over 30 years. The smell and noise from the landfill have increasingly become worse. The environmental impact to this area must also be getting worse. Because we get so much rain, I also worry about the leaking of waste into the ground, both from the landfill and from the increased garbage truck traffic.

The water run off eventually makes its way to the Willamette river which affects drinking water for a growing population. This creates health problems as does the methane gas wafting through the air.

The number of people living around me has more than doubled in the last 10 years and I'm sure the entire NW portion of Benton County has had a large population increase. This means many more people are affected by the detrimental effects of the landfill. An expansion will only create more problems for increasing numbers of people.

Since almost half of the material put into the landfill is recyclable, more effort should be spent recycling rather than expanding the waste area. If I read the chart on your website correctly, some of the curbside recyclables go into the landfill. Certainly this material can be recycled properly rather than expanding the waste area.

I urge you to decline the expansion requested in this Conditional Use Permit. For the sake of many Benton County residents, please vote NO.

Thank you.

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 208.79.251.130

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, March 28, 2025 2:36:10 PM

Subject of Testimony: STRONGLY OPPOSE Coffin Butte landfill expansion application, LU-24-027

Full Name: Connie Parker

Email: 3x5tincan@gmail.com

Street Address: 1835 NW Grandview Dr, Albany OR 97321

Written Testimony:

I strongly oppose any expansion whatsoever of the Coffin Butte Landfill. It should be closed when it's currently-permitted space is filled.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 71.193.129.91

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, March 28, 2025 2:34:02 PM

Subject of Testimony: STRONGLY OPPOSE Coffin Butte landfill expansion application, LU-24-027

Full Name: John Parker

Email: 3x5tincan@gmail.com

Street Address: 1835 NW Grandview Dr, Albany OR 97321

Written Testimony:

I strongly oppose any expansion whatsoever of the Coffin Butte Landfill. It should be closed when it's currently-permitted space is filled.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 71.193.129.91

From: Laurie Rappoport
To: Benton Public Comment
Subject: landfill expansion
Date: Friday, March 28, 2025 10:28:22 AM

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Dear County Planning Commission members,

This testimony is regarding LU-24-027, the application to expand Coffin Butte Landfill. I strongly oppose this expansion. When we moved here in 2019, I had no idea that on a routine basis, we'd be greeted with landfill odor at our home, and we live near OSU campus, not even right next to it.

We chose Corvallis when moving from Bay Area because it is a small city in what appears to be a relatively peaceful and also progressive setting and we've been very happy with our choice. Corvallis presents itself as a forward-thinking community that emphasizes protecting the environment and enhancing the wellness of its residents. The landfill odor fits neither the community image nor its stated objectives and policies from the values defined in Benton County's 2040 Thriving Communities Initiative's Core Values (in particular, the high-quality environment goal) to many policies and goals in the Benton County Comprehensive Plan – in fact, just about all of the landfill's practices and community effects are antithetical to what this community purports to represent. Why spend time, money and energy defining goals and making policy to achieve those goals when it appears the county has no real desire to pursue them?

The landfill gas contains many contaminants and I do not want to inhale them, nor do I want my family and friends inhaling them. In fact, friends of mine that lived in Adair Village, happy in their home, sold a couple of years ago knowing the smells and pollution would only get worse. It's sad that's where we've gotten to. It appears that the leadership in Benton County has let all of its residents down by not providing the leadership that holds operators like Republic Services accountable for their negative community impacts. Republic Services has not met conditional use requirements in the past, there is no reason to expect they would operate an expansion in any different way.

Landfill odor affects both my use of my property and the character of the area and thus the current use does not meet the criteria defined in Benton County Code 53.215 (1). This will only worsen with an expansion of Coffin Butte Landfill and this impact on air quality must be considered under Benton County Comprehensive Plan policy 6.1.4. Please use your power of discretion to protect this community and deny the permit for expansion of Coffin Butte Landfill as it would exacerbate existing landfill issues.

Sincerely,

Laurie Rappoport

From: Sandy Riverman
To: Benton Public Comment
Subject: Coffin Butte Landfill Expansion
Date: Friday, March 28, 2025 2:35:19 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Members of the Benton County Planning Commission:

As a longtime Corvallis resident and Willamette River kayaker who cares deeply about the health of our air, water, land, and nearby communities, I **strongly oppose the expansion of the Coffin Butte Landfill** and ask that the commissioners reject this application.

Rather than considering an expansion of this controversial landfill, Benton County should stand up to Republic Services' request, knowing that approval will be the beginning of even more counties sending their waste to our already inadequate facility. We should be realistically considering the inevitable closure of the current landfill when it has reached capacity by developing a plan that details a more modern and safer waste-recovery facility, an effective waste-reduction system, and realistic accounting of the cost of clean-up -- which will be a cost that Benton County residents will someday have to pay.

For the proposed expansion, there are many troubling problems, including:

- **Already gross under-reporting of methane pollution by Valley Landfills, Inc.** In 2023, satellite images showed large plumes of methane, a significant greenhouse gas, emanating from Coffin Butte. In 2022 and 2024, the EPA found explosive levels of methane seeping from the landfill, when Valley Landfill reported only negligible leakage. An expansion will surely exacerbate this problem, seriously jeopardizing the health and well-being of nearby residents, recreationists, and surrounding public lands where widespread drift of noxious chemicals is regularly detected. (Criteria 1)

- **Mercury, lead, industrial solvents, "forever chemicals" (PFAs) and other hazardous chemicals leach out of the landfill and end up in the Willamette River.** In 2021, 31 million gallons of leachate were pumped out of the landfill and sent to wastewater treatment plants in Corvallis and Salem, passing through systems that were not equipped to capture PFAs before dumping them into the Willamette River. With no plan to reduce leachates, this expansion would increase toxic pollution into the river. This would put increased burden on public utilities to remove these harmful chemicals and keep them from further fouling municipal sources of drinking water. (Criteria 2)

- **Coffin Butte already receives one third of Oregon's garbage,** much of it in large loads of unsorted solid waste. Little effort is made to encourage or enforce recycling and waste reduction, despite DEQ's mandate to shift from Solid Waste Management to Materials Management. A larger landfill would serve faraway communities that may choose to ignore the importance of this mandate, leaving an increasing burden of liability on Benton County. Even the current status-quo approach to waste management violates the shift toward Sustainable Materials Management criteria endorsed by Benton County and the state of Oregon. Expanding the landfill would make this violation even worse. (Criteria 3)

- **The environmental impact of Coffin Butte extends well beyond the landfill itself.** In addition to releasing methane into the air and leachate into the river, the odor of rotting garbage can often be detected throughout the northern part of Benton county. These odors contain vinyl chloride, ethyl benzene, toluene, benzene -- all toxic chemicals that can endanger public health. Expanding the landfill will most certainly expand the release of these toxins. In addition, the abundant litter that is spilled from more than 256,000 trucks per year on their way to the landfill is an eyesore. This unpleasant sight, as well as the smell and health threats damages the character of the area (Criteria 1)

- **Benton County is burdened by the unlimited long-term risk and environmental liability for the landfill** for future inevitable cleanup as well as future public improvements, facilities, utilities and other services to the area and to the residents of Benton County. (Criteria 2)

- **Expanding the landfill removes any volume restriction imposed by Benton County,** freeing Republic Services to immediately increase intake of waste from the region and beyond.

This Coffin Butte expansion will have long-lasting negative effects on water and air quality as well as to the climate and livability far beyond the local area. We all live downstream, as the saying goes. Your decision on this important issue will affect generations to come. Please understand the gravity in your deliberations and think about more than the immediate revenue that Republic Services brings in. The health of our community seriously depends on you.

Thank you,
Sandy Riverman
500 NW 13th St.
Corvallis, OR 97330

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, March 28, 2025 2:17:40 PM

Subject of Testimony: Coffin Butte Landfill Expansion

Full Name: Kylie Tully

Email: 0012kbt@gmail.com

Street Address: 4202 NW Scenic Dr, Albany, 97321

Written Testimony:

Hello,

I am a resident of Benton County, having lived in North Albany for my entire life. When I learned about the dumping of leachate from the Coffin Butte landfill into the Willamette from the Corvallis water treatment plant (which is not designed to treat toxic metals, PFAs, or other hazardous liquids), I worry about how much exposure my family has from paddling and wading in the Willamette River. As someone who was diagnosed with Crohn's disease several years ago, I wonder how much damage has already been done. The proposal from Valley Landfill to expand Coffin Butte is a threat to me and other residents in terms of personal safety and ability to enjoy the area as it will further increase the amount of truck traffic and leachate, as well as a threat to the wildlife that live in and along the Willamette River. This proposal is in direct opposition to the Benton County comprehensive plan policy BCC 53.215 (1) that states "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" and BCC 53.215 (2) "The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area." Lastly I am concerned about my property value if this landfill expansion is allowed to proceed due to the impact to the character of the area and long-term financial liability to the county and its citizens. I strongly urge you to reject the expansion proposal for Coffin Butte landfill and support the rights of landowners in Benton County.

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 73.67.175.180

From: Chris Beatty
To: Benton Public Comment
Subject: Please reject Coffin Butte Landfill Expansion
Date: Sunday, March 30, 2025 10:56:25 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I have lived in North Albany for over 25 years. Over that time, the activities at Coffin Butte Landfill and Republic Services have steadily degraded my ability to enjoy where I live. The increased truck traffic on local roads such as Independence Highway and Highway 99W have made bicycling a terrifying and dangerous experience. There is also an increase in garbage along the roads. It is routine to see material flying out of the garbage truck on its way to Coffin Butte. Depending on the wind direction, large areas of roadways stink badly and make riding in those areas very unappealing. We should not expand this landfill and, in fact, should reduce the collection area to our county. We do not want to be Portland's dumping ground.

I am also concerned about the leachate from the Coffin Butte landfill. Although much of it goes to the Corvallis water treatment plant, that facility is not designed to treat toxic metals, PFAs, or other hazardous liquids. I worry about my family's exposure from paddling and wading in the Willamette River. I also believe it is detrimental to the wildlife that live in and along the Willamette River and particularly tributaries adjacent to Coffin Butte such as Soap Creek and its tributaries in the E.E. Wilson Wildlife Area.

The proposal from Valley Landfill to expand Coffin Butte is a threat to me, other residents in the area, and wildlife that live in and along the Willamette River. It reduces our personal safety and ability to enjoy the area as it will further increase the amount of truck traffic, leachate, and odor. This proposal is in direct opposition to the Benton County comprehensive plan policy BCC 53.215 (1) that states "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" and BCC 53.215 (2) "The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area".

Lastly, I am concerned about my property value if this landfill expansion is allowed to proceed due to the impact to the character of the area and long-term financial liability to the county and its citizens. I strongly urge you to reject the expansion proposal for Coffin Butte landfill and support the rights of landowners in Benton County.

Regards,

Chris Beatty

4202 Scenic Drive NW

Albany OR 97321

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, March 30, 2025 4:29:58 PM

Subject of Testimony: Opposed to Land Fill expansion

Full Name: Deanne J. Bruner

Email: deannebruner@gmail.com

Street Address: 1805 NW 14th St

Written Testimony:

I work hard to create less waste going to our landfill by recycling and adding household compost to my yard debris for pick up.

But what's the point of my efforts if Benton County and Republic Services are intent on increasing the size of the dump to accommodate the increased amount of garbage we receive from other Cities/Counties?

I am strongly opposed to landfill expansion!

Sincerly,
Deanne J. Bruner

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 71.236.244.160

From: SCHUETZ Petra
To: HOTCHKISS Jason F
Subject: FW: For Board of Commissioners : "LU-243-027 Application to approve expansion of Coffin Butte"
Date: Monday, March 31, 2025 1:30:36 PM

Jason-

Public Comment for Coffin Butte to be recorded. Thank you. -Petra

-----Original Message-----
From: KWIATKOWSKI Maura <maura.kwiatkowski@bentoncountyor.gov>
Sent: Monday, March 31, 2025 11:13 AM
To: SCHUETZ Petra <petra.schuetz@bentoncountyor.gov>; PAYNE Bailey <bailey.payne@bentoncountyor.gov>
Subject: FW: For Board of Commissioners : "LU-243-027 Application to approve expansion of Coffin Butte"

-----Original Message-----
From: Benton County, Oregon <wordpress@bentoncountyor.gov>
Sent: Sunday, March 30, 2025 4:19 PM
To: *Benton Web BOC <bocinfo@bentoncountyor.gov>
Subject: For Board of Commissioners : "LU-243-027 Application to approve expansion of Coffin Butte"

From: Anne Filson <filsonah@gmail.com>
Subject: LU-243-027 Application to approve expansion of Coffin Butte

Sent For: Board of Commissioners <bocinfo@bentoncountyor.gov>

Message Body:
Approving the expansion of Coffin Butte does seriously interfere with the uses and character of the area violating BCC 53.215(1), the County's Core Values "High quality environment and access" and "Equity and health" , and the County's Comprehensive Plan policy 6.5.5. I cannot walk in the EE Wilson Wildlife Area because of the frequent stench from the toxic landfill gases that affect my respiratory system. Leachate of toxic materials from Coffin Butte ends up in the Willamette River where my family kayaks. Will probable increased leachate delivered to the Corvallis water treatment plant increase my Corvallis City bill? Have Republic Services and Valley Landfill made actionable commitments to lessen their pollution of the river?

Approving the expansion of Coffin Butte does seriously impose an undue burden on public services violating BCC 53.215(2) and the Core Values "Vibrant livable communities" "Community resilience, and "Supportive people and resources". I drive on route 99W only to access Peavy Arboretum but never to travel north because of the heavy truck traffic that would inevitably increase with expansion of the landfill. The disturbing sight of the litter from the trucks is, I believe, a disgrace for Benton County.

With our federal government's current administration causing ongoing angst for us all, my hope is that you, our local community agents, will make a decision to give us hope for a future that supports the Core Values of a Thriving Community.

--
This e-mail was sent from a contact form on Benton County, Oregon (https://www.bentoncountyor.gov)

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, March 30, 2025 10:42:27 AM

Subject of Testimony: Deny Coffin Butte Landfill

Full Name: Louise Marquering

Email: corvallismatters@aol.com

Street Address: 1640 NW Woodland Drive, Corvallis OR 97330

Written Testimony:

Please deny the application for expansion by Allied Waste.
The waste being deposited at Coffin Butte is from other places in the state. Waste disposal is a state problem. Why should Benton County be responsible for it?
The state should establish a waste disposal program that involves the entire state. Right now just a few counties are taking responsibility for all the state's waste. That is wrong. There needs to be a statewide plan.
There was a time when recycling in Benton County made a difference. What is the importance of our efforts when other places are not as responsible about reduce, reuse, and recycle as Benton County residents are?

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.27.240.235

From: Allyson Ramage
To: Benton Public Comment
Cc: Allyson Ramage
Subject: Oppose LU-24-027
Date: Sunday, March 30, 2025 9:29:55 PM

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March 30, 2025

Dear County Planning Commission members,

I write to you regarding **LU-24-027**, the application to expand the landfill. I **strongly oppose** an expansion.

The landfill already stinks. When I wake up in the morning to that awful smell, I have to shut my windows and change my plans for going outside in my own yard. I am not able to tend my garden or play with my dogs outside. I cannot take them for a walk around the neighborhood or even enjoy an outside chat over a cup of coffee with a neighbor. It is not just gross smelling air, it is an unhealthy, contaminated off-gassing. This unpleasant and concerning air quality is an undesirable quality for homeowners and lowers property values throughout our community.

This absolutely impacts my use of my property as well as the character of our area, so the landfill is already interfering with **Benton County Code 53.215 (1)**. If policies are already not being enforced, how can it be ensured that they will be going forward? **Benton County Comprehensive Plan policy 6.1.4** explicitly states impacts on air shall be evaluated in reviewing land use actions and steps will be taken to minimize degradation. An expansion will only continue to degrade our air quality.

I urge you in all good conscience to deny the permit for expansion of Coffin Butte Landfill in order to protect our community, our health, our home.

Allyson Ramage
1620 NE Holly Oak Place
Corvallis, OR, 97330

From: WYSE Nancy
To: Benton Public Comment; kineticbagel@yahoo.com
Subject: LU-24-027 FW: Landfill
Date: Monday, March 31, 2025 11:48:37 AM

Hi Greg,

I am forwarding your message to our public comment email so that it can be included in the record for the Planning Commission to consider when making their decision.

Best,

Nancy V. Wyse (She/hers)
Commissioner

Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis

www.bentoncountyor.gov

-----Original Message-----
From: Greg <kineticbagel@yahoo.com>
Sent: Monday, March 31, 2025 8:10 AM
To: WYSE Nancy <nancy.wyse@bentoncountyor.gov>
Subject: Landfill

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
My name is Greg Alpert and I am against the Coffin Butte Expansion.
I'm asking you to vote No.
thank you for your time,
Greg Alpert
541-829-9905

Sent from my shoe phone

From: Anne Filson
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte expansion application
Date: Monday, March 31, 2025 2:09:22 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I oppose the expansion of Coffin Butte.

Approving the expansion of Coffin Butte does seriously interfere with the uses and character of the area for me in two significant ways. The stench of toxic gases – harmful to my lungs – from the landfill keeps me from enjoying the EE Wilson Wildlife Area. The probability that a large Coffin Butte will inevitably result in ever larger volumes of toxic leachates, delivered from Coffin Butte to the Corvallis waste management plant and then released into the Willamette River, makes me consider never kayaking on the Willamette River again. Have Republic Services and Valley Landfill made actionable commitments to lessen their pollution of this river that serves so many local residents?

Approving the expansion of Coffin Butte does seriously impose an undue burden on public services for me in considering how the Corvallis waste management plant will deal with the inevitable increase in toxic leachates from Coffin Butte – and how much the increased cost of that will turn up on my City waste water monthly bill! I drive on route 99W only to access Peavy Arboretum but never to travel north because of the (to me, frightening) already large volume of trucks coming and going from the landfill. Will that volume increase with an expansion of Coffin Butte?

With our federal government currently causing ongoing angst for us all, my hope is that you, our local community agents, will make a decision benefitting all the people who live here.

Sincerely,
Anne Filson
750 NW Tyler Ave., Corvallis OR 97330
541-230-1243

From:	Cath Kendrick
To:	Benton Public Comment
Subject:	Testimony about LU-24-027, the application to expand the landfill
Date:	Monday, March 31, 2025 6:50:56 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Catherine Kendrick
3024 NW Thistle Place, Corvallis, OR 97330

I oppose the expansion.

My family have spent many happy hours at E.E.Wilson, walking, cycling, picking blackberries. We take visitors there, sometimes on summer evenings, other times on cold, foggy days, to enjoy the area.

The smell from the landfill can be very unpleasant, and the landfill is an eyesore, I really object to it being expanded, which would increase the smell, the traffic to and from it and the larger volume of leachate it would generate. The leachate needs to be stopped, not increased. The generation of it violates BCC 53.215(2)

My husband hunts pheasant in season at E.E.Wilson, and the hunting experience is marred by the mountain of trash looming over the wildlife area, with the sound of heavy machinery detracting from what should be a peaceful morning.

Please do not let this expansion happen.

From: Joyce Loper
To: Benton Public Comment
Subject: Testimony on LU-24-027, the application to expand the landfill
Date: Monday, March 31, 2025 9:03:34 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my strong opposition to the proposed expansion of the Coffin Butte Landfill. My name is Joyce Loper and I live at 3524 NW Tanager Dr. in Corvallis, Oregon. I have been a resident of Benton County since 1987, and have seen the tremendous growth of the landfill over those years. There is no question that the landfill has a huge impact on the character of the area (BCC 53.215), certainly as an eyesore for anyone driving by it on Highway 99, by wear and tear on our roads from the large amount of truck traffic, the litter on the highway and county roads nearby, and the noise of trucks in and enroute to/from the landfill. In this way, the proposed landfill expansion poses a burden on public improvements and facilities (roads) (BCC 53.215).

I have always taken great joy from the beauty and pristine quality of the natural areas of Benton County. In past years, I enjoyed visiting and walking in the EE Wilson Wildlife area, but I go there infrequently now due to the noise of landfill traffic, the smell and the view of the landfill. Expansion of the landfill will further interfere with the environmental health of E E Wilson, the wildlife inhabiting it, and the experience of those of us who love this place. Most alarmingly, the expansion will remove an existing limit on the volume of waste that can be accepted at the landfill. With a larger landfill area and waste volume, the quality of other natural areas nearby, such as MacDonald forest where I walk several times a week, will also be diminished. These natural areas are unique treasures of our community, serving as wildlife habitat and enhancing the quality of life for all county citizens. Expansion of the landfill will certainly interfere with these precious ecosystems and the human experience in them. The landfill smells and exposure to airborne toxins will most certainly increase in these natural areas with the expansion. These examples provide another example of how the expanded landfill will interfere with the character of the area (BCC 53.215).

Already, Corvallis citizens are smelling the landfill in town, exposing ourselves and our environment to a mixture of toxic chemicals. Increasing the volume of waste and the area of the landfill will make this more common and more severe, again interfering with the character of the area (BCC 53.215).

My husband and I like to kayak on the Willamette River, another beautiful and precious feature of our area. I am alarmed by the release of leachates from the landfill into the river. I recognize that the leachates are treated, but the treatment plant designed for treatment of municipal waste does not remove all toxins present in landfill leachates. These chemicals will have a long term effect on the quality of water, riverbed, and river ecosystem, as well as downstream areas that will affect our area for decades, perhaps generations. In addition to these recovered leachates, which go through the municipal treatment plant, other leachates move directly into soil from the landfill and pose a risk to the quality of the aquifer. Increasing the volume of leachates, an obvious result of the landfill expansion, definitely interferes with the character of the area through the potentially serious pollution of ground and service water with toxic chemicals (BCC 53.215).

I vehemently oppose the landfill expansion. The landfill cannot expand without seriously diminishing the character and health of the area. Approving the expansion is counter to the core value stated in Benton County's Thriving Communities Initiative "Recognize & Will Address the Well-Being of our People by Including Health Considerations in all Policies, Practices, Activities, & Operations." Expanding the landfill and the volume of waste coming to Benton County will cause irreparable harm to our environment, health, and quality of life.

Sincerely, Joyce Loper

From: Faye Yoshihara
To: Benton Public Comment
Subject: Testimony for LU-24-027
Date: Monday, March 31, 2025 1:43:49 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

DATE: 31 March 2025

ATTN:
Benton County Community Development Department, Planning Commission
Corvallis, OR 97333

RE: Application LU-24-027, a Conditional Use Permit Application for Expansion of Coffin Butte Landfill

Dear Planning Commissioners,

I oppose the conditional use permit (CUP) application for expansion of Coffin Butte Landfill LU-24-027.

I am a property owner living on Soap Creek Road and submitted testimony in August 2021, during the last CUP application by Republic Services. At that time, I was most concerned about the closure of our primary evacuation road and the negative impacts on livability of Soap Creek Valley with increased "dump days" with its obvious air pollution, litter and potential for soil and water pollution. As small woodland owners, I could not fathom that forest conservation zoned land should be used for a landfill. It goes completely against the purpose of the zone, as indicated in Benton County Code criteria 53.215. My concerns on these topics and others have grown substantially as I've learned more about landfill issues broadly and specifically the history of Coffin Butte Landfill.

Since that time, I have participated in efforts to quantify and document our concerns. Even after the unanimous denial by the Benton County Planning Commission, Soap Creek Valley neighbors were dismissed as annoying NIMBYS. Only the Mid-Valley Bird Alliance (at that time Corvallis Audubon) and League of Women Voters took a stand against the landfill expansion CUP. Local sustainability groups were unwilling to work with us. Instead, it was three high school sophomores (15-year-olds, too young to even drive) and their science fair invention Oregon PAQMS (Personal Air Quality Monitoring Station) who first stepped up to help us address our concerns about the pollution we know we smelled. They custom designed a PAQMS that monitored for methane and hydrogen sulfide, in addition to their standard nitrogen dioxide, carbon dioxide and particulate matter. Over time, we got support from Beyond Toxics a non-profit from Eugene and researchers at the Pacific Northwest Research

Station and Oregon State University.

I was personally involved in a variety of air quality monitoring around the landfill with the Oregon PAQMS and Beyond Toxics teams and in collecting moss samples around Coffin Butte Landfill and Covanta/ReWorld incinerator. I have also provided support to researchers conducting water and moss analysis in other laboratories. One study published in the journal *Environmental Monitoring and Assessment* in 2024, documents signature heavy metal contaminants found in moss around the Covanta/ReWorld incinerator. The companion study focused on Coffin Butte Landfill has not yet been published. However, since Covanta/ReWorld incinerator ash was trucked to Coffin Butte Landfill for use as "alternate daily cover", it is a known link between these two "point source pollution" locations.

The next generation of Benton County residents, possibly including the students involved in these monitoring efforts, will live with the discretionary decision (criteria 53.210) you take now to approve or deny this CUP application. From the far-reaching implications of methane and other air pollutants to the toxic leachate diluted and released into the Willamette River, together seriously interfere with the character and quality of life in our community and all those who live downstream (criteria 53.215). Landfills are yesterday's technology and better solutions are being advanced in many municipalities. Allowing Republic Services to continue to expand, especially in such an ill-suited geography, delays their adoption of new technologies and practices while the impacts on our health, safety and climate continue to grow.

At four miles distant from the landfill, I am not amongst the most vulnerable. However, the more I have learned about Coffin Butte Landfill's the lack of compliance with past CUP conditions of approval, the more concerned I have become for all of Benton County with the growing long-term liabilities if this landfill is allowed to continue to grow, spew and leach pollutants, including known carcinogens and toxic substances, into our community. I recognize that Benton County gains significant revenues from Coffin Butte Landfill, but it is minor compared to the long-term liabilities that are piling up faster than the garbage at the dump. Your discretionary decision should not come at the expense of today and tomorrow's Benton County residents.

Thank you for giving me the opportunity to express my concerns about the Coffin Butte Landfill expansion application. I urge the Planning Commission to deny Application LU-24-027.

Sincerely,

Faye Yoshihara
37461 Soap Creek Rd.
Corvallis, OR 97330

From: SHEPHERD Gabe
To: Benton Public Comment
Subject: FW: Landfill
Date: Tuesday, April 1, 2025 10:03:06 AM

Comment from the public.

Gabe Shepherd (he/him)
Commissioner

Desk: 541-766-6813
Cell: 541-609-9136
Email: gabe.shepherd@bentoncountyor.gov

www.Bentoncountyor.gov

-----Original Message-----
From: Greg <kineticbagel@yahoo.com>
Sent: Monday, March 31, 2025 8:11 AM
To: SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Subject: Landfill

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,
My name is Greg Alpert and I am against the Coffin Butte Expansion.
I'm asking you to vote No.
Thank you for your time,
Greg Alpert
541-829-9905

Sent from my shoe phone

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Tuesday, April 1, 2025 3:57:06 PM

Subject of Testimony: Coffin Butte landfill expansion

Full Name: Julianna Burke

Email: jmburke96@gmail.com

Street Address: 10925 Buena Vista Rd. Independence, 97351

Written Testimony:

I'd just like to say that enough is enough! The solution to the landfill "reaching capacity" soon is simple – only accept local trash. Since that is such a small percentage of what is dumped, this change should extend the life of the landfill significantly. The landfill is already too large!

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 199.58.103.180

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Tuesday, April 1, 2025 11:02:56 AM

Subject of Testimony: Opposition to any further expansion of the Coffin Butte Landfill

Full Name: Jane Helfen

Email: peonyor2@gmail.com

Street Address: 3169 NW Seneca Place, Corvallis OR 97330

Written Testimony:

I assert that Application LU-24-027 does not conform to Benton County Comprehensive Plan policies 5.1.2, 5.2.1, 5.7.4, and 5.9.4 and directly violates Benton County Code 53.215(1) and 53.215(2).
This expansion will cause further destruction to the environment and wildlife habitat in northern Benton County. The landfill encourages large flocks of predatory species which drive out smaller song birds in the area. A Great Blue Heron rookery located across from the landfill entrance has been abandoned likely due to landfill operations. E.E. Wilson Wildlife Preserve, located across Hwy 99 from the landfill may be affected by the further expansion as well.
The toxic leachates and methane releases are highly deleterious to the local homeowners and to wildlife – this is unacceptable.
I strongly oppose the landfill expansion and beseech you to stop this. Thanks for your attention.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.16.8

From: Sheila Roberts
To: Benton Public Comment
Subject: Expansion of Coffin Butte Landfill
Date: Tuesday, April 1, 2025 12:57:19 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I oppose the conditional use permit (CUP) application for expansion of Coffin Butte Landfill because Republic Services is already violating environmental regulations and they have been very slow to adapt new technologies for waste that are being used all across the country. Expanding the landfill rewards bad behavior and contravenes the Benton County Comprehensive Plan.

Thank you
Sheila Roberts
29691 SE Meadow Lark Dr
Corvallis, Or 97333

From: Ann Spediacci
To: Benton Public Comment
Subject: Opposition to Coffin Butte Landfill expansion
Date: Tuesday, April 1, 2025 5:10:49 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Board of Commissioners,

I am writing to formally express my strong opposition to the proposed expansion of the Coffin Butte landfill. As a concerned resident of Corvallis, I believe that this expansion would have significant negative impacts on our community, environment, and the health of future generations.

First and foremost, expanding the landfill would exacerbate the already substantial environmental challenges we face, including the potential for groundwater contamination from toxic leachate, the release of harmful methane gases, and the destruction of local wildlife habitats, as well as increased roadside litter. These long-term environmental risks are unacceptable, especially for those families that rely on well water as their only means to clean water in their homes. Coffin Butte should NOT be the landfill for the majority of the state.

Additionally, the expansion would place an undue burden on the quality of life for nearby residents. The increased truck traffic, noise, and odor associated with landfill operations would make our community less livable and decrease property values in the surrounding area. These impacts are particularly concerning given that the health of our local population, especially vulnerable groups such as children and the elderly, could be adversely affected by exposure to air and water pollution. As someone who used to live in California, I can attest that HWY 99W now looks as trashy as California. The roadside trash is far worse than when my job transferred me here 10 years ago. We should be ashamed for allowing this to happen.

Rather than increasing the capacity of the landfill, I urge local officials and stakeholders to consider alternatives that prioritize sustainability, reduce waste, and protect our environment. Oregon prides itself on being green and yet California's recycling program through Waste Management runs circles around the limited recycling from Republic Services. The recycling program here is abysmal. That said, Republic Services cannot recycle themselves out of the fact Coffin Butte receives a majority of the state's trash.

I respectfully request that you reconsider the landfill expansion proposal and instead explore more sustainable options that align with our community's values and long-term well-being.

Thank you for your attention to this matter. I trust that you will carefully weigh the potential consequences of this decision and prioritize the health and safety of our community.

Regards,

Ann Spediacci

From: annbrodie1943@icloud.com
To: Benton Public Comment
Subject: Coffin Butte Testimony
Date: Wednesday, April 2, 2025 3:06:27 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Date: April 2, 2025

To: Benton County Planning Commission

From: Ann Brodie 3145 Seneca Corvallis OR 97330

Re: Republic Services' Conditional Use Permit (CUP) for Coffin Butte Landfill (LU 24-027)

I **oppose** the expansion for many reasons:

1. Data shows that Coffin Butte Landfill pollutes the local area by leaking methane. This is increasing the global climate changes that are destroying our world.

2. Leachates from the waste disposal site leak into nearby wells..

3. Leachates are also polluting our river. Thirty to thirty five million gallons of leachate are trucked per year to the Corvallis and Salem water treatment facilities. These treatment systems are not designed to process the chemicals.

Expansion will increase these three pollutants

4.With the expansion there will be no limit on the amount of garbage that can be put into the landfill which means it will be filled very quickly leading to another request for expansion.

5. When the site is closed, Benton County will be left with a huge financial liability.

I urge you to oppose the expansioin.

Thank you, Ann Brodie

From: LWV Corvallis
To: Benton Public Comment
Subject: Coffin Butte Landfill Expansion Application Comments
Date: Wednesday, April 2, 2025 8:44:06 AM
Attachments: 2025-04 Testimony_Coffin Butte_Benton County Planning Commission.docx.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please accept our attached comments regarding the Coffin Butte Landfill Expansion Application and include them in the packet for the April 29th Planning Commission meeting.

Elisabeth Anderson, President
League of Women Voters, President

LEAGUE OF WOMEN VOTERS® OF CORVALLIS

Date: April 2, 2025
To: Benton County Planning Commission
From: Elisabeth Anderson, President, League of Women Voters of Corvallis
Re: Republic Services' Conditional Use Permit (CUP) for Coffin Butte Landfill

The League of Women Voters of Corvallis urges Benton County to deny Republic Services' Conditional Use Permit that would expand the Coffin Butte Landfill. We are very concerned with the health of the residents of Benton County, which depends on non-toxic air to breathe and unpolluted water to drink. The League has been addressing protection of health and the environment for many years, with established positions concerning air quality and water quality in relation to waste disposal facilities.

The League supports "regulation and reduction of ambient toxic air pollutants" [1:96-7]. Yet the data shows that Coffin Butte Landfill already pollutes the local atmosphere by leaking "explosive amounts of methane," according to an EPA investigation in 2022 and again in 2024 [2,3]. Republic Services and Valley Landfills have not solved the problem. With landfill expansion, methane in our atmosphere will become even worse. Methane contributes to forming ground-level ozone, "exposure to which causes a million premature deaths per year" and "over a 20-year period [methane] is 80 times more potent at warming than carbon dioxide" [4].

The League also believes that "[W]aste disposal facilities should be sited in areas that pose the least amount of risk to the public and to sensitive environmental areas… [with] stringent controls to protect the quality of current and potential drinking-water supplies, including protection of watersheds for surface supplies and of recharge areas for groundwater." [1:99]. We are concerned about the harm to residents due to the landfill's impacts on water quality. Leachates from the waste disposal site leak into nearby wells in an unpredictable fashion because of its base of fractured basalt [5] and because parts of the landfill are unlined or poorly lined [6]. In addition, the 30-35 million gallons of leachate trucked per year to Corvallis and Salem water treatment facilities pollute drinking water for all residents [7]. These treatment systems are not designed to process the chemicals that are washed from hazardous waste down into the soil [8].

The League of Women Voters of Corvallis strongly urges Benton County to oppose the expansion of the landfill for the sake of the health of Benton County residents.

Thank you for your consideration of our testimony.

Citations:

[1]“A Guide to Public Policy Positions of the League of Women Voters 2022-2024”
[2] EPA Region 10 Clean Air Act Inspection Report *Republic Services Coffin Butte Landfill* Inspection Date: June 23, 2022
[3] EPA Region 10 Clean Air Act Partial Compliance Evaluation Inspection Report *Valley Landfills Inc. Coffin Butte Landfill* Inspection Date: June 21, 2024
[4]UN Environment Programme: “Methane Emissions are Driving Climate Change. Here’s how to reduce them.” 20 Aug 2021
[5] Interstate Technology Regulatory Council: https://fracturedrx-1.itrcweb.org/1-introduction/
[6] Valley Landfill site development reports regarding Cells 1 and 1a. Benton County Talks Trash Solid Waste Process Workgroup Report, April 2023. Benton County, Oregon. Sections B and D. (Landfill Size/Capacity/Longevity p. 663, Past Land Use Application Conditions p. 795)
[7] VLI's Annual Environmental Monitoring Reports (AEMRs) for 2023 and preceding years, as filed with Oregon DEQ.
[8] The WWTPs in Corvallis and Salem are conventional activated sludge treatment plants. For a thorough discussion of the effectiveness of treatment technologies for the unique challenges posed by landfill leachate, see Wang J and Qiao Z (2024) A comprehensive review of landfill leachate treatment technologies. Front. Environ. Sci. 12:1439128. doi: 10.3389/fenvs.2024.1439128

From: Jo Alexander
To: Benton Public Comment
Subject: Expansion of Coffin Butte
Date: Thursday, April 3, 2025 5:18:14 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is my testimony against the expansion of Coffin Butte landfill for the Benton County Commissioners meeting on April 29.
Landfills need substantive regulation and robust monitoring. They emit mixes of biogas and bioaerosols, they are a breeding ground for disease vectors, and they can discharge leachate into the area ground water supply. Communities that host these facilities can see increased incidences of cancer and respiratory diseases. And then there are the environmental impacts.
I am firmly opposed to this expansion. There are many reasons, which I am sure you are aware of, but my major issue is that the landfill has not been adequately monitored or regulated in the past and is even less likely to be effectively monitored or regulated by the state now that the Trump administration is cutting funding to states and appears uninterested in protecting the health and welfare of our citizens. I hope that my county commissioners do care about our health and welfare and will reject this application.
Jo Alexander
1313 NE Granger Avenue
Corvallis 97330

From: ALICE GRUCZA
To: Benton Public Comment
Subject: Coffin Butte Landfill Expansion - Public Testimony
Date: Thursday, April 3, 2025 1:43:18 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I live in Benton County.
County government has responsibility for the health and safety of all citizens.
Will the Coffin Butte expansion improve the health and safety of Benton County citizens? Yes or No.
If the expansion is not approved how will that impact Benton County citizens?
What is the lifespan of the current landfill approval if geographic limits are placed on the source of materials? Is this expansion necessary if only Benton County is serviced by the site?
Does the kickback payment to Benton County from Republic Services increase the cost of trash collection to Benton County citizens?
The Coffin Butte landfill expansion should be denied.
Sincerely,
Alice Grucza

From: WYSE Nancy
To: Benton Public Comment
Subject: LC-24-027 FW: Coffin Butte Landfill Expansion
Date: Thursday, April 3, 2025 12:35:19 PM
Attachments: image001.png

Nancy V. Wyse *(She/hers)*
Commissioner
Office: 541-766-6754 | Cell: 541-760-6067
Email: nancy.wyse@bentoncountyor.gov
Address: 4500 SW Research Way, Corvallis
www.bentoncountyor.gov

From: Bink Lyon <bink.lyon@gmail.com>
Sent: Thursday, April 3, 2025 7:50 AM
To: rep.sarahfingermcdonald@oregonlegislature.gov
Cc: WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>; xanthippe.augerot@co.benton.or.us
Subject: Coffin Butte Landfill Expansion

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Finger-McDonald

I am a longtime (40+ years) resident of Benton County. Over the years, I've had plenty of opportunity to haul yard waste (mostly) out to Coffin Butte and the old PRC facility. I've also watched our waste management companies morph from the old Corvallis Disposal, to Waste Management Services to Republic Services. Each of these companies has, in my opinion, done a reasonable job of dealing with Benton county garbage, a credit to past and present commissioners. In the past ten+ years, though, the scale of operations has exploded, reflected in the rapid mushrooming of Coffin Butte, and the steady stream of semis which line up from abroad to dump in Benton County.

Now, I'm not conversant with all of the operational and financial drivers behind the proposed expansion of Coffin Butte, but the urgency of an expansion on behalf of Benton County residents, or even our close neighbors in Linn and Polk counties, is far-fetched.

There's clearly a huge financial incentive for Republic Services to expand and rapidly 'harvest' Coffin Butte's capacity, and this serves perhaps the shorter term interests of other state residents. But Benton County cannot sustain this clown fest.The existing contract provides no recourse and no oversight to the county commissioners;

moreover, they're held hostage to a short term revenue stream. Meanwhile, garbage is being dumped in saturated soil, close to wetlands; no wonder methane gas is plentiful when refuse is moldering under the water table…trucked in from across Oregon and SW Washington.

I'm sure that Benton County Commissioners will do their best to improve this situation. And I doubt that they will approve an expansion. But they need help from the State of Oregon to rationalize & regulate waste management towards a sustainable future. No question that we all need to manage our consumer excess (and there should be a component to public policy to push on this rope), but we should be driving Republic Services (& other waste management entities) to upgrade recycling and reuse chains…AND there are better places (drier lands, for example) to bury waste from non-Benton County residents. Enough already!

Best regards,

Boyd Lyon
1058 NW Taylor Ave
Corvallis, OR

From: Barbara Wythes
To: Benton Public Comment
Subject: Coffin Butte Expansion LU-24-027
Date: Thursday, April 3, 2025 6:50:46 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We are extremely concerned about Republic Services' attempts to expand Coffin Butte landfill.

This proposal is not in accordance with the Principles as defined in the **2040 Thriving Communities Initiative** which values:

-Vibrant, Livable communities: A landfill makes a mockery of the "vibrant, safe and livable community" which we should "strive to ensure" and is not "forward thinking". We should be implementing more long-term solutions for waste, including reducing the production of single use items and the expanding of recycling and reuse programs.

-High Quality Environment and Access: The landfill will be a toxic, environmental hazard for decades to come. Even if the existing standards, as defined by DEQ and state and local requirements, were enforced, (which is currently not the case) the plans proposed by Republic Services (including no cap on annual tonnage brought in) will only make matters worse. The current and future air, soil and water quality issues will not be resolved without enforcing current standards and limiting future expansion.

-Community Resilience: "Recovering from human caused disasters, threats and changes" is of course critical. But should we not also be preventing, or at least minimizing human caused disasters such as this land fill and Republic Services' disregard for sited emissions violations, methane leaks, PFAS dangers and pollution of the Willamette River?

Violations of BCC 53.215.1- "Interference with uses of adjacent property "

The far-reaching odors from the landfill site and the noise and destruction of Coffin Butte are ruinous of property values and make the EE Wilson Wildlife Area virtually unusable for recreating on many days.

Violations of BCC 23.325.2 – "Imposition of undue burden on public improvements, facilities, utilities or services"

Heavy truck traffic to Coffin Butte drastically increases deterioration of our roads, leaves

roadsides strewn with debris and creates more tailpipe emissions near homes and schools.

Leachate from Coffin Butte is dangerous to ground water and soil, creates even more truck traffic, burdens our water treatment facilities and pollutes a major recreational feature of the area, the Willamette River.

Please DO NOT LET THIS EXPANSION PROCEED!

Barbara Wythes and Devid Leyva

7685 NE Todd Dr

Corvallis, Oregon

t

From: Paulson, Gregory
To: Benton Public Comment
Subject: landfill
Date: Friday, April 4, 2025 4:41:06 PM
Attachments: LU-24-027 air quality GSP.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached is my objection to the Coffin Butte landfill expansion.

Sincerely,

Gregory S. Paulson, PhD
Professor Emeritus
Dept. of Biology
Shippensburg University

RE. **LU-24-027**, the application to expand the landfill.

I strongly oppose the land fill expansion because there is a history of reckless management at the current site that includes gaseous emissions that not only noxious but, since they are of an unknown substances, may, in fact, be toxic and hazardous to my health. I live approximately 7 miles from the landfill and there are still days that I cannot tolerate being outside for more than a short time due to the smell. I wonder, too, if on days when the wind is blowing from the North if some of the dust that is landing on my property is not due to the machinery and equipment operating at the landfill. I have serious concerns that the dust may contain toxic materials that put my household in danger. This is a violation of BCC 53.215 (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 FC zone.*

Sincerely,

Dr. Gregory S. Paulson, PhD
Biology Professor Emeritus
Shippensburg University
993 NW Cypress Ave.
Corvallis, OR 97330

From: Paulson, Gregory
To: Benton Public Comment
Subject: Landfill highways
Date: Friday, April 4, 2025 4:50:29 PM
Attachments: LU-24-027 Highways GP.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached is my objection to the Coffin Butte landfill expansion.

Sincerely,

Gregory S. Paulson, PhD
Professor Emeritus
Dept. of Biology
Shippensburg University

RE. **LU-24-027**, the application to expand the landfill.

I strongly oppose the land fill expansion over concerns of how expansion will change the amount of heavy truck traffic on roads leading to the landfill from I-5 as well as on 99W. If the expansion is approved it is giving Valley Landfills/Republic Services carte blanche to haul as much material into the landfill as they like. Only a small portion of that material comes from Benton or Linn Counties which means large amounts of rubbish will be hauled to Coffin Butte from as far away as The State of Washington. Since the landfill is not adjacent to I-5 there will inevitably be more traffic passing through Albany and Corvallis as well as coming down 99W from the North. The roads are not adequate to handle increased large truck traffic and there is also the increased possibility that trucks carrying trash and possibly toxic material like ash will be involved in accidents dumping their loads on the roads and watersheds of the valley. This is a violation of BCC 53.215 (2): The proposed use does not impose an undue burden on any public improvements, facilities, utilities or services available to the area*

Sincerely,

Dr. Gregory S. Paulson, PhD
Biology Professor Emeritus
Shippensburg University
993 NW Cypress Ave.
Corvallis, OR 97330

From: Paulson, Gregory
To: Benton Public Comment
Subject: Landfill highways
Date: Friday, April 4, 2025 4:56:09 PM
Attachments: LU-24-027 Highways GP.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached is my objection to the Coffin Butte landfill expansion.

Sincerely,

Gregory S. Paulson, PhD
Professor Emeritus
Dept. of Biology
Shippensburg University

RE. **LU-24-027**, the application to expand the landfill.

I strongly oppose the land fill expansion over concerns of how expansion will change the amount of heavy truck traffic on roads leading to the landfill from I-5 as well as on 99W. If the expansion is approved it is giving Valley Landfills/Republic Services carte blanche to haul as much material into the landfill as they like. Only a small portion of that material comes from Benton or Linn Counties which means large amounts of rubbish will be hauled to Coffin Butte from as far away as The State of Washington. Since the landfill is not adjacent to I-5 there will inevitably be more traffic passing through Albany and Corvallis as well as coming down 99W from the North. The roads are not adequate to handle increased large truck traffic and there is also the increased possibility that trucks carrying trash and possibly toxic material like ash will be involved in accidents dumping their loads on the roads and watersheds of the valley. This is a violation of BCC 53.215 (2): The proposed use does not impose an undue burden on any public improvements, facilities, utilities or services available to the area*

Sincerely,

Dr. Gregory S. Paulson, PhD
Biology Professor Emeritus
Shippensburg University
993 NW Cypress Ave.
Corvallis, OR 97330

From: MAKEPEACE Amanda
To: Benton Public Comment
Subject: FW: Community Development, Benton County, Oregon "Reject Landfill Expansion"
Date: Thursday, April 10, 2025 7:59:58 AM
Attachments: image001.png

Please find this forwarded comment that was first addressed to permitcheck@bentonccountyor.gov regarding the landfill.

From: Benton Permit Check <permitcheck@bentoncountyor.gov>
Sent: Wednesday, April 9, 2025 4:17 PM
To: MAKEPEACE Amanda <amanda.makepeace@bentoncountyor.gov>
Subject: FW: Community Development, Benton County, Oregon "Reject Landfill Expansion"

Thanks!

Sydney Bennett
Community Development Technician
Phone: 541-766-6819
Email: sydney.bennett@bentoncountyor.gov
https://www.bentoncountyor.gov/

From: Community Development, Benton County, Oregon <noreply_wordpress@bentoncountyor.gov>
Sent: Friday, April 4, 2025 5:00 PM
To: Benton Permit Check <permitcheck@bentoncountyor.gov>
Subject: Community Development, Benton County, Oregon "Reject Landfill Expansion"

From: Patricia Berman <pat.berman@gmail.com>

Subject: Reject Landfill Expansion

Message Body:

April 4, 2025

Nick Fowler, Chair
Benton County Planning Commission

Dear Chairman Fowler,

I am writing to express my concerns and objections to the proposed expansion of Coffin Butte Landfill and to urge the Commission to reject the proposal. I have multiple concerns including:

Expansion of the landfill presents serious dangers to the health and will being of residents and public lands due to the drift of noxious chemicals. Methane drift, the stench of garbage, toxic chemicals in our air and water are documented risks. Pollutants including PFAs, mercury, lead and industrial solvents leach out of the landfill and end up in the Willamette. Our wastewater treatment plants are not equipped to capture these pollutants, especially PFAs which present a serious health threat. Toxic pollution of the Willamette fouls our drinking water and impacts fish and the ecology of the river. Republic Services has not been responsible or truthful, and expanding the landfill serves their interests but not those of Bento County citizens.

Expanding the landfill is short sighted. It is the Commissioners' responsibility to consider the long term impact of their decisions. Expanding the landfill has financial, environmental, and quality of life impact which must be taken seriously.

Respectfully,

Patricia Berman
3414 NW Maxine Circle
Corvallis OR 97330

--

This e-mail was sent from a contact form on Community Development, Benton County, Oregon (https://cd.bentoncountyor.gov)

Submitter's IP Address: 24.21.18.28

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Friday, April 4, 2025 11:18:35 AM

Subject of Testimony: Coffin Butte Expansion

Full Name: Jana Tindall

Email: jl.tindall@comcast.net

Street Address: 2135 SW Whiteside Dr, Corvallis, 97333

Written Testimony:

I am very concerned about the need to expand this facility. Apparently, it is accepting garbage from several cities outside of Benton and Polk counties. It seems that these counties should be responsible for their own garbage disposal.

Also, I have heard from reliable resources that despite the need to separate glass from our other garbage and recyclable materials, in fact this glass is treated just like other garbage and is not being recycled. It does make one pause to think how much other misinformation it being fed to the public and the decision makers.

I understand there is a financial advantage to the county that makes this a difficult decision for county commissioners. However, there should also be consideration for the quality of the environment and the quality of life for near-by residents.

Thank you for considering my concerns.

Sincerely,
Jana Tindall

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.27.233.39

From: Vanessa Ville
To: Benton Public Comment
Subject: LU-24-027
Date: Friday, April 4, 2025 9:08:27 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm in opposition to increasing size of our landfill for many reasons: the landfill and all of its trucks and waste harms wildlife habitat, increases noise pollution and groundwater pollution, adds long term liabilities to our community.

I swim and paddle board on the Willamette River from Eugene down to Salem. This public resource has become a hazard to my health because of the leachate drained from Coffin Butte Landfill. The amount of leachate has continued and is expected to grow with this proposed expansion. It needs to stop immediately. This operational activity violates BCC 53.215 (2) and Benton County Comprehensive Plan policies 5.1.2, 5.2.1, and 5.7.4

My address is 4250 NW PINTAIL PLACE, Corvallis OR 97330

Thank you,

Vanessa Ville

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, April 6, 2025 8:41:38 AM

Subject of Testimony: Potential Expansion of Coffin Butte Landfill

Full Name: Kim K Jones

Email: k.jones.corvallis@gmail.com

Street Address: 1440 NW Menlo Drive, Corvallis OR 97330

Written Testimony:

The environmental effects of expanding the landfill have been well documented – impacts of the landfill operation on air, groundwater, surface water, land, wildlife, and roads. I personally spend at least 15 days a year at E.E. Wilson Wildlife area hunting (with dog), fishing, and birdwatching. I also hike multiple times per week in the MacDonald – Dunn Forest. So yes, this is a personal and backyard issue for me.

The expansion should be denied and waste acceptance must be restricted to adjacent counties to allow existing capacity to last as designed for another 30 years. Greater Portland area waste never was and never should be allowed in OUR regional landfill. The facility at Arlington in eastern Oregon was specifically developed to accept the waste (by rail) from the greater Portland metro area. Republic Services decided to increase their profits at their convenience and our expense by shipping Portland area waste to our site.

We, Benton County residents, will pay far more in out of pocket dollars and environmental costs should the landfill either be expanded or allowed to fill to current capacity by Portland area waste in the next few years.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 71.193.245.59

From: Virginia Scott
To: Benton Public Comment
Subject: LU-24-027
Date: Sunday, April 6, 2025 3:52:00 PM
Attachments: Approved-Resolution-2024-03.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am submitting Resolution 2024-03 passed by the Central Committee of the Benton County Democrats on November 21, 2024 opposing the expansion of the existing landfill or the addition of a new landfill in Benton County.

"Be it resolved, that the Central Committee of the Benton County Democrats, in order to protect the Earth's climate, endorses the denial of any expansion request of the existing landfill and any new landfill in Benton County."

This resolution is being submitted as testimony in opposition of LU-24-027 by:

Virginia Scott
37016 Soap Creek Rd
Corvallis, OR 97330

BC Dems
Benton County Oregon

BC DEMS RESOLUTION 2024-03

WHEREAS, climate change is the pre-eminent Democratic Party issue; and

WHEREAS, the Democratic Party 2024 platform asserts "there is nothing more important than addressing the climate crisis;" and

WHEREAS, the Democratic Party platform asserts "We have no time to waste in taking action to protect Americans' lives and futures;" and

WHEREAS, methane is the most potent greenhouse gas, trapping 86 times more heat in the atmosphere than carbon dioxide over 20 years; and

WHEREAS, the time to reduce carbon emissions is time-limited to 10-20 years if catastrophic temperature rise is to be prevented; and

WHEREAS, Republic Services' Coffin Butte Landfill in Benton County is a methane super emitter because of numerous irremediable factors, including precipitation, waste intake volume type and quantity, and inadequate regulation, it is in the best interest of Benton County, and the planet, that the landfill reduce methane-producing waste-in-place; and

WHEREAS, by definition expanding the landfill will increase volumes of waste-in-place, not reduce those volumes; and

WHEREAS, Benton County has ceded control over waste intake volumes if the landfill is expanded; and

WHEREAS, any landfill expansion will increase methane output even without a removal of the existing waste intake volume cap; and

WHEREAS, methane-monitoring regulatory agencies such as the EPA are likely to be constrained in their abilities to effectively regulate emissions for the next near-, medium-, and long-term;

NOW, THEREFORE, BE IT RESOLVED, that the Central Committee of the Benton County Democrats, in order to protect the earth's climate, endorses the denial of any expansion request of the existing landfill, and any new landfill in Benton County.

A RESOLUTION SUBMITTED BY: VIRGINIA SCOTT (PCP, pct. 16), NANCY WHITCOMBE (PCP, pct. 16), and CATHERINE STEARNS (PCP, pct. 16)

APPROVED BY THE BENTON COUNTY DEMOCRATIC CENTRAL COMMITTEE NOVEMBER 21, 2024

Holly Shutta

2nd Vice Chair Holly Shutta

11/21/2024

Date

From: Martha Truninger
To: Benton Public Comment
Subject: Testimony for Coffin Butte CUP
Date: Sunday, April 6, 2025 2:15:25 PM
Attachments: Coffin Butte Testimony.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Martha Truninger

1130 NW Overlook Dr

Corvallis, OR 97330

I OPPOSE the expansion of the landfill for the following reasons:

1. Air quality is impaired due to the dust and gases that are admitted from the landfill. I frequently bike in the woods in the Soap Creek valley and on Soap Creek Road. The dust and gases which are admitted from the landfill will only grow with the expansion and cause increased exposure during biking excursions in the area. The increased exposure will keep me from enjoying the area. I am also an avid gardener and worry about dust settling on my vegetables and contaminating my soil. These are all violations of BCC 53.215 (1).
2. Water Quality of the Willamette is impaired for everyone who uses the river. I kayak on the river and know that the expansion of the landfill will increase the amount of leachate that will be dumped into the river. This increase will deter me from spending time on the river because of the increase exposure to the toxins (PFAS and heavy metals). The activity of dumping leachate violates BBC 53.215 (2) and Benton County Comprehensive Plan policies 5.1.2 and 5.2.1.
3. The methane leaks from the landfill that have been found by the EPA inspections are unacceptable. This is cause for concern both from a climate change perspective and from a fire hazard perspective. The methane leaks could spark a fire and result in a major forest fire and a toxic plume of smoke. Expansion of the landfill will only exacerbate methane creation. This reduces the enjoyment of living in the area close to Coffin Butte and violates 60.220 (b)
4. Expanding the landfill will reduce air and water quality which has a very serious possibility of reducing the quality of life in this part of the valley and reducing our property values. This is of great concern to me and violates BCC 53.215 (1).
5. When driving home behind a Republic Services truck, the truck began spewing trash on the road. It was surprising and concerning that the trash would hit our car and other cars, precipitating an accident. I have included a photo to show how egregious this is, causing trash which is dangerous and unsightly.



6. The expansion of the landfill will erode the quality of life for myself and my family. Because of the unchecked pollution that it will cause it violates the Land Conservation and Development Commission's statewide planning goal 6 which states "Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state". Specifically, the expansion violates the Benton County Comprehensive plan 6.1.2.
7. There are many alternatives to dumping trash. Developing an Integrated Waste Management and Resource Recovery plan is critical to meet this time when the reduction of methane and toxic waste is paramount to protecting the environmental health of all life in Benton County.

From: Lisa Adamczyk
To: Benton Public Comment
Subject: Planning Commission Testimony/Coffin Butte Expansion
Date: Monday, April 7, 2025 2:47:52 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to you today to voice my concerns regarding the expansion of the Coffin Butte Landfill.

I am a Corvallis resident that OPPOSES this expansion !!

Oregon is a big state, with many places where it is dry and uninhabited. Those are the places a dump should be located. The present dump is located very close to a residential neighborhood and in a wetter area, and its negative effects are many. If this dump were to be proposed today, it would never be permitted to be built so close to so many people.

I am concerned about the environmental effects this has on water, air pollution and wildlife in the area. I am an avid user of the Willamette River both for kayaking and enjoying swimming in and around the Corvallis area. This public resource has become a hazard to my health because of the leachate drained from Coffin Butte Landfill. The amount of leachate has continued and is expected to grow with this proposed expansion. It needs to stop immediately.

The operational activity violates BCC53.215(2) and Benton County Comprehensive Plan policies 5.1.2 ,5.2.1 and 5.7.4.

Please do not expand this Landfill!!

Lisa Adamczyk

3949 NW Clarence Circle

Corvallis, Oregon 97330

From: Maureen Beezhold
To: Benton Public Comment
Subject: Testimony about LU-24-027
Date: Monday, April 7, 2025 3:48:49 PM
Attachments: Document1.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear BOC:
Please see attached letter regarding the expansion of the landfill.
Sincerely,
Maureen Beezhold

Virus-free.www.avast.com

Testimony about LU-24-027

From Maureen Beezhold

1680 NE Holly Oak Place

Corvallis, OR 97330

To the Benton County Board of Commissioners:

publiccomment@bentoncountyor.gov

I find it incredible to see the BOC is still considering this expansion of the landfill when it should be concerned with having the current landfill meet its environmental obligations.

I was a former chairperson of the Benton County Environmental Advisory Committee, back in the early 2000's, when one of the commissioners of that era tried to "sunset" the committee for actually being involved in environmental issues. I've worked as a sustainability consultant both here in Corvallis, Albany and the coast from 1999-2013.

Have we really made no progress?

Can you honestly and in good faith by pass the county's code regarding the landfill?

- *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 [**Benton County Code 53.215 (1)**]*

Of course, it seriously interferes with the area both adjacent and neighboring. Habitat degradation, odor, dangerous emissions, leachate all threaten both humans and wildlife along with flora.

It appears the landfill is unable to meet EPA requirements for its operation. Why are we not focusing on this instead of enlarging Coffin Butte's capacity to pollute?

AND

- *The proposed use does not impose an undue burden on any public improvements, facilities, utilities or services available to the area* [**Benton County Code 53.215 (2)**]*

Does this expansion put a burden on public improvements? Of course, it does.

Who will pay for the roads destroyed by trucks coming from all over to add to the landfill?

Who will clean the air caused by an ever-bigger landfill?

Who will take care of people when they are ill from the increased emissions and contamination?

When I first moved to Corvallis in 1977, the landfill made headlines in the local paper when Wah Chang dumped radioactive waste there and very nearly killed a worker operating a bulldozer at the dump when it caught fire.

Now the pollution is a little more secretive but still very apparent. I, for one, resent the increased exposure, noise, traffic, habitat destruction that this landfill will create with an expansion.

Let's work on holding Republic Services accountable to meet existing EPA regulations at the very least and begin to actually showcase Benton County as one who actually "does" sustainability.

From: Benton Elliott
To: Benton Public Comment
Subject: Public Comment Re Coffin Butte Landfill Expansion Application, File Number: LU-24-027
Date: Monday, April 7, 2025 5:51:47 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am opposed to expansion of this landfill. It has been under scrutiny by the EPA for air quality compliance issues and OSHA for hazards to worker safety. Coffin Butte is a poorly-sited landfill near rural population centers. It's situated in a wet landscape, which increases environmental problems and harms quality of life. Please reject the expansion proposal based on its many harms, in particular air and water pollution, climate impacts, and wildlife impacts. The community deserves better and Oregon deserves better. Thank you.

Benton Elliott
1601 Olive Street
Eugene, Oregon 97401

From: Julianne Freeman
To: Benton Public Comment
Subject: Coffin Butte Expansion
Date: Monday, April 7, 2025 3:12:46 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Application filing number: LU-24-027

Julianne Freeman
3775 NW Wisteria Way
Corvallis, OR. 97330

This is the second letter I have sent in opposition to this project, and I am frankly shocked that the collective opposition to the Coffin Butte Expansion failed the last time. Why are we still considering this? The fact that this should not happen seems like a no-brainer to me. Corvallis and the surrounding area is such a beautiful place to live. Why would we want take trash from other communities and expand the landfill into other valleys, affecting wildlife, air quality, and people's farms and properties? I love to swim and kayak in the Willamette River and if toxins like Leachate are being poured into the river, I will not feel safe enjoying the river in the same way. This is a threat to our safety and to our tourism. The Willamette Valley is far too precious for this.

Please, please, please do not expand the Coffin Butte Landfill and thereby risk exposing residents of Benton County to increased environmental toxins that will no doubt leach into our soil and water! We want to live in a healthy environment.

Thank you,

Julianne Freeman

From: Barbara Grant
To: Benton Public Comment
Subject: RE: LU- 24-027, - I Oppose the Landfill Expansion Plan
Date: Monday, April 7, 2025 10:44:13 AM

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RE: LU- 24-027

Dear Benton County Planning Commissioners,
I strongly oppose the expansion of the existing landfill; any expansion, for that matter. The “Conditions of Approval" of *prior* landfill expansions, have not ever been enforced, and I have no confidence that they will be should you approve this expansion. Because there is no enforcement, our local environment is at risk for groundwater and watershed poisoning, not to mention the already-intolerable stench that the dump emits. I have hiked in the nearby area, and had to cut the hike short, due to the horrendous smell. How does this support Benton County's 2040 Thriving Communities Initiative, which aims to support "High Quality Environment & Access"?

I agree that this proposed expansion is a violation of both BCC 53.215 (1) and (2), and as a resident, I DO NOT SUPPORT IT.

Respectfully,

Barbara Grant
2937 NW Covey Pla
COrvallis, OR, 97330
Cell-text: **805-231-7345**
1.barbara.grant@gmail.com

From: Moore, Kathleen
To: Benton Public Comment
Subject: oppose expansion of landfill
Date: Monday, April 7, 2025 3:08:46 PM

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I write to express my strong opposition to the expansion of the landfill. Yes, a community should safely dispose of its own trash, as Corvallis has done for some time. But it is quite another burden, for a community to be asked to take in the toxins and trash from other communities -- to bury a valley in other peoples' trash, to invite the toxins into our water – all for the profit of a private company.

Clean air, safe water, open valleys, are public goods. They are human rights. They do not belong to Republic Trash Services to buy and sell for profit. The expansion of the landfill should be stopped nor and prohibited forever.

Thank you,

Kathleen Moore
Corvallis, OR

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Tuesday, April 8, 2025 5:43:12 PM

Subject of Testimony: LU-24-027: Landfill Testimony

Full Name: Susan Beekman

Email: susangracebeekman@gmail.com

Street Address: 3825 NW Hayes/ Corvallis, 97330

Written Testimony:

I'm adding my voice to those of people with a history in the area who have seen the shocking conditions at the Coffin Butte landfill. I've lived in Corvallis for over fifty years. In the early years we took trips to Airlie to buy small trees for planting. As our children grew, we spent many Sundays at Wilson Wildlife Refuge, hiking and biking and picking apples for applesauce. We passed the Coffin Butte landfill, I guess, but it was just a local rural feature, a place locals sometimes took things that wouldn't fit in the trash can. "Going to the Landfill" was the name of a catchy song written by a local songwriter, celebrating the rural fun of going to the "dump." There was no smell associated, and the size was unremarkable.
For some reason, it was twenty years before we made a trip on 99W again in around 2015. I was shocked at the sheer size of the trash mountains there, as well as the stench. The road on both sides was littered with trash.
Although BCC 53.6.4.4 states that "Benton County shall provide for the safe, efficient, and sanitary storage, collection, and disposal of solid waste," there was so much more waste than before. I did a little research and discovered that most of the trash is brought in from other large communities throughout the state. The BCC does not indicate (BCC 53.5.8) that Benton County "shall assure safe, accessible, and environmentally sound disposal of solid waste" at the Coffin Butte Regional Sanitary Landfill" for communities outside the Benton County region.

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 71.236.247.119

From: Heidi Igarashi
To: Benton Public Comment
Subject: Comment re: application number LU-24-027
Date: Tuesday, April 8, 2025 10:03:47 AM

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My name is Heidi Igarashi and I have been a resident of Benton County for the past 19 years.

I oppose expansion of the Coffin Butte waste facility because of negative impact the existing already presents to ground water contamination and poor air quality for residents. Expansion would make both conditions worse.

Although mitigation of leachates are in place, these system become overwhelmed and ineffective during big rain events. The impacts are significant. The amount of leachate is expected to grow with this proposed expansion. This operational activity violates BCC 53.215 (2) and Benton County Comprehensive Plan policies 5.1.2, 5.2.1, and 5.7.4

Please do what's right by your constituents and the environment. Resist the lure of the financial benefits and act to oppose the expansion. Ask yourself how you would explain your actions to the newest generation of Willamette Valley residents.

Respectfully,
Heidi Igarashi

From: Kupperman, Pei
To: Benton Public Comment
Subject: LU-24-027
Date: Tuesday, April 8, 2025 4:28:13 PM
Attachments: Landfill.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find our testimony on the Landfill expansion which we vigorously oppose.

Thank you,

Ken and Pei Kupperman
2101NW Christopher Place
Corvallis, OR 97330
Farm address:
12425 Sauerkraut Road
Monmouth, OR 97361

Hello, I am Ken Kupperman, and my wife is Pei Kupperman. We live at 2101 NW Christopher Place in Corvallis and also have a farm approximately 5 miles northwest of the Coffin Butte Landfill on Sauerkraut Road, off of Airlie Road. We could not be more in opposition to any expansion of the landfill, in fact we would like to see the current operation with Republic transition to termination as soon as is possible. Why, because Republic's operation at Coffin Butte is polluting our environment, potentially a major environmental disaster waiting to happen, and it is creating an ever expanding financial burden for its future cleanup. At our farm we have be affected by toxic fumes on an ever increasing number of days and severity, to the extent we can't work outside during those events. We know from the experience of the 2020 wildfires that its related smoke taint caused loss of marketable crops. Ever increasing emissions from the landfill are detrimental, but at what threshold? Zero emissions should be required. One of our major concern is the potential for a catastrophic landfill fire. Each year in US there are over 8,000 landfill fires, it is common; it can happen. If we have a fire at the landfill, will we have a Chernobyl in our back yard, the risk is unimaginable and we must take steps to prevent it. Republic has proven to be non-compliant to safeguards and is a blatant polluter. Toxins being emitted into the air and groundwater from the landfill, waste particulates blown out of the trucks all along the Highway 99 corridor as they leave the landfill and the carbon footprint of waste transportation from far distances, plus their untreated sludge that is being dumped into the Willamette. What kind of stewards are we being for future generations if we let this expansion happen? The current operation is primitive, outdated and profiteering. We need to find a better solution for our waste management that is less polluting, safer with long term viable. Expansion must not be allowed.

From: Penelope Pascal
To: Benton Public Comment
Subject: LU-24-027 - Testimony
Date: Tuesday, April 8, 2025 7:48:03 AM

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Hello!

My name is Penelope and I'm a Willamette Valley resident.

I firmly oppose the expansion of the Coffin Butte Landfill.

We've been choking on more wildfire smoke every summer. Landfills are prone to fires, which can ignite from methane buildup or improperly disposed of lithium batteries, and once started, these fires are difficult to control, releasing harmful pollutants into the air and compromising public health.

The core values in Benton County's 2040 Thriving Communities Initiative include "high quality environment," and I believe this expansion cuts directly against this. The expansion poses a grave threat to our environment, it could contaminate nearby water sources, harm local wildlife, and disrupt our natural ecosystems.

I ride my bike up and down the country roads of the Valley, I love this place and our outdoor recreation. The expansion would degrade the landscape, making it less appealing for activities such as hiking and camping. The unpleasant odors and potential air quality issues from the landfill's operations will diminish the natural beauty that the community values.

The mitigation efforts would be ineffective because they fail to fully address the long-term risks like uncontrolled fires and water contamination, which can persist for decades. The scale and unpredictability of environmental damage would exceed the capacity of mitigation strategies to prevent widespread harm.

Thank you,
Penelope Pascal
616 W. 4th Ave #7
Eugene OR, 97402

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Wednesday, April 9, 2025 9:54:36 AM

Subject of Testimony: Oppose expansion of Coffin Butte landfill

Full Name: Kathleen Dean Moore

Email: kmoore@oregonstate.edu

Street Address: 147 NW 31st St

Written Testimony:

I write to express my strong opposition to the expansion of the landfill. Yes, a community should safely dispose of its own trash, as Corvallis has done for some time. But it is quite another burden, for a community to be asked to take in the toxins and trash from other communities — to bury a valley in other peoples' trash, to invite the toxins into our water, to stink up our air – all for the profit of a private company.

Clean air, safe water, open valleys, are public goods. They are human rights. They do not belong to Republic Trash Services to buy and sell for profit. The expansion of the landfill should be stopped nor and prohibited forever.

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.115.213.243

2904 NW Angelica Drive
Corvallis, OR 97330
April 9, 2025

To: Commissioners of Benton County
Re: Opposition to Landfill

Count me in as one of many Corvallis residents who are opposed to landfill expansion.
You have lots of information at your disposal (no pun intended..). You know there has been disregard, or at least incompetence, on Republic's part regarding regulations. Toxic leakage has been happening for a while. The stink certainly is escalating. In the original agreement, Republic promised a long life to this landfill, and has subsequently broken all promises by accepting trash from far and wide in Oregon.
This landfill expansion will go on long after your terms end. Please don't set us up for a lifetime of stink, toxicity, and diminishing quality of life in this valley that we love. Other communities need to take develop their own methods of managing their refuse.
Thank you,

Judy Riggs

Judy Riggs
2904 NW Angelica Drive
Corvallis, Oregon 97330

From: Richard Honour
To: Benton Public Comment
Cc: Debbie P; mailto:writerguy@writerguy.com; mailto:clearwater@peak.org; mailto:mayeager@gmail.com; Philipp Schmidt-Pathmann; Richard Honour
Subject: I oppose LU-24-027
Date: Thursday, April 10, 2025 6:35:31 PM
Attachments: LandfillLeachates.04.10.25.pdf

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To: The Planning Commissioners of Benton County, Oregon
My opposition to LU-24-027 - Expansion Application for the Coffin Butte Landfill – 04.10.25

Landfills in general are far out-of-date by plan, design, and intent, and are dysfunctional facilities by default that were established historically to receive municipal, industrial, medical, construction and other forms of solid waste, aka, garbage, as generated by society, but without any plan or intent for matters of Public Health, Environmental Health, or Beneficial Reuse.
No matter the name or title of the waste sources or materials, or the intent of the disposer, land-disposal or land-filling of any form of solid waste into any landfill or water environment, damages any or all of air, soil, water and life forms, including Humans, for land-disposed solid waste is nothing other than land-disposal of toxic waste material.
Landfilling or any other form of land disposal of solid or other wastes represents an out-of-date practice based on expedience and convenience, rather than on the critical factors of Human and Environmental Health. Alternatives must be explored.
Benton County's "2040 Thriving Communities Initiative's Core Values, Based on the Principles of Equity & Health," strives to ensure a solid basis for the establishment and sustainability of vibrant, safe and livable Communities that foster a high quality of life, assuring careful attention to the core values of Human and Environment Health, biodiversity and sustainability, free from the risks, threat and harm that may be incited by natural or Human-incited practices or disasters that may threaten or compromise the well-being of communities, as a direct function of policies, practices and operations of communities, including landfills.
In this light, I strongly oppose LU-24-027, the application to expand Coffin Butte

Landfill, as it will surely compromise and otherwise seriously interfere with the character and quality of the landfill area, as well as of adjacent properties and the natural environment.

A landfill that may be extant or planned imposes an undue burden on opportunities for public improvements, facilities, utilities, or services that are available or that may be needed for future growth in the core or adjacent regions. Growth and expansion of communities and their essential infrastructure must be anticipated or forevermore precluded from realization.

Any landfill by any design or engineering principle interferes with immediate and adjacent lands by the very nature of its toxic, odorous and otherwise noxious gasses, disturbances of local wildlife patterns, highly toxic landfill leachates, and importantly, the endless disturbances incited by intense truck traffic that disrupts the local environment with its inherent pollution, noise, and noxious fumes. Such interference would be an added burden, compromising a fully earned and anticipated safe and comfortable lifestyle.

It is for certain that the proposed expansion of the Coffin Butte Landfill would be contradictory to, and in conflict with, the stated and approved criteria in the County's Comprehensive Plan and Development Code. It is clear, based on the toxic content of the waste materials in the current landfill alone, much less when considering the porous nature of the underlying aggregate geology, plus proximity to the critical waters of the adjacent Willamette River and connecting surface and ground waters, that an expansion of the Coffin Butte Landfill will impose an undue burden on life in Benton and surrounding counties.

Attached for your information is a document I prepared that includes two new and highly attenuated peer-reviewed science articles (Pages 1 and 24) with intent to enlighten the Planning Commision members on some of the toxic consequences associated with landfills anywhere on Earth. I edited the content of the attached file with intent to make it easier to explore and digest, hopefully to reveal just some of the toxic consequences associated with any landfill, much less with an aged active landfill that seeks expansion and continuance of the release of its toxic loads to the near and adjacent environments. The included references are attainable by the embedded URL links within the text.

If you may ever seek a full presentation on the core issues of landfill toxics, I will be pleased to make such presentation as may be desired.

Sincerely, Richard C. Honour, PhD
Environmental Scientist: Specialist in Wastewater Treatment Plants and toxic wastes, as well as Landfills, Landfill Leachates, Landfill Gasses and compromised adjacent environments.

Landfill Leachates:

The leachates from nearly all landfills are known to contain toxic chemicals, metals and infectious disease agents, both bacterial and fungal.

Recent studies (Presented as Numbers 1 and 2 below and on Pages 1 and 24) analyzed the hazardous components of landfill leachates, highlighting the toxic chemicals, heavy metals, and pathogenic microorganisms. Below are the brief summaries of thw two scientific articles that discuss the toxic content of nearly any landfill leachate from nearly any municipal landfill:

1. A 2023 comprehensive review published in *Environmental Technology & Innovation* details that landfill leachate contains toxic organic and inorganic pollutants, heavy metals, and ammonia. The study discusses the environmental and health problems caused by these contaminants and evaluates current biological and physiochemical treatment methods. ScienceDirect
2. A 2024 review in *Science of The Total Environment* explored the environmental and health risks associated with landfill leachate contaminants. It emphasized the presence of emerging contaminants, including microplastics and antimicrobial-resistant bacteria, and discussed their ecological impacts and potential interventions. ScienceDirect

These studies provide detailed analyses of the dangerous contents of landfill leachates and their implications for environmental and human health.

1. Hazardous wastes and management strategies of landfill leachates: A comprehensive review

https://www.sciencedirect.com/science/article/pii/S2352186423001463?utm_source=chatgpt.com

Mohamed T. El-Saadony [a] [1], et al. https://doi.org/10.1016/j.eti.2023.103150

Highlights:

- Leachate contains toxic organic/inorganic pollutants, heavy metals and ammonia.
- Landfill leachate (LFL) causes serious environmental, ecological, and health problems.
- Classification, composition and factors affecting of leachate production are described.
- Current treatment of biological and physiochemical treatments for LFLs are discussed.
- Future prospects of the methods/techniques for treating LFL are proposed.

Abstract

Leachate usually includes toxic organic and inorganic pollutants, heavy metals, ammonia nitrogen compounds, and other dissolved and suspended contaminants. Careful management of landfill leachate (LFL) is essential to reduce leachate quantity and prevent the unfortunate fate of leachate contamination. In contrast to the management of solid waste incinerators, LFL disposal has serious ecological and health impacts in most countries, mainly associated with groundwater, soil, and air pollution. This could be attributed to the absence of cost-effective treatment technology or ideal disposal guidelines by the cities/municipalities. Therefore, ecological evaluation and sustainable managing of LFL collection and disposal treatment are highly recommended. This review describes the classification and composition of leachates, the factors affecting leachate production, and the conventional (current) treatment options for LFLs. Procedures of aerobic and anaerobic biological treatment employing microbial operated separately or in combination along with physiochemical management processes are also

discussed. This review examines the prospects of LFL treatment methods/techniques, how to economize LFL treatment methods (e.g., waste pretreatment) using readiness level technology, and recycling sorting technology.

1. Introduction

Generation and management of waste have existed throughout human existence (Nanda and Berruti, 2021, Sun et al., 2022). The pollution of leachate results from the yearly rise in municipal solid waste (MSW) production, reaching 2.2 billion tons (Chen et al., 2020). Since the emergence of humans, primitive trash has been discarded in metropolitan places, contributing to urban pollution and development of fatal illnesses (Martin, 2008). To improve living conditions, municipal and town authorities have begun rubbish gathering and disposal in landfills or marine habitats. Landfill leachate (LFL) discharge is both an environmental problem and a threat to human health (Fig. 1).

At the turn of the 20th century, waste treatment procedures evolved, and garbage collection and disposal became commonplace in metropolitan areas (Herbert, 2007). The first landfills were intentionally created pits or trenches where trash was deposited and then covered with dirt (Rajoo et al., 2020). This method degraded the earth and neighboring soil through LFL. In the 21st century, the scientific and technological community began recognizing the hazards and negative environmental effects of landfilling (Quan et al., 2020, Sun et al., 2022). The trash output has shifted significantly from biodegradable resources to nonbiodegradable, artificial plastic, and hazardous garbage, each of which adds to environmental damage (Ward, 2011, Kumar et al., 2023). Multiple industrialized nations have enacted legislation to control landfills to avoid and reduce environmental degradation (Herbert, 2007, Abunama et al., 2021). When possible, reduce, reuse, and recycle waste to avoid disposing it in landfills (McCarthy et al., 2010, Can-Güven et al., 2021, Ishii et al., 2022).



Fig. 1. Landfill leachate pollution constitutes environmental pollution and human health hazard.

There was a lack of understanding of the activities taking place in landfills, such as the generation of gases from LFL and the potential environmental damage; waste management at landfills continues to be a source of concern around the world. In the European Union (EU), the waste industry is blowing significant transformations because of the adoption of waste treatment laws and regulations. Regardless of these developments, trash output in the EU is on the rise, with an average of 2.5 billion tonnes generated yearly; of this, 36% was recycled, while the majority was landfilled or burned (Sáez and Osmani, 2019). Unfortunately, only 600 million tonnes of this material could be recycled, indicating a fundamental flaw in current waste disposal processes. Fundamentally, a shift is necessary for understanding waste as a problem that must be eliminated. Landfilling has its environmental challenges and concerns. Landfills emit off-gases such as methane (CH_4) and hydrogen sulfide, negatively affecting air quality. By enhancing waste management procedures, greenhouse gas emissions may be reduced, reducing environmental and health issues and landscape damage (Giersc et al., 2018).

The most significant problem associated with landfilling trash is the creation of LFL, a kind of hazardous wastewater (WW) that can cause groundwater pollution, which can be treated by aerobic granular sludge (AGS) technology. This method collects mature AGS from a running AGS bioreactor, stores it in different forms and environments (depending on the techniques used), and reactivates the stored AGS when needed (McCarthy et al., 2010, Yan et al., 2021, Tanavarotai et al., 2022). Also, MSW LFL is a highly concentrated organic WW of complex composition. It is a major source of pollution that threatens groundwater and surface water quality. Leachates must undergo rigorous treatment before being discharged into the environment (Chelliapan et al., 2020).

The available technologies developed for treating LFL can be classified as physical, chemical, or biological. The current major leachate method combines aerobic, chemical, and physical treatments (Tanavarotai et al., 2022). Biological treatments of LFL using aerobic ponds have some drawbacks, such as low removal of organic matter (OM) and some toxic pollutants. On the other hand, anaerobic treatment of WW has gained wide attention among researchers and sanitary engineers, mainly due to its economic merits over conventional aerobic methods (Chelliapan et al., 2020).

This review explores the nature and categorization of leachates, the variables influencing leachate generation, and the conventional and contemporary treatment methods for LFLs. Future landfilling paradigm, and the economic pointview on how to optimize LFL treatment methods (trash pretreatment, readiness level technology, and recycling sorting technology) are discussed. This review also shed lights on the possible applications of processed LFL, including green energy and natural gas.

2. LFL

LFL is a chemical mix that presents a grave threat to health and the ecosystem (Bove et al., 2015). LFL is created from liquids in the trash and percolates through landfills, collecting suspended and soluble elements originating from or byproducts of garbage degradation (McCarthy et al., 2010, Hussein et al., 2019). Infiltration of groundwater, precipitation, and rain through uncapped landfills significantly influences LFL production (Couto et al., 2017).

The Landfill Directive presents the principles and rules for controlling LFL inclusion at landfill places (Giersc et al., 2018). Specifically, the directive stipulates that a leachate treatment system must be constructed before the onset of young LFL. A leachate treatment procedure should guarantee that landfill-generated LFL is confined inside the site. Additionally, McCarthy et al. (2010) stated that the system should have established measures to decrease seepage from the

landfill via the base or side in order to reduce the interaction between the leachate and the landfill linear to prevent an increase in the liquid levels to the point where the leachate overflows and causes uncontrolled release into the surrounding environment. Therefore, information regarding the likelihood of leachate production is required for both the concept of the landfill and the following leachate treatment methods (McCarthy et al., 2010).

All MSW landfills should be designed with extensive leachate harvesting and disposal processes. Crucially, leachate harvesting should be performed throughout the landfill's lifetime, regardless of the liquid treatment approach employed. This has to contain (a) a drainage layer composed of ecological granular or artificial drainage substance, (b) perforated leachate collecting pipes, and (c) LFL harvesting sumps or header pipes from which leachate may be eliminated (Timoney, 2009, McCarthy et al., 2010). As waste decomposition continues inside this natural internal bioreactor, the LFL generated by a MSW dump varies significantly over time (Renou et al., 2008). Therefore, the categorization of LFL is crucial for determining the possible impacts of an unintentional release on the surrounding environment (EUR-Lex, 2000, Renou et al., 2008). Because of the ever-changing fact of waste degradation and leachate structures, landfill operators view LFL generation and management as a serious challenge (Wang, 2013, de Almeida et al., 2020, Ribera-Pi et al., 2021).

2.1. Classification of leachates

The categorization of LFL mostly relies on the age of the landfill. Certain variables, such as waste composition, rainfall penetration, and temperature, might influence LFL characteristics (Kjeldsen et al., 2002, Renou et al., 2008). Recent/young, middle/moderate, and mature/old LFLs are categorized according to the landfill age in which they were created (Osra et al., 2021).

2.1.1. Recent LFL

Recent/young "fresh" LFL (5 years old) is produced at landfills that have recently begun accepting garbage and where waste decomposes rapidly. During the breakdown of OM, the pH is near to neutral (6.5), and O_2 contained in the waste is eaten by native microorganisms.

The biochemical oxygen demand (BOD) and the chemical oxygen demand (COD) characterizes current LFL values greater than 0.3 (Wu and Li, 2021, Gutiérrez-Mosquera et al., 2022).

2.1.2. Middle LFL

A middle/moderate landfill (10 years) often includes substantial amounts of biodegradable OM, which promotes rapid anaerobic fermentation and the formation of vast quantities of volatile fatty acids (VFAs) (Idowu et al., 2019). Renou et al. (2008) and Kamaruddin et al. (2015) stated that middle LFL was characterized by elevated levels of COD, total organic carbon (TOC), and BOD where the BOD/COD rate was 0.7 (Abdul Halim et al., 2010) and pH was 7.5 (Lee and Nikraz, 2014).

2.1.3. Mature LFL

As the landfill ages (>10 years), the methanogenic phase of trash decomposition begins. Within this stage, methanogenic archaea convert VFAs into biogas composed of 50%–60% CH_4, 30%–40% CO_2, and 1% H2S (Buchroithner, 2015). Torretta et al. (2017) stated that mature LFLs have considerable pH > 7.5 and NH_3 N concentrations of >0.4 g L^{-1} and decreased COD (4 g L^{-1} O2). Because of the presence of humic acid (HA), fulvic acid (FA), and nonbiodegradable, recalcitrant OM, a BOD/COD ratio between 0.05 and 0.20 is also indicative of this stage (Abdul Halim et al., 2010). Table 1 summarizes other leachate management performances on the base of landfill age.

2.2. Composition of leachates

Leachate has varied physicochemical characteristics, and trash has a highly variable composition (Gutiérrez-Mosquera et al., 2022). In addition, climatic variables influence the accumulation

degree of COD indices, where excess water helps attract OM and inorganic elements to the leachate, making their decomposition harder. At a given moment, the structure of a particular LFL is an excellent predictor of the biological processes' stage (Kjeldsen et al., 2002). LFL parameters include dissolved organic matter, inorganic macro material, heavy metals (HMs), and xenobiotic organic chemicals (XOCs). Other chemicals detectable in LFL include borate (BO_3^{3-}), barium (Ba), arsenate (AsO_4^{3-}), mercury (Hg), lithium (Li), and cobalt (Co), albeit their minute quantities (Kjeldsen et al., 2002, Kamaruddin et al., 2015).

2.2.1. Dissolved OM

COD, BOD, and TOC are the quantifying dissolved OM metrics. These criteria encompass a variety of OM, including VFAs, FAs, and HA-like compounds. Dissolved OM influences leachate structure concerning other constituents via the complicated characteristics of its large molecular weight (MW) components. Kjeldsen et al. (2002) found that a low BOD/COD rate denotes leachates with small VFA and comparatively elevated levels of HA and FA–like substances. However, this depends on the landfill's stability and phase/age (Kamaruddin et al., 2015).

2.2.2. Inorganic macro compounds

This category includes sodium (Na^+), ammonium ($NH4^+$), calcium (Ca^{+2}), potassium (K^+), iron (Fe^{+2}), manganese (Mn^{+2}), magnesium (Mg^{+2}), sulfate ($SO4^{-2}$), and hydrogen carbonate ($HCO3^-$) chloride (Cl^-) compounds. Like dissolved OM, the existence of inorganic macro molecules relies on the waste phase. Ca^{+2}, Fe^{+2}, Mn^{+2}, and Mg^{+2} concentrations are low in the methanogenic stage of LFL because of the increased pH and low dissolved organic material. At this point, $SO4^{-2}$ content is also low due to the microbial conversion of $SO4^{-2}$ to sulfide by communities in sequence batch reactors (SBR) (Kjeldsen et al., 2002, Kamaruddin et al., 2015).

2.2.3. Ammonia (NH_3)

High amounts of NH_3 and organic N, collectively called total Kjeldahl N (TKN), are present in LFL. High amounts of NH_3 are typical of LFL, with values significantly higher than the national discharge regulations of 4 mg L^{-1} for WW to water bodies (McCarthy et al., 2010). This poisonous gas is prevalent throughout the early phases of waste decomposition and rises during the transition and acid production phases. However, NH_3 diminishes gradually over the metrogenic phases (Schiopu and Gavrilescu, 2010, Last et al., 2015). Kjeldsen et al. (2002) showed that LFL NH_3 typically varies among 500 and 2000 mg L^{-1}.

In general, NH_3 levels are greater than 600 mg L^{-1} may negatively impact microbial growth in the aerobic environments, lowering waste treatment's efficacy (Li et al., 1999). $NO2^-$ and $NO3^-$ levels are low in mature landfills due to the constant anaerobic conditions. Nonetheless, $NO3^-$ concentrations are elevated during the methanogenesis phases of waste breakdown (Othman et al., 2010, Tsui et al., 2020). High $NO3^-$ levels harm aquatic ecosystems and human health (Xu et al., 2010a, Tsakiris, 2015). Similar to NH_3, $NO3^-$ is frequently observed in high quantities in MSW LFL (100 mg L^{-1}) and is strongly influenced by oxidizing circumstances, which can lead to volatilization and subsequent nitrification processes. Volatilization through processes generates free NH_3, which is changed to $NO3^-$ through nitrification (Hassan and Ramadan, 2005). Under lowering anaerobic circumstances, however, this causes the conversion of $NO3^-$ to NH_3 or N2 by dissimilatory $NO3^-$ reduction, hence decreasing $NO3^-$ levels and raising NH_3 levels (Hassan and Ramadan, 2005).

2.2.4. XOCs

XOCs are produced from artificial and ordinary chemicals, and are often present in trace amounts in LFL. Soluble XOCs can cause damage to soil and vegetation if they become

contaminated (Kjeldsen et al., 2002). The most abundant substances that reach landfills are home items, such as aerosol cleaners and diapers (Galvão et al., 2020, Kwarciak-Kozłowska and Fijałkowski, 2021). The availability of hazardous material in landfills also contributes to the occurrence of XOCs in LFL. Even though this technique is no longer permitted, its lasting effects continue to be noticed. Other XOCs include hydrocarbons (toluene, benzene, and xylenes), halogenated hydrocarbons (chlorobenzene and tetrachloroethylene), phenols (4-chlorophenol and cresols) and aromatic pesticides such as hexazinone and bentazon (Kwarciak-Kozłowska and Fijałkowski, 2021).

2.2.5. HMs

The bioaccumulation of HMs can produce toxicity in living creatures and threaten human and animal health if the soil and surface become contaminated (Sulaimon et al., 2014, Vaverková et al., 2018). LFL typically contains HMs, such as copper (Cu+2), zinc (Zn+2), cadmium (Cd+2), lead (Pb+2), chromium (Cr+3), and nickel (Ni+2) (Baun and Christensen, 2004, Christensen, 2010, Abd El-Mageed et al., 2020). Generally, their levels stay low; the rise in pH, accompanied by the methanogenic phases of waste decomposition, enhances the soil's sorption capacity, leaving the metals immobile (Christensen et al., 2001). Multiple investigations have shown that the presence of HMs in LFL is of little relevance. However, their disposal or management is required when the HM concentration of LFL exceeds national discharge regulations (Christensen et al., 2001).

2.2.6. Microbiology of landfills

Due to the availability of abundant OM and diverse substrates in these places, landfills are dubbed "microbial pools" (Yang et al., 2022). Generally, changes in physicochemical characteristics describe landfill decomposition, with low or no connection to the altering microbial environment (Song et al., 2015a). Research has shown that a landfill's ecological circumstances and substrate specificity considerably impact its microbiota structure (Song et al., 2015b). Microorganisms transform organic waste into low MW molecules, primarily CO_2, H2O, and HA–like chemicals, during the aerobic phase. The consequent high energy yields facilitate rapid microbial development (Antony et al., 2020, Mahtab et al., 2021). NH_3 is transformed to NO2− by NH3− oxidizing bacteria during nitrification, which is then lowered to NO3− by NO2− oxidizing microorganisms. Under anoxic circumstances, denitrifying bacteria use N2O to convert nitrogen (N) to nitrogen gas (N2). Without these aerobic and anaerobic processes, N cannot be successfully eliminated from landfills (Sang et al., 2012). Acidogens hydrolyze complex organic wastes such as carbohydrates, proteins, and fats into monosaccharides, amino acids, and fatty acids during the anaerobic phase. These bacteria convert these outputs into hydrogen, carbon dioxide (CO_2), and organic acids like lactate and acetate. These chemicals might be converted to CH_4 by acetoclastic and hydrogenotrophic methanogenesis under anaerobic conditions (Sang et al., 2012).

Numerous bacteria have been extracted from LFL to date. Wang et al. (2017) investigated the microbial composition of a municipal solid waste dump in Yangzhou City, East China, and discovered that Proteobacteria, Firmicutes, and Bacteroidetes were the major taxa. Similarly, Hale Boothe et al. (2001) discovered Gram-positive species (*Staphylococcus lentue*, *Staphylococcus delphini, Bacillus megatherium,* and *Bacillus pasteurii*) and Gram-negative species, the majority of which below the genera *Yersinia*, *Acinetobacter*, *Enterobacter*, and *Pseudomonas*. In addition, numerous Gram-positive bacteria, such as *Lysinibacillus, Bacillus, Brevibacillus, Staphylococcus,* and *Clostridium* spp., were recovered from LFL (Krishnamurthi and Chakrabarti, 2013).

3. Factors affecting leachate composition

The formation and composition of leachate are impacted by additional variables, such as meteorological conditions and waste makeup, which are briefly mentioned below. Other elements that impact leachate formation include the absence or the existence of hydrogen and oxygen gases, the retention period of MSW retention in the landfill, the covering material for the final LFL, and leachate recycling (Borglin et al., 2004, Hossain and Haque, 2009).

3.1. Weather differences

Alterations in room temperature and landfill equilibrium significantly impact the LFL features. For instance, landfills in hot, dry climates tend to accumulate tiny quantities of LFL, while those in tropical areas produce greater amounts of diluted LFL (Kamaruddin et al., 2015, Scandelai et al., 2020, Yuan et al., 2021). Tränkler et al. (2005) noted that landfill biodegradability is sluggish in regions with dry climates but significantly enhanced during wet seasons (Gautam and Kumar, 2021). More than 60% of LFL-generated precipitation can permeate landfill sites; this cannot be avoided while a landfill cell actively accepts garbage. The amount of moisture-rich OM wastes and liquids put into a landfill was also shown to boost LFL production (González et al., 2011, Cheng et al., 2020, Can-Güven et al., 2021). Due to increased microbial activity, biological decomposition happens more rapidly in warmer climes, accelerating the landfill's shift to acid production and methanogenic stages (Khattabi et al., 2002).

3.2. Waste structure

The structure of MSW and its consequent decay considerably influences the quantity and quality of LFL (Somani et al., 2019). Various garbage breakdown products combine with the moisture in the landfill during this process to create LFL. Because of the quantity of general rubbish and the organic and inorganic chemicals created during waste degradation, waste with a high organic and moisture inclusion, in particular, produces high-strength leachates (Barghash et al., 2021, Adaryani and Keen, 2022). However, researchers have reported that waste limitation tools, such as separation of the OM component of MSW, waste preprocessing, and reprocessing, can substantially affect the quality of LFL (Kamaruddin et al., 2017). Therefore, to reduce the production of high-strength LFL near the base of garbage structures, it is recommended that landfill operators examine the acceptance regulations at each site (Christensen, 2010). Scandelai et al. (2021) evaluated the intensification of super critical water oxidation (SCWO) process through ion-exchange with zeolite (SCWO/zeolite) for potential reuse of treated leachates depending on the municipal WW reuse rules. This technology was applied to raw leachate (RL) and the traditional techniques of pretreated leachate (PL) at the studied landfill. The continuous SCWO reactor operated at a temperature of 600 °C, a pressure of 23 MPa, and spatial time (τ) from 29–52 s without adding oxidants. A commercial zeolite (clinoptilolite) in a fixed-bed glass column was utilized for ion exchange. In addition, Scandelai et al. (2018) assessed LFL degradation using the innovative combination of SCWO with ozonation (O3/SCWO) and oxidation (SCWO/O_3). Ozonation occurred at different reaction times (30–120 min). Combining ozonation (30 min) with SCWO (O3-30′/SCWO) was considered the most efficient technique for LFL degradation, when compared with other treatments (Scandelai et al., 2018).

4. Impact of improper LFL management on the environment and public health

Determining and assessing the risks posed by LFL are essential to relieve the direct effects on the environment. It is important to stress the issue of proper landfill management to decrease leachate and landfill gas (LFG) emission. Although landfills are environmentally straining, precautions can be taken to alleviate negative impacts. According to the United States

Environmental Protection Agency (USEPA, 2016), the waste management company can close the landfill when ends and no longer can collect any waste. This is followed by a postclosure process of which the company is responsible for managing the landfill for another 30 years, taking into consideration that management proceeds because leachate and gases do not stop being produced. In addition, companies should have alternative uses for this land (USEPA, 2016). For example, companies can be engaged in the renewable energy industry by developing solar farms to help generate revenue. Enforcement of federal regulation of landfills can also lessen the effects of the landfill on air, soil and water (USEPA, 2016).

Well-designed and properly operated landfills ensure that the environment is contaminant-free; whereas proper construction and maintenance ensure that landfills are incorporated with environmental monitoring systems to track any gas release and groundwater contamination (USEPA, 2018). The United States Environmental Protection Agency Community-Focused Exposure and Risk Screening Tool (USEPA C-FERST, 2017) detailed proper designing/operating sustainable landfill management, and recommended that communities should be more involved in sharing this sustainable future by decreasing waste generation and alleviating the negative effects of landfills (USEPA C-FERST, 2017).

5. Regulations and considerations for hazardous waste management

Hazardous waste was first defined in the USA in the 1980s as unwanted materials that threaten humans and environment when poorly managed (Marinković et al., 2008). Rapid industrialization gives rise to hazardous waste generation associated with increased consumption of products and services (Duan et al., 2008). This requires great efforts to collect, transport, recycle, treat and dispose such waste. Thus, it is vital to take necessary safeguards and investigate novel methods for effective management (Marinković et al., 2008).

In Turkey, the expansion of its medical care infrastructure and the transformation of its industries into a developing country led to risks and challenges in hazardous waste management (HWM). As such, Turkey's environmental law in 1983, Basel convention on control of transboundary movement of waste in 1994 and HWM regulation in 1995 were introduced (Salihoglu, 2010). Although waste prevention and minimization have never been a priority at the national level for a long period of time, Turkey adopted regulatory practices in the European Waste Catalogue (2000/532). The transformation approach of the national waste management is based on prevention at source, reduction, recycling, incineration/energy production, and disposal (Salihoglu, 2010).

Safe transportation of hazardous waste from hazardous waste generators (HWG) to disposal sites, solving the costly and time-consuming hazardous waste transportation (HWT) problem and the selection of the hazardous waste carrier (HWC) are important subjects for decision makers (Zhao et al., 2016). Büyüközkan and Gocer (2017) indicated that on-site treatment can be done only for small quantities of hazardous waste compared to off-site treatment facilities. Large HWGs assign licensed HWCs to dispose hazardous wastes off-site. This requires special transportation, treatment facilities or designated hazardous waste storage and disposal sites (Orford, 2007).

Safe HWT, governed by strict HWT regulations, is vital to prevent potential contamination by hazardous waste and reduce threats to public health and environment (Orford, 2007). Governmental organizations inquire HWCs to have HWT licenses, to accept HWT with minimal spillage and risks. Therefore, HWG can assess different licensed HWC options and select the least cost one. This suggests that the selected HWC must operate legally to ensure quality, responsibility, safety and service (Ho, 2011).

Nowadays, multiple-criteria decision-making (MCDM) has become a “hot” topic, including different objectives or criteria and finding solutions to complicated problems (Lertprapai, 2013). MCDM methodologies such as analytic hierarchy process (AHP), the technique for order of preference by similarity to ideal solution (TOPSIS), and Višekriterijumsko kompromisno rangiranje (VIKOR), have been successfully applied to solve several types of decision-making problems (Lertprapai, 2013). However, most of these “standard MCDM techniques” are run with crisp numbers, and prove inadequate. The criteria for selecting the best alternative often rely on uncertain/fuzzy information. Therefore, these MCDM methods are used with fuzzy numbers (Lertprapai, 2013).

6. LFL different treatment technologies

LFL may differ depending on the content and age of landfill contents, the degradation procedure, and climate and hydrological conditions. Many treatments, including biological procedures (bioreactors, bioremediation, and phytoremediation), physicochemical approaches (advanced oxidation processes, adsorption, coagulation/flocculation, and membrane filtration (MF)), and others were used to treat LFL (Costa et al., 2019).

Membrane bioreactors and integrated biological techniques, including anaerobic NH4+ oxidation and nitrification/denitrification processes, have demonstrated high performance in NH_3 and N elimination, with >90% removal effectiveness (Costa et al., 2019). Moreover, improved elimination efficiency for suspended solids and turbidity has been achieved by coagulation/flocculation techniques. Combining different treatment techniques can improve removal effectiveness of metals by 40–100%. In addition, the combined techniques used for LFL treatment have been reported with good performance when they are linked with high COD and concentrations of NH_3 and low biodegradability (Costa et al., 2019). However, more research to improve treatment methods for maximum removal efficiency must be prioritized (Mojiri et al., 2021).

Various approaches are now employed to control LFL (Fig. 2), most of which have been modified from WW therapy procedures (Raghab et al., 2013). In general, a mixture of physiochemical and biological strategies is necessary to successfully manage LFL (Fig. 2), as it might be challenging to get satisfactory results with a single technique alone (Kargi and Pamukoglu, 2004). In addition, LFL produced by various facilities frequently differs substantially in structure and necessitates various forms of treatment. For instance, Gao et al. (2015) and Torretta et al. (2017) found that biological procedures can efficiently control LFL with an elevated organic inclusion, but LFL with a little organic inclusion is better fitting for physicochemical management (Gao et al., 2015, Torretta et al., 2017).

Conventional LFL treatments, including biological methods, physicochemical approaches or their combination, vary in their performance depending on the landfill age. In contrast, emerging treatments, such as C-based materials, are dependent on replacing activated C and other adsorbent materials using C-based materials (e.g., biochar or hydrochar). Photocatalytic, electrooxidation, and Fenton-like processes are an influential group of technologies that have been broadly tested for the degradation of different pollutants present in leachate (Bandala et al., 2021).

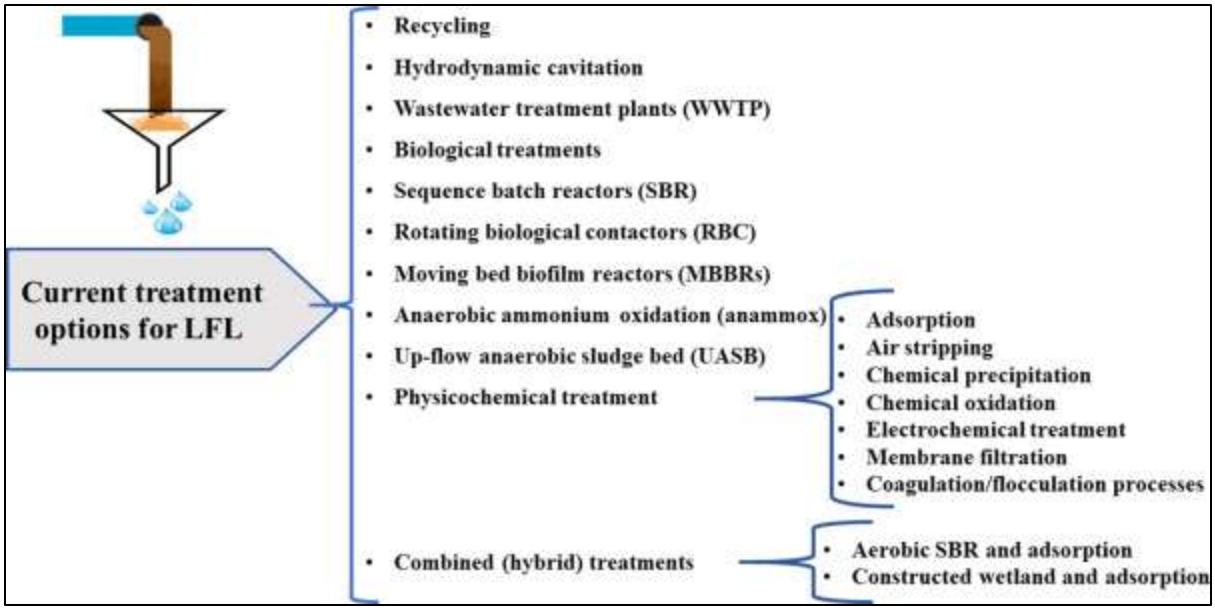


Fig. 2. Conventional and current treatment options for landfill leachates (LFL). Hybrids involve more than one treatment, mostly combining physiochemical and biological treatments.

6.1. Recycling

Since the 1990s, landfill sites have used LFL recirculation or recycling to manage LFL, generate and recover LFG, and generally improve the stability and sustainability of the dump (Lee and Jones-Lee, 1994, White et al., 2011). In general, this technique entails managing the biological, chemical, and physical processes of the landfill by reintroducing WW into the landfill, known as a landfill bioreactor at a specific time (Lema et al., 1988, Warith, 2002). After four years of LFL recirculation, the BOD/COD ratio of bioreactor-produced LFL reduced from 0.5 to 0.7 to 0.1, according to an analysis of the LFL's structure (Benson et al., 2007), which was studied by Warith (2002) in MSW landfill of Toronto, Canada, to improve organic waste decomposition over six months, including weekly leachate sample collection and analysis. Warith (2002) also noted a reduction in the LFL COD and BOD values from 9910 to 200 mg L^{-1} and 2055 to 200 mg L^{-1}, respectively.

In a 200 L bioreactor holding 2 tonnes of MSW trash and an LFL recirculation ratio of 2.2 L min^{-1}, Chugh et al. (1998) observed that high recirculation ratios boosted the solubilization of fresh garbage and accelerated the establishment of a methanogenic microbial culture, allowing waste stabilization within the bioreactor. Other investigations showed comparable outcomes (Šan and Onay, 2001). While the cycling of LFL at landfills has yielded favorable outcomes, extending the retention duration of LFL within landfills raises the risk of ground and surface infiltration and contamination, which are serious problems (Šan and Onay, 2001).

6.2. Hydrodynamic cavitation

The novel technical method of hydrodynamic cavitation can be employed to handle LFL WW. In the work conducted by Gutiérrez-Mosquera et al. (2022), all cavitation techniques resulted in a decrease of 23–51% in BOD, 30–53% in COD, 12–21% in TOC, and 99% exclusion in total suspended solids, with an elevation in the WW biodegradability indices from 0.16 to 0.25. In addition, they discovered that the ideal cavitation period was 30 min, which was sufficient to achieve chemical equilibrium and generate free radicals from water molecules separated by the

cavitation pressure pulse. In addition, no more hydroxyl radicals were produced, which was necessary to stop the cavitation process since aromatic condensation and humification reactions might trigger the formation of new, difficult-to-decompose compounds (Gutiérrez-Mosquera et al., 2022).

In addition, a 200 mg L^{-1} concentration of oxidizing agent showed the greatest results in lowering the quality indices assessed. Hydrogen peroxide (H_2O_2) dissociation increased the production of hydroxyl radicals, accelerating the decomposition of organic and inorganic matter. However, the influence of other significant variables, such as the speed and flow of the fluid, the operating temperature, the geometry of the cavitation device, the number of steps or cycles in the reactor, and the exploration of other oxidizing agents, should be investigated in future research to obtain the greatest benefits from the hydrodynamic cavitation of LFL WW (Korniluk and Ozonek, 2011, Gutiérrez-Mosquera et al., 2022).

6.3. Waste water treatment plants (WWTPs)

Co-treatment of LFL with household sewage in WWTPs is one of the most prevalent options (Gao et al., 2015). This approach entails either a continuous feed or a batch load of LFL into the WWTP influent. LFL contributes to the N-containing portion of this sewage flow, whereas sewage fulfills the P requirements of WWTP (Gao et al., 2015). Numerous opponents have questioned the dependence on this strategy because of OM with low biodegradability (polycyclic aromatic hydrocarbons, polychlorinated biphenyls, HA, and FA) and HMs in LFL, which may diminish management efficacy and raise the effluent levels from these facilities (Renou et al., 2008).

In Ireland, the applicability and cotreatment of LFL in WWTPs were recently evaluated (Brennan et al., 2016, Brennan et al., 2017a). These assessments revealed that LFL (99%) was accomplished through direct discharge to sewers or tinkering to WWTPs, while only 1% was accomplished through onsite treatment, including six landfills, only three of which meet the requirements for direct disposal to receipt bodies (Brennan et al., 2017b). In addition, 30% of the Irish WWTPs rejected to take LFL from 2010 to 2014, highlighting this argument (Brennan et al., 2016). Consequently, treating LFL in WWTPs is judged unsuitable, and other options must be found. Previous studies have outlined the benefits and drawbacks of utilizing WWTPs for treating LFL (Teixeirae Junior and Marinheiros, 2014, Lippi et al., 2018).

6.4. Biological therapies

Biological approaches are frequently utilized for treating LFL because of their ease, dependability, and cost-effectiveness (Renou et al., 2008, Hamdan et al., 2021). Biological management successfully approaches lower COD and BOD concentrations in LFL. Young LFLs (5 years) with COD/BOD ratios in the range of (0.4–0.6) are suitable to bio-management for older LFLs because of biodegradable organics in the former (Torretta et al., 2017).

When the COD/BOD rate is 0.2 or less, the landfill becomes less biodegradable due to the accumulation of HA, FA, and other organic materials resistant to decomposition (Tchobanoglous and Kreith, 2002, Lee and Nikraz, 2014). Microorganisms, primarily aerobic and anaerobic bacteria, accomplish biodegradation by converting OM to CO_2 and CH_4 (Wang et al., 2017). Aerobic techniques are generally inexpensive and efficient for decomposing BOD and COD in addition to organic contaminants (Bove et al., 2015, Lam et al., 2020, Shao et al., 2021). Kamyab et al. (2015) used microalgae to remove pollutants from palm oil mill effluent (POME).

Most biological techniques are based on a suspended growth system, like SBR, activated sludge methods, and aerated lagoons, biofilm reactors, with several scientific studies describing their use to treat LFL (Xu et al., 2010b). On the other hand, anaerobic alternatives are

more suited for addressing LFL with a high concentration. In contrast to aerobic, anaerobic treatments need small energy, generate fewer solids, and can work at reduced ambient temperatures (Christensen et al., 2011). Additionally, anaerobic methods may convert the garbage into biogas, a useful renewable energy source (H2, O2, N2, CO_2, CH_4, and H2S). The up-flow anaerobic sludge bed (UASB), the suspension growth method, and several SBR and anaerobic filters, such as hybrid and fluidized beds' reactors are examples of these anaerobic treatment alternatives (Kennedy and Lentz, 2000, Liang and Liu, 2008). Lin and Chang (2000) and Christensen (2010) outlined the benefits and drawbacks of both aerobic and anaerobic methods used to treat LFL. The benefits of aerobic biological treatment include the ability to achieve nitrification at low temperatures (5 °C), nutrient exclusion, simultaneous N2-fixation, denitrification onto microbial biofilms, high sludge retaining duration, low sludge production volumes, enhanced resistance to toxic shock, retention of active biological biomass inside the system, low hydraulic retention time (HRT), and active biological biomass retention within the system (Christensen, 2010). Table 2 summarizes advantages and disadvantages of aerobic and anaerobic biological treatments.

Denitrification in biofilm reactors requires high quantities of dissolved oxygen, forced aeration, mixing, high energy demand, and congestion difficulties associated with fixed bed systems (Table 2). Benefits associated with anaerobic biological treatment include small biomass production, low energy requirements, a small dose of P needed as a growth factor for anaerobic bacteria, increased organic loading rates (OLRs) combined with high removal of BOD and COD, and the ability to act as a net energy producer by producing CH_4 rich biogas. However, lengthy start-up period, temperature and pH variations susceptibility, and several hazardous chemicals, such as HMs and NH_3, are among of the drawbacks of the anaerobic biological treatment (Lin and Chang, 2000, Christensen, 2010, de Almeida et al., 2020). The efficacy of some organisms in removing leachate pollutants has already been documented (Salam and Nilza, 2021). Table 3 summarizes the removal rates of several leachate contaminants using aerobic biological treatment.

6.4.1. SBRs

Spagni et al. (2008) stated that SBRs are a technique for treating activated sludge that requires one or additional phases below nonstationary circumstances. Typically, the system utilizes aerobic circumstances and consists of four consecutive steps: filling, reacting, settling, and discharging. This management approach is very successful for the nitrification and denitrification of LFL because its functional approach permits simultaneous oxidation of organic carbon (C) and nitrification (Renou et al., 2008).

For instance, Diamadopoulos et al. (1997) demonstrated that using simultaneous LFL and municipal sewage treatment in an SBR removed 80, 95, and 85% of NH_3, COD, and BOD, respectively. In another study, treating LFL of solid wastes using SBR and membrane reactor removed NH_3, P, and BOD by 99.9%, 94%, and 82.2%, respectively (Timur and Özturk, 1999). They also studied the management of LFL utilizing SBRs below anaerobic circumstances. They employed this system to treat LFL from an MSW dump with COD levels ranging (from 3.8–15.9 g L^{-1}) and pH values (7.40–7.6). They reported that COD removal rates was found to be between 64–84%, with CH_4 conversion rate at 84% (Timur and Özturk, 1999). They demonstrated that SBR treatment was resilient and less susceptible to repeated variations in organic load or NH_3-N. This information is crucial for LFL management, as these concentrations might fluctuate substantially over time (Timur and Özturk, 1999). Nonetheless, this method has

certain flaws. C consumption during the aeration stage might result in inadequate C resources during the subsequent anoxic stage, leading to low TKN removal rates (Wei et al., 2012). NH_3 levels can be reduced based on these systems' organic anaerobic decomposition ratios; to modify SBR by adding a pre- and post-treatment phase, which may be necessary to achieve higher disposal rates (Elleuch et al., 2020, Ghahrchi and Rezaee, 2021).

6.4.2. Rotating biological contactors (RBCs)

The RBC is an oxygenated, fixed-film biological management technique comprising closely separated plastic disks mounted on a polycarbonate or polystyrene plastic shaft. Rotation submerges the disks with a large biofilm-forming surface area in the system liquid. This treatment's efficacy is determined by the HRT administered, the disk's rotational speed, temperature, and submerged surface area (Castillo et al., 2007). RBC systems were widely used to treat biologically treatable WW, including industrial WW (Cortez et al., 2008).

The primary benefits of RBC techniques are their straightforward operation and preservation, but they need a substantial primary asset and have high operating expenses (Spuhler, 2018). Different data have assessed RBC systems for LFL treatment (Nazia et al., 2021). In addition to nitrification, the extended maintenance period of biomass in RBC and the substantial biofilm density allow N removal. Nitrification oxidizes NH_3 to NO_3 and NO_2, which was seen in LFL with little biodegradable OM. In addition, they obtained an N removal rate of 70% (Wang et al., 2009). Also, Cema et al. (2007) investigated the elimination of NH_3 and NO3− from LFL using an RBC anaerobic ammonium oxidation (anammox) method throughout a six-month experimental period. The greatest NH4+ and NO3− removal rates were 0.56 kg N m^{-3} d^{-1} and 0.76 kg N m^{-3} d^{-1}, whereas the maximum rate of inorganic N removal was 0.93 kg N m^{-3} d^{-1}. Their research shows that RBC might be employed in anammox procedures to reduce N compounds from LFL. Additionally, RBC may be utilized to eliminate COD from LFL (Cema et al., 2007).

Castillo et al. (2007) presented the application of a perforated acetate disk coated with a polyester mesh for COD elimination at varying rotating rates, flow rates, and HRTs. It was possible to attain high COD elimination rates of 69–74%; nevertheless, operational concerns surrounding disk detachment significantly influenced these rates. However, these investigations demonstrated the potential of RBC for LFL therapy. RBC systems should be integrated with other processes to achieve optimal elimination rates for organic and inorganic contaminants (Cortez et al., 2008, Hassard et al., 2015).

6.4.3. Moving-bed biofilm reactors (MBBRs)

MBBRs are oxygenated containers comprised of polymeric composite carriers with high surface area onto which microbial biofilms can grow. This carrier material normally occupies around 50% of the reactor's volume and is fluidized within the bioreactor using aeration (Bove et al., 2015). The literature summarizes the benefits of this approach above other typical suspended growth methods as follows: (1) the MBBR utilizes the full tank volume for biofilm formation, resulting in extremely reduced head loss; (2) unlike the sludge system activation, it does not need sewage sludge valorization as the process's usage of a screen at the top of the reactor, biomass is preserved; (3) it is less sensitive to toxic compounds; (4) this system can eliminate organic and high NH_3 concentrations with a single method; and (5) the reactor can be utilized for aerobic, anoxic, or anaerobic progression (Chen et al., 2008, Renou et al., 2008). Different data have detailed the application of MBBRs for LFL therapy with different outcomes (Chen et al., 2008).

Disposing organic N from LFL using two-stage aerobic and denitrification systems removes 90% of both inorganic and total N (Welander et al., 1998). Chen et al. (2008) employed an MBBR system with an anaerobic/aerobic configuration for the treatment of LFL, which removed high COD by >90% for applied OLRs of 4–15 kg COD m^{-3} d−l inside the anaerobic treatment, while the aerobic stage acted as a COD-polishing and NH4+ removal phase (Chen et al., 2008).
The effect of different carrier substances, free-floating polyurethane particles, and granular activated carbon (GAC) was investigated in LFL treatment in the MBBR system (Loukidou and Zouboulis, 2001). The GAC provided a porous medium capable of adsorbing OM and NH_3 and a good surface for developing microbial biofilm. Both processes were utilized to degrade N and remove organic pollutants. GAC particles are better than polyurethane particles in removing COD by 81% versus 65%. However, the BOD and N removal efficiencies were comparable (Loukidou and Zouboulis, 2001).

6.4.4. Anammox

Jetten et al. (2009) described anammox as a microbial procedure adopted by strictly anaerobic autotrophs that predominantly use NH4+ and NO2− as substrates for their catabolism. The procedure has been utilized in several previously described applications, such as the SBR, MBBR, and UASB (Klaus et al., 2017), for managing NH4+ enriched WW, such as LFL (Gao et al., 2015). For instance, Ruscalleda et al. (2010) described the effective removal of NH4+ and N from LFL utilizing anammox and heterotrophic denitrification processes. Before being fed into an anammox SBR, LFL was originally treated via a partial nitrification procedure. Overall, their investigation suggested N removal efficiency of 87%, with the anammox process accounting for around 85% of this elimination (Ruscalleda et al., 2010).
Comparatively, Selic et al. (2007) utilized an SBR to treat LFL from Chinese and German landfills and reported a decrease of 90% in both COD and NH_3 contents. Wang et al. (2011) got comparable findings when treating LFL using a combined SBR and anammox method. They reported a COD removal efficiency of 21 to 45% and a total N reduction of 62 to 80%.
Anammox is an effective and long-lasting therapy option for LFL that may be combined with other treatment choices, as stated above. The anammox technique is also suitable for managing LFL from mature landfills with high NH_3 levels and low amounts of organic chemicals, like COD and BOD (Torretta et al., 2017).

6.4.5. UASB

The UASB is a single tank into which WW is driven upwards by hydraulic pressure through an intake at the foot of the bioreactor. The UASB bioreactors maintain metabolically active anaerobic granular sludge, allowing for the management of WW at high OLRs (Renou et al., 2008). The anaerobic granules include bacteria and methanogens, which lower influent WW anaerobic digestion (AD). The AD is the degradation of OM by bacteria without oxygen (Rogoff, 2014). This biological process generates a gas, commonly known as biogas, comprised mostly of CH_4 and CO_2 (Rogoff, 2014).
Kettunen and Rintala (1998) treated MSW LFL at low temperatures (13–20 °C) using UASB bioreactors injected with mesophilic biomass from a sewage treatment facility. The COD concentration of the LFL utilized in their investigation ranged from 630 to 2200 mg L^{-1}, and the bioreactors obtained COD removal efficiencies varying from 50 to 75%, with the maximum removal ratios recorded at 18 °C (Kettunen and Rintala, 1998).
Sun et al. (2010) examined the removal of COD from LFL utilizing two UASB bioreactors operating at low temperatures (10–15°C) and an SBR system. Both UASB bioreactors were inoculated with activated sludge from a WWTP in Heilongjiang, China, that treats brewery WW.

The COD content in the influent water varied between 7.856 and 22,500 mg L^{-1}. They showed a high COD removal efficiency (77%) in the first UASB bioreactor but a decrease in successive treatment systems. In addition, Lin et al. (2000) utilized UASB bioreactors to treat LFL mixed with sewage (septic tank sludge) in a 1:1 ratio. The applied OLR for these bioreactors was 7.73 kg COD m^{-3} d^{-1}, and HRT was 1.5 d. The total COD, NH_3, and P elimination efficiency percentages were 42, 47, and 44%, respectively (Lin et al., 2000).

Utilizing UASB bioreactors for LFL therapy has been practical, as seen in the cases above. However, the AD process's sensitivity to high NH_3 levels persists as a problem, rendering this therapy approach inappropriate as a stand-alone treatment for LFL (Torretta et al., 2017). In general, biological treatments are most potent in removing NH_3, BOD and COD from LFL (Torretta et al., 2017).

6.5. Physicochemical treatment

According to Kurniawan et al. (2006), when the concentration of pollutants significantly exceeds their national discharge regulations, physicochemical treatment of LFL is frequently required (Table 4). These treatment techniques are often employed to remove non-recyclable organics, such as HA and FA, HMs, and absorbable organic halogens (Abbas et al., 2009), and they are efficient for lowering color and colloidal particles (Torretta et al., 2017). Bio-refractory chemicals that typically hinder physicochemical procedures are, thus, most effective in pre- or post-treatment stages. Physicochemical therapies are frequently employed to treat mature LFL, with a BOD:COD rate of 0.2 and small concentrations of biodegradable chemicals (Kjeldsen et al., 2002). Adsorption, MF, chemical precipitation, and oxidation are the fundamental physicochemical approaches successfully used for LFL management.

6.5.1. Processes of coagulation and flocculation

In coagulation/flocculation, chemicals identified as coagulants or flocculants remove tiny, suspended particles from water by producing larger flocs, followed by physical separation or gravity settling. Despite its convenience, the approach is good for removing colloid pollutants, like trace metals, surfactants, and humic/fatty acids (An and Xu, 2013, Costa et al., 2019). The treatment of juvenile leachate using the lime coagulation technique significantly decreased many pollutants, including OM, turbidity, and mineral matter. This is because of Ca^{+2} coagulation, HM precipitation in carbonates, hydroxides, and phosphates (PO4−3), and their adsorption rates as pH rises (Hasna et al., 2020).

6.5.2. Retention

Adsorption is the process of precipitating (gas or liquid) solution-based compounds on a fit surface (Worch, 2012, Chen et al., 2021, Wang and Ding, 2022). Fixed bed adsorption has been a common physiochemical solution for many WW streams, mostly because of its ease and low cost (Biswas and Mishra, 2015). Activated carbon (AC) or another absorbent, like zeolite, pumice stone, and calcareous shells, can be adsorbed (Tsai et al., 2006, Abdul Halim et al., 2010, Chansuvarn, 2018). Few data have investigated the treatment of LFL (Huong et al., 2016); however, several adsorbents have been tried on WW (Song and Gao, 2013, Huong et al., 2016). In batch investigations, Martins et al. (2017) analyzed the usage of clinoptilolite (zeolite) to remove NH4+ from LFL. They predicted the adsorption characteristics using the Langmuir isotherm and found qmax (theoretical maximum adsorption capacity g^{-1} adsorbent) values between 2.61 and 17.68 mg L^{-1} ammoniacal N (NH4+-N) under various operating factors, like pH, adsorbent quantity, and LFL levels. The Langmuir isotherm is commonly used in adsorption tests to assess the type and quantity of adsorbed ions (Scandelai et al., 2020). Abdul Halim et al. (2010) evaluated the efficacy of AC, zeolite, and a composite material combining zeolite,

limestone, AC, and rice husk C to eliminate COD and NH_3 from LFL in batch tests. Langmuir isotherm determined that COD and NH_3 adsorption rates differed significantly across the various adsorbent substances evaluated. However, it is essential to realize that research based on batch investigations – as explained above – may be inaccurate over longer periods (Callery et al., 2016). Therefore, adsorption substances should preferably be evaluated in a fixed bed column process to assess whether or not LFL can be treated for an extended period.

Aziz et al. (2010) improved the SBR treatment option using powdered AC (PAC) adsorption for LFL treatment. With a standalone SBR control, 1.2 g of PAC was applied to six 2 L beakers, including 1.08 L of sludge and 120 CC of LFL from Kulim Landfill, Kedah, Malaysia. The COD and NH4+-N removal efficiency were measured throughout the trial. In the SBR, COD (influent 1655 mg L^{-1}) had a removal rate of 69.8%; whereas NH_3 (influent 600 mg L^{-1}) had a removal ratio of 74% but rose to 76% when PAC was added. Adsorption successfully treated LFL; removal rates depend on the adsorption materials utilized. This method is simple and economical (Lofrano et al., 2020). In addition, adsorption can be employed as a standalone management strategy or in conjunction with biological treatment alternatives, as stated previously.

The intensified system substantially enhanced RL properties by eliminating 89% of COD and 99% of NH_3-N. Except of arsenic (As) and molybdenum contents, contaminants in PL were under the limits for discharge and reuse (Scandelai et al., 2021). Thus, the high As contents in RL and PL requires more investigation on hazardous As properties in leachates. On the other hand, the intensified procedure was carried out without including oxidants or auxiliary compounds, resulting in a cheaper and more environment-friendly process that could be applied to treat leachates (Scandelai et al., 2018, Scandelai et al., 2021).

6.5.3. Air stripping

NH4+-N levels are frequently elevated in LFL (Brennan et al., 2017b). Air stripping, the technique of separating organic contents from a waste stream by exposure to air, could be utilized effectively to remove this contaminant known to elevate WW toxicity (Christensen, 2010). Until equilibrium is reached, volatile organic molecules are released from the liquid state into the gaseous state during the process. This process takes place in a stripping tower holding an LFL-filled aerated medium (Renou et al., 2008). Leachate is collected at the base of the tower, while gases ascend to the top. Before being released, NH4+ polluted air is dealt with sulfuric or chloric acid. Nevertheless, treated leachate needs further treatments to meet NH_3 discharge limitations (Renou et al., 2008).

Ferraz et al. (2013) examined the pretreatment of LFL using air stripping and NH_3 recovery via absorption. The oxygenated packed tower removed 88% of the NH_3 from 100 L of LFL. At the same time, absorption units containing 0.4 mol L^{-1} of deionized sulfuric acid solution recovered 80% of the stripped NH_3. In addition, Marttinen et al. (2002) stated that removing NH_3 in LFL at low temperatures (6°C and pH 11) was 30% lower than using a temperature of 20 °C by air stripping method. In addition, they noted that independent of pH or temperature, COD elimination using air stripping ranged from 4 to 21%, showing that the treatment was unsuccessful at removing biodegradable organics (Ferraz et al., 2013).

Silva et al. (2004) evaluated the elimination of NH_3 from NH_3-rich LFL (750–800 mg L^{-1}) that had pretreatments of coagulation, flocculation, and membrane fractionation, although neither pretreatment reduced the baseline NH_3 content. At pH of 12, 2 h aeration was sufficient to remove NH_3 by 72%; however, an additional 84 h aeration was required to achieve a 5 mg L^{-1} NH4+ level (Silva et al., 2004). This treatment method has several drawbacks and limitations, most notably the management and destruction of exhaust air, like NH_3 gas. If

discharged directly into the environment, these off-gases might create significant air pollution; hence, further treatment or NH_3 recovery stages are necessary (Abbas et al., 2009). In addition, the efficacy of this therapeutic method might vary depending on the composition of LFLs and may require further modification. This treatment method promises LFL therapy, but the technology must be developed further to obtain greater clearance rates of other current chemicals (Abbas et al., 2009).

6.5.4. Chemical precipitation

Chemical precipitation removes non-compostable OM, NH4+, and HMs from LFL because of the technique's ease and the necessary apparatus's low cost (Calli et al., 2005). During this process, chemical processes change dissolved ions into an insoluble solid state. Chemicals precipitate at varying pH levels (Kurniawan et al., 2010). Struvite formation, the most prevalent chemical precipitation process, is similarly influenced by pH, and Mg+2:NH4+:PO4−3 (MAP) ratios of WW. Struvite formation is highly effective in removing NH_3 from WW; however, it is less effective at treating LFL because of the lower amounts of Mg and P necessary to produce crystalline MAP. Consequently, LFL must be supplemented with these chemicals for MAP formation to be successful.

Li and Zhao (2001) employed struvite formation to treat LFL and studied the impact of three MAP combinations on effective precipitation: (I) disodium phosphate + magnesium chloride hexahydrate, (ii) magnesium oxide + phosphoric acid (85%), and (iii) monocalcium phosphate dihydrate + magnesium sulfate heptahydrate. The main level of NH4+-N in LFL was 5618 mg L^{-1}. When the first treatment was added to LFL samples, the quantity of NH4+-N decreased to 0.112 g L^{-1}, with Mg+2:NH4+:PO4−3 exhibiting a molecular ratio of 1:1:1 and MAP crystallizing in 15 min (Li and Zhao, 2001).

Meanwhile, Di Iaconi et al. (2010) assessed the effectiveness of MAP (1:1:1) precipitation in removing NH_3 from a mature LFL, which was accomplished by adding $H3PO_4$ and MgO as external sources of P and Mg, respectively. They reasoned that the poor solubility of MgO was attributed to the 67% NH_3 removal efficiency, which increased to 95% when the MgO ratio in the reaction mix was increased to (2:1:1) (Di Iaconi et al., 2010). Although this treatment approach is useful for NH_3 removal, it is insufficient for removing HMs, which render the effluent LFL and necessitate further treatment. When LFL was utilized to make struvite, the final product was impure and requires further purification (Song and Gao, 2013).

6.5.5. Organic oxidation

To manage polluted soil and groundwater, strong chemical oxidizers are immediately applied to a contaminated medium to destroy a wide variety of OM (Torretta et al., 2017). Oxidation and reduction reactions typically oxidize one of the reactants, reducing or gaining electrons in the other. Thus, the oxidizing agent reduces the dangerous pollutants into safe materials. Chemical oxidation is an extensively investigated process for treating WW effluents involving LFL (Rajasulochana and Preethy, 2016). The recent focus has been on advanced oxidation processes (AOPs) such as $O3$,H_2O_2, and electron or UV beams. However, the disadvantages of AOPs are briefed in the high energy requirements and the large amounts of antioxidants to degrade the pollutants, besides the high cost (Gao et al., 2015).

Fenton's reagent and ferrous sulfate catalyze $H2O_2$ more frequently than any other AOP. The Fenton procedure, which may eliminate hazardous chemical materials and enhance the decomposition of OM, is frequently utilized as either pretreatment or posttreatment for LFL (Torretta et al., 2017). The Fenton treatment of LFL involves reactions such as neutralization, oxidation, flocculation, solid–liquid separation, and reducing organic content, color, and odor

(Zhang et al., 2005). Zhang et al. (2006) found that the Fenton treatment removed 79% of COD (1 g L^{-1}) in a diluted LFL.
Furthermore, Lin and Chang (2000) examined the application of an electro-Fenton approach, a mix of an electrochemical process and Fenton's oxidation, for treating LFL produced in a MSW landfill in northern Taiwan. Two anodic and cathodic electrodes were put into LFL samples, and 500 and 1500 mg L^{-1} of H_2O_2 were added to the electrolytic cell before applying an electrical current. Fenton's reagent was produced by continuously adding $H2O_2$ to LFL; thus, a COD elimination efficiency of >85% was reported, with 67% attributable to the electro-Fenton method. The primary benefit of chemical oxidation is the quick and full mineralization of OM without producing hazardous byproducts. However, its downsides include high running costs and a need for the pH of the LFL to be lowered to 6 to be potent (Lin and Chang, 2000).
A previous study employing physicochemical techniques for LFL therapy has demonstrated promise (Braga et al., 2020). Nonetheless, this treatment approach is ideally suited for LFL formed in older landfills with low BOD:COD ratios and low amounts of biodegradable organics. In particular, physiochemical treatment techniques are optimal for removing NH_3, PO4−3, NO3−, and HMs from LFL but are inefficient for removing BOD and COD (Christensen, 2010, Kamaruddin et al., 2017).

6.5.6. Electrochemical procedure

Electrochemical therapy comprises electrocoagulation, chemical, and Fenton oxidation (Rahman et al., 2021). The metal plates used as sacrificial electrodes (anode and cathode) may comprise the same or various materials. Aluminum (Al+3) and iron (Fe+3) are the most typical electrode materials utilized in this method (Bouhezila et al., 2011).
The electrochemical dissolution of Al+3 or Fe+3 from their respective electrodes generates *in situ* coagulating reagents. When no external chemicals are employed, the amount of sludge generated is decreased. The generated coagulants destabilize suspended particles and adsorb dissolved pollutants (Siddiqi et al., 2022).

6.6. MF

The selective permeability of ions and molecules via a thin film barrier supports MF. The selective barrier removes contaminants from bulk fluids by permitting only specific molecules to flow from a liquid containing harmful molecules and ions (Luo et al., 2020).
The microfiltration procedures are MF, reverse osmosis, ultrafiltration, and nanofiltration based on the tiny particle sizes tolerated (Cancino-Madariaga et al., 2011, Teng et al., 2021).
MF removes contaminants from pretreated leachate effluents (Vaccari et al., 2019). Nonetheless, the process faces various construction and operation challenges, like pretreatment requirements; enormous energy costs due to the pressure-driven pumping scheme; membrane fouling and scaling by retained organics, inorganics, colloidal particles, molecules, and ions of HMs; foulant cleaning and retrofitting of the membrane; improper removal of concentrated brine, which poses environmental risks; and inappropriate disposal of concentrated brine (Hube et al., 2020).

6.7. Combination therapies

In certain instances, a combination of biological and physiochemical treatments for LFL was successful (Torretta et al., 2017). In addition, recent experiments propose that removing diverse substances utilizing each procedure leads to overall high removal efficiency (Gao et al., 2015).
As the structure of LFL is significantly impacted by several factors, such as the age of the landfill, the number of stages/sections in the landfill, the sorts of trash, and the moisture content,

the LFL produced may fall into two or more classes (Babaei et al., 2021). Consequently, certain therapy choices are appropriate, and a mix of therapies is typically necessary. This section will focus on beneficial therapies (Torretta et al., 2017). Table 5 summarizes the efficacy of physiochemical therapies and biological treatments in eliminating LFL.

Table 5. Efficiency of the combined physiochemical and biological treatments on the removal of landfill leachate.

6.7.1. Anaerobic SBR (ASBR) and adsorption

Lim et al. (2016) studied the treatment of LFL utilizing ASBR paired with adsorption into the zeolite. Initial levels of NH4+-N and COD in the influent LFL utilized in this investigation were 1800 and 3200 mg L^{-1}, respectively. The influent LFL was taken from an MSW dump site in Johor, Malaysia. The ASBR was inoculated with *Brevibacillus panacihumi* strain ZB1 and aerated at 1.0–1.2 cm s^{-1} up-flow velocity. After 7 d of operation, the bioreactor effluent was put into a zeolite column containing 10% by weight. The findings of their investigation demonstrated a 65% and 30% removal efficiency for NH4+-N and COD, respectively, during the 7 d ASBR experiment. Moreover, adsorption decreased by 96% for NH4+-N and 43% for COD, respectively. The biological and physical treatments removed Al, Cr, Mg, and vanadium from LFL (Mojiri et al., 2021).

6.7.2. Man-made adsorption and swamps

The LFL cotreatment with municipal WW (1:5) utilizing a constructed wetland (CW) and two adsorbents—ZELIAC composite (Portland cement, zeolite, rice husk ash, limestone, and AC). Three young, fresh, and healthy plants were placed in the CW with two layers of adsorbent substrate. The analysis of influent LFL samples showed high amounts of COD (2301 mg L^{-1}), nickel (4.6 mg L^{-1}), NH4+-N (627 mg L^{-1}), and cadmium (2.5 mg L^{-1}). The biodegradability ratio was low (BOD5/COD = 0.20), and the influent BOD5 concentration was 461 mg L^{-1} (Mojiri et al., 2016). The composite of influent LFL and WW was put into the CW, and sewage samples were recovered post varying contact durations (12, 42, and 74 h). All the investigated components, including Ni, Cd, COD, and NH_3, exhibited high clearance rates of 88–99% after 50 h of response. This technique proved effective in treating LFL mixed with WW; however, the removal rates dropped as the leachate concentration grew. This procedure can repair low-strength leachate but might not affect high-strength LFL (Reshadi et al., 2020).

7. Potential uses of treated LFL

By 2030, the global population is anticipated to exceed 8.5 billion, and solid waste output will reach 2.59 billion tons. This will exacerbate the already precarious state of ecology and climate. There is a pivotal need for technologies to recycle solid waste. New treatment methods have been investigated to treat solid waste, and assess the economic feasibility of changing trash into useful energy *i.e.,* electricity. For instance, CH_4 extracted from municipal solid waste buried in landfills in Delhi, India may power 8–18 million homes and generate 7140 gigawatt h (gWh), with a potential of 31,346 and 77,740 gWh by 2030 and 2060, respectively (Siddiqi et al., 2022). As animal feeds, valorizing solid/food waste by anaerobic digestion systems may replace 61.46% of natural gas and 38.54% of coal in the United Kingdom and reduce land usage by 1.8 million hectares. In addition, the levelized cost of electricity using solid and anaerobic digestion waste-to-energy systems of $0.04 kilowatt h^{-1} (kWh^{-1}) and $0.07 kWh^{-1}, with a payback period of 0.73–1.86 years and 1.17–2.37 years, respectively. Nonetheless, landfill waste treatment systems are still ineffective, particularly for handling food waste containing over 60% water (Ahmed and Lan, 2012, Siddiqi et al., 2022).

8. Applications of LFL solid waste

Transforming municipal food waste into products with added value offers great promise. However, effective conversion technologies are still absent, and the technical constraints are mostly owing to the variety of waste (Sindhu et al., 2019). Future researchers may have to use other approaches to prevent the inconsistent impacts of waste heterogeneity.
Integrated pyrolysis machines for decomposing municipal solid waste are environmentally benign despite being expensive and requiring a great deal of thermal energy (Hasan et al., 2021) The high ash content of agricultural solid waste, such as soy straw, makes biomass furnaces challenging to run. However, co-firing more biomass with lower ash concentrations may overcome this problem (Gonzalez et al., 2022). Processing agricultural solid waste lignocellulose also has the potential to generate a wide range of chemical and biological substances that may be used in textile, materials, biomedical, and pharmaceutical sectors. Further investigation on excessive water usage, energy consumption, hazardous chemicals, and collection, transport, and disposal of lignocellulose should be taken into consideration (Gonzalez et al., 2022).
Industrial waste has a significant potential for recovery, and extracting rare precious metals from trash is one option to alleviate the resource crunch. When extracting precious metals from solid waste, care must be given to minimize secondary contamination by managing crucial technical parameters in order to lower the amount of newly valuable trash and simultaneously not to lose valuable metals (Wu et al., 2022). According to Haile et al. (2021), paper mill waste can manufacture essential engineering materials, such as C fibers, bioplastics and fibers, cellulose nanocrystals, and biocomposites. Biomass or biomass waste for different engineering applications and biomaterials manufactured using appropriate and practical techniques may also be used to develop multifunctional bio-based products for a wide range of conventional, high-performance, and intelligent applications (Akor et al., 2021).
Future uses of municipal solid waste with added value will need to overcome technological limits and build integrated solar heating systems. The value addition and use of agricultural solid waste must also investigate novel chemicals and technologies to prevent resource waste (Akor et al., 2021). In addition, the parameter control of the present value-added technology for industrial solid waste must be strengthened, and applying the direction of bacterial culture must be investigated (Akor et al., 2021).

8.1. Methodologies for evaluating the economic viability

Solis and Silveira (2020) assessed nine technologies for the chemical treatment of household plastics via a technological readiness assessment approach, eventually selecting three technologies based on extensive research and development centers to investigate economies of scale. The authors concluded that the readiness level technology might evaluate data about LFL wastes for economic feasibility analyses. Moreover, the economic viability of investing in waste technologies with added value may be established by evaluating the return on investment and net present value (Solis and Silveira, 2020).

8.2. Solid waste processing

Solid waste processing systems cover all actions that seek to reduce the negative impacts on health, environment and economy. Recycling and sorting is the first crucial stage in LFL waste valorization and application (Yang et al., 2023). Policies and infrastructure should enhance the rate of trash recovery and sorting precision. Consideration might include the duty to recycle and segregate garbage into the citizens' code of conduct to achieve quick results and increase residents' sense of ownership. The government can also enhance and support businesses to implement recycling programs for marketed items related to trash recycling behavior of

customers. Thus, a particular type of industrial solid waste might be classified and characterized in depth (Yang et al., 2023).

According to Wiśniewska et al. (2022), the green desulfurization of scrap tires is consistent with the circular economy, and the manufacture of rubber-based materials for high-value end ground tire markets will increase according to current research trends. However, thorough sorting and characterization of scrap rubber before usage may considerably enhance the repeatability of the process and the performance qualities of the resulting recycled rubber products. Koskinopoulou et al. (2021) proposed that the installation of autonomous robotic systems for garbage recycling may be possible in the future with automated sorting and physical sorting of recyclables by material type. If artificial intelligence can be effectively applied to the field of waste recycling, the efficiency and accuracy of recycling will be greatly enhanced, and the garbage will be prepared for reuse (Wiśniewska et al., 2022).

9. Limitations and solutions for effective LFL management strategies

The operational difficulties associated with various LFL treatments are listed in Table 6.

9.1. Financial shortages and policy mismatches are limitations and major national challenges

All localities believe that the financial shortage and the mismatch of the policies are issues that encounter the policy implementation process in solid waste management. For examples, these represent limitations and major challenges for Vietnam. The population is densely populated, the per capita income is low, and a huge amount of waste is generated; therefore, extensive labor and operating costs are needed for the waste collection and the treatment system (Van Den Berg and Duong, 2018). Covering the full cost would be difficult for the government. Moreover, calling for investment is still limited in Vietnam. Localities also evaluate the policies as unsuitable to reality. National policies are announced and must be implemented throughout the territory of Vietnam. Each locality has; however, different developmental situations and natural, social, environmental, and human conditions. Vietnam is the 65th country in the world in terms of area, but its population ranks 15th.

In relation to the state management system, Vietnam is divided into 63 provinces or management units (Van Den Berg and Duong, 2018). Each province has its area, population, and management system. Therefore, using the same policy in various places offers practical challenges. It is essential to comprehend a locality's particular circumstances and create suitable programs. Nevertheless, implementing this strategy is particularly challenging in light of the current crisis. These limitations and challenges hinder the economic development of this country (Van Den Berg and Duong, 2018).

9.2. Policy implementation in certain countries

Some countries such as Malaysia and Brazil have been chosen to compare the implementation situation and draw lessons from the similarities in the context of waste management. Japan and Taiwan were also included to showcase how these countries overcome the difficulties associated with implementing waste management policies (Abas and Wee, 2014, Cetrulo et al., 2018). Abas and Wee (2014) argued that Malaysia has not implemented an effective policy in environmental management; thus, leading to a number of environmental and human health issues. Among others, there are four major reasons of poor governance, lack of commitment among stakeholders, ineffectiveness in monitoring and enforcement, and neglected of social dimension which are behind the issues of ineffective solid waste management policy implementation in Malaysia. Therefore, policy implementation for solid waste management has become a priority in Malaysia. To tackle this crisis, an institutional capacity building framework

which includes stakeholders of municipal authorities, administration, corporate bodies, non-governmental organizations and educational should be key players in implementing effective solid waste management policy (Abas and Wee, 2014).

In Brazil, waste management was ineffective because of inappropriate policies and national plans. Inefficiencies in policy implementation in Brazil can be related to several reasons, including financial shortage, inadequate professional training, lack of human resources, poor technology, weak awareness, low community participation, and mild punishment (Cetrulo et al., 2018). Strengthening strict supervision in policy implementation, providing adequate resources, enhancing the importance of the capacity of environmental managers, developing national programs for sanitary landfills, and waste minimization plans are some of the suggested solutions for Brazil (Cetrulo et al., 2018).

Japan has also experienced many years of deadlock in solving solid waste management. In the 1960s, swift industrialization occurred, and the waste increased rapidly. Immediately, Japan introduced strategies to improve this situation through the act on emergency measures concerning the development of living environment facilities (1963), the waste management act (1970), and the revision of the waste management act (1976) (Japan Ministry of the Environment, 2014).

These policies also faced various difficulties and had to be revised many times in the following years to suit the country's situation. Determining the right goals, direction, and implementation strategy from the government are important factors that helped Japan overcome the waste pollution crisis and become a model for sustainable development (Japan Ministry of the Environment, 2014).

10. Future development of LFL treatment

Leachates from landfills are a severe danger to the ecology. Numerous groundwater contamination instances have happened due to insufficient monitoring and effective remediation methods. The metrics tested at a landfill site are pH, alkalinity, electrical conductivity, COD, TDS, BOD, NH4+-N, chloride, nitrate, and sulfate. Additionally, it is essential to examine potentially dangerous compounds, such as polymers, halogenated chemicals, and poisonous HMs, among others (Lindamulla et al., 2022). In addition to their economic and ecological benefits, technologies based on microorganisms offer an attractive way to remove, treat, or detoxify leachate toxins (García-Pacheco et al., 2022, Lindamulla et al., 2022, Yan et al., 2023). Studying how microorganisms successfully remediate leachate has several advantages, but there is still much to learn in this area. Modern techniques (e.g., metagenomics) might be used to adapt new microorganisms that remediate leachate effectively. Biological remediation of leachates from middle-aged landfills has been proven to be effective in the past. Biological, physical, and chemical strategies can be used to boost the treatment efficiency of leachates from old landfill sites. In addition to phytoremediation and aerated lagoons, pollutants near landfills can be naturally eliminated through phytoremediation. Reuse and recycling must be closely studied to minimize the contemporary environment's solid and hazardous waste components (Fig. 3). Landfills must be meticulously designed. Proper monitoring, risk assessment, and leachate treatment utilizing cutting-edge technology are required to prevent major ecological harm and avoid leachate toxins from contaminating soil and groundwater (Yan et al., 2023).

Certain waste items must always be disposed of unless high concentrations of waste avoidance, reuse, biodegradable, safe goods, and recycling are attained (Fig. 3). Therefore, sustainable landfills should address this issue. When garbage is safely integrated into the ecosystem, it is considered that a landfill is entirely sustainable. Using this study's framework, built from a

comprehensive literature review, all stakeholders engaged in the landfill industry may analyze the environmental consequences of landfills.

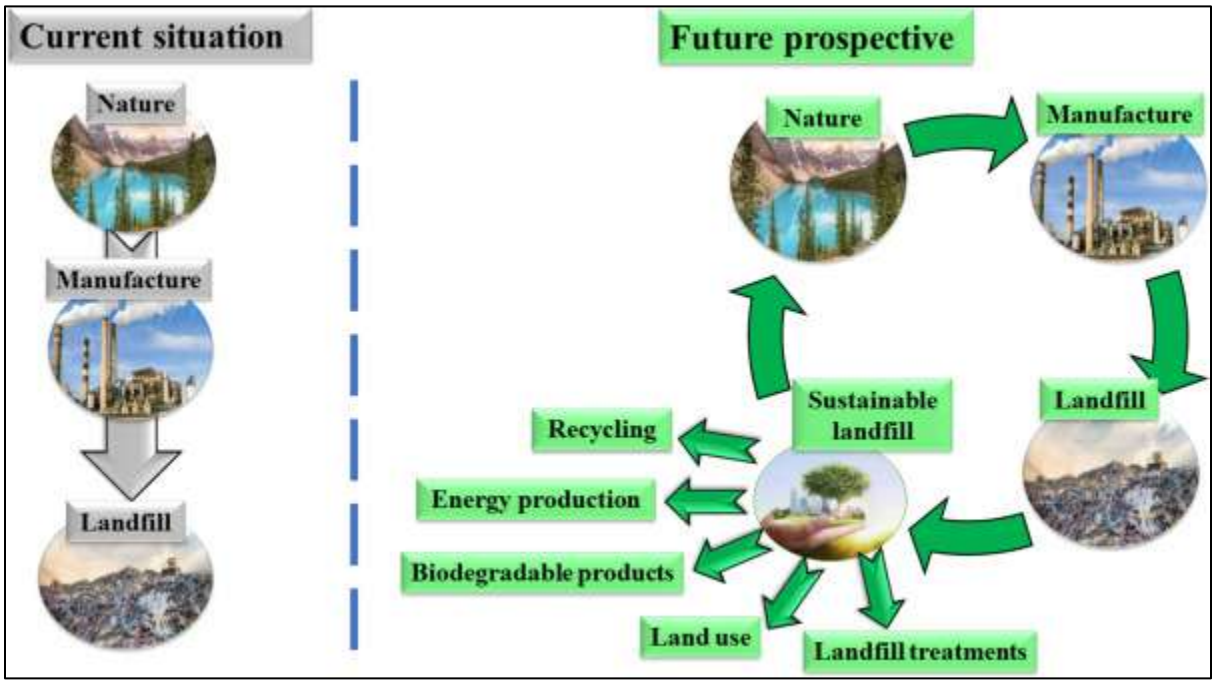


Fig. 3. Current situation and future prospects of landfilling. A sustainable landfill model can be implemented on waste materials safely assimilated into the surrounding environment after being reused, recycled or treated with biological, thermal or other processes and managing gas-related problems to minimize the environmental pollution impact.

11. Concluding remarks

Leachate pollution produces significant ecological and public health problems, especially in the developing countries with ineffective waste treatment strategies despite implementing minimum removal requirements. Leachate harms groundwater aquifers and terrestrial ecosystems, emitting dangerous pollutants and greenhouse gases. Therefore, innovative, cost-effective, sustainable, and eco-friendly leachate treatment technologies are required to reduce energy consumption, sludge production, and toxin formation and recover organic, inorganic, and xenobiotic chemicals in a harmless state to maximize their benefits for future use.

The optimal treatment for leachate is often decided by its characteristics, technical applicability, potential limits, needed effluent limit, cost-effectiveness, regulatory requirements, and long-term ecological effects. Using readiness level technology is essential for determining the recycling rate and net present value to undertake an exhaustive economic feasibility assessment of solid waste value addition and application. Moreover, recycling sorting technology can increase the rate of garbage recycling. A policy structure efficiently facilitates garbage recycling. Involvement of governmental, non-governmental and educational stakeholders is highly recommended for effective policy implementation in the ground.

2. Environmental pitfalls and associated human health risks and ecological impacts from landfill leachate contaminants: Current evidence, recommended interventions and future directions

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Highlights

- Landfill and uncontrolled dumps increase the risk of hazardous leachate release.
- The environmental contamination by leachate and the consequent human health risks are investigated.
- The overall perspective of leachate contamination through living communities is discussed.
- Leachate pollution index, potential ecological risks of leachate and emerging contaminants are evaluated.

Abstract

The improper management of solid waste, particularly the dumping of untreated municipal solid waste, poses a growing global challenge in both developed and developing nations. The generation of leachate is one of the significant issues that arise from this practice, and it can have harmful impacts on both the environment and public health. This paper presents an overview of the primary waste types that generate landfill leachate and their characteristics. This includes examining the distribution of waste types in landfills globally and how they have changed over time, which can provide valuable insights into potential pollutants in a given area and their trends. With a lack of specific regulations and growing concerns regarding environmental and health impacts, the paper also focuses on emerging contaminants. Furthermore, the environmental and ecological impacts of leachate, along with associated health risks, are analyzed. The potential applications of landfill leachate, suggested interventions and future directions are also discussed in the manuscript. Finally, this work addresses future research directions in landfill leachate studies, with attention, for the first time to the potentialities that artificial intelligence can offer for landfill leachate management, studies, and applications.

1. Introduction

Municipal solid waste generation is mainly attributable to human activity advancements. The rapid explosion of the human population led to a significant expansion of industrial waste and municipal solid waste generation (Abdel-Shafy and Mansour, 2018; Adamović et al., 2018; Alobaid et al., 2018; Jouhara et al., 2017).

In the last 50 years, the world population has risen from about 3 billion to >7 billion. This figure is expected to reach about 8.6 billion by 2030 and 9.8 billion by 2050 (United Nations, 2023). Due to the population increase, the amount of waste generated is expected to increase from about 1.2 billion Mg in 2010 to about 2.2 billion Mg in 2025 (Di Maria et al., 2018a). Norbu et al. (2005) claimed that the municipal solid waste generated by Asians living in cities would be around 5.2 million m^3 or 1.8 million tonnes every day by 2025.

Municipal solid waste generation along with mismanagement is a serious and challenging issue concerning environmental pollution, social harmony, and sustainable economic advancement (de Souza Melaré et al., 2017; Kawai and Tasaki, 2016). Of particular interest are also effects related to environmental pollution, public health risks, social concern, and economic integrality worldwide (de Souza Melaré et al., 2017; Dolar et al., 2016).
Fig. 1 reports the projection of waste generation worldwide in 2016, 2030, and 2050, by region (www.worldbank.org). The global production of waste is anticipated to persist in its upward trajectory across the world in the coming decades. In 2016, the collective volume of waste generated in East Asia and the Pacific reached 468 million metric tons. Forecasts indicate that by 2050, the waste generation within this region is poised to surge to 714 million metric tons.

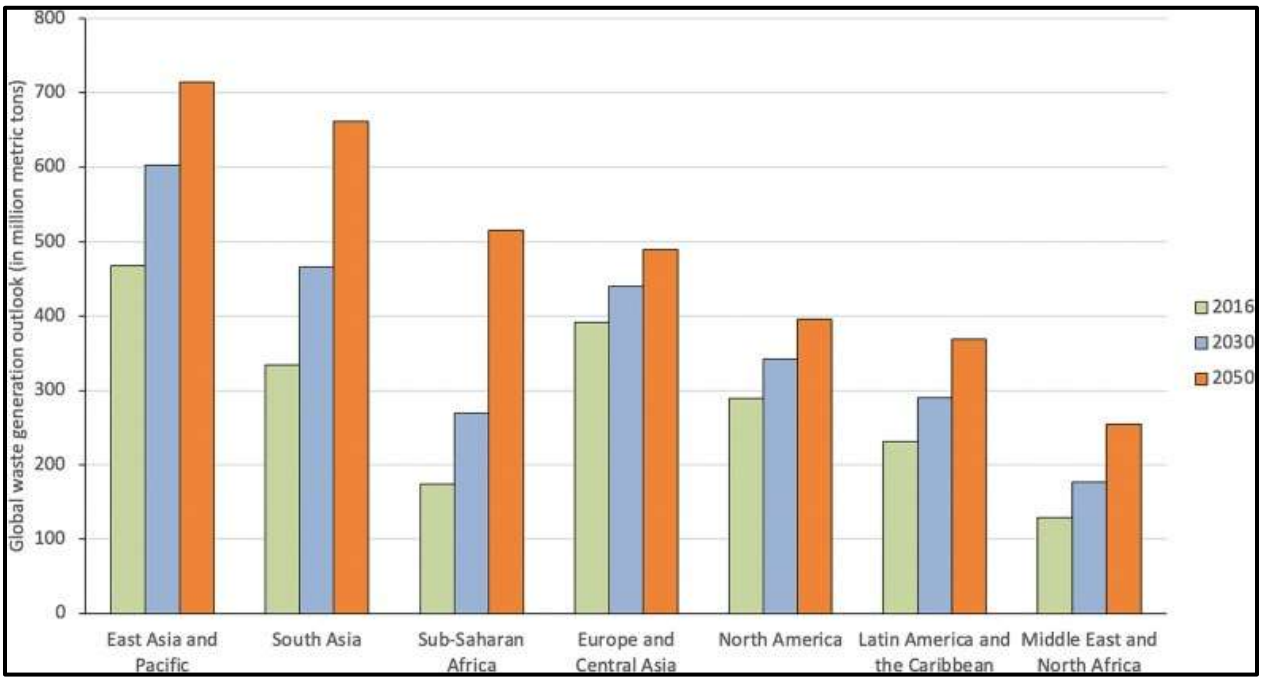


Fig. 1. Projection of waste generation worldwide in 2016, 2030, and 2050, by region (in million metric tons).

Almost half of the world's population, mainly in low-incoming countries, cannot have access to basic services concerning waste collection and disposal, with the consequence that a large amount of the world's generated waste is improperly disposed of. These landfills are unregulated, then they are often uncontrolled and located close to urban areas. In a recent report (STATISTA, 2023) it was estimated that about 60 million people live <10 km away from the 50 largest dumpsites in the world, with severe health and environmental consequences.
Once municipal solid waste has been arranged in a landfill, it continues to decompose. The main decomposition products are gases and leachate. In particular, the excessive moisture content in the wastes and their exposition to rainwater can overflow through the deposited wastes resulting in leachate generation (Anand et al., 2021). Then, leachate is a dark brown liquid mixture, with a foul smell, which can be formed of biodegradable and non-biodegradable compounds. Leachate generally accumulates at the bottom of a landfill.
It is considered hazardous wastewater, due to the presence of common and toxic chemicals, heavy metals, and inorganic compounds such as Ca^{2+}, Mg^{2+}, Na^{+}, NH_4^{+}, Fe^{3+}, Mn^{2+}, Cl^{-}, SO_4^{2-},

HCO_3^-, in large quantities (Anand et al., 2021). Moreover, landfill leachate may contain pathogenic microorganisms, and then promote virus migration in the environment, which may be critical during a pandemic (Anand et al., 2022). This was recently verified for COVID-19, with SARS-CoV-2 RNA fragments detection in landfill leachate (Mondelli et al., 2022).
In the landfill leachate, both aerobic and anaerobic degradation processes occur, and its composition mainly depends on the characteristics of the waste that is being dumped. Depending on the management practices, the thickness of the layer of waste placed and the age of the landfill, the degradation processes can be grouped into the following main four phases (Luo et al., 2020): aerobic phase occurring for shallow waste during the first days from their disposal; acid phase occurring for waste placed at higher depth in anaerobic/anoxic conditions; methanogenic phase lasting for several years, occurring after the acid phase in anaerobic conditions; stabilization phase, occurring after quite a long period once the larger part of biodegradable compounds was degraded. As reported by Teng et al. (2021), leachate pollutants such as chemical oxygen demand and biological oxygen demand can be decreased up to >90 % passing from a less than five-year-old to a more than ten-year-old landfill.
Uncontrolled dumpsites are open dumps where wastes are left uncovered and untreated, leaving the refuse open to the full effects of the atmospheric elements for example rain and water, without any proper management of gaseous and liquid emissions. In low-income countries, about 93 % of waste is burned or dumped on roads, open land, or waterways, whereas in high-income countries only 2 % of waste is dumped (see Table 1). Furthermore, no controls are performed on the amount and characteristics of the waste disposed of. Due to the absence of proper systems, the leachate generated by uncontrolled dumping represents a serious threat to the contamination of the water resource by percolation through the soil and surface runoff (Anand et al., 2021).
As a consequence, leachate generated from landfills can have significant environmental and health impacts (Essien et al., 2022; Gupta and Arora, 2016; Kooch et al., 2023). The major potential environmental impacts related to landfill leachate are pollution of groundwater and surface waters. The released leachate from landfills greatly affects the soil physicochemical, biological, and groundwater properties associated with agricultural activity and human health (Anand et al., 2021). The infiltration of leachate can negatively impact soil quality and fertility. The accumulation of contaminants in soil can hinder plant growth and disrupt terrestrial ecosystems. Moreover, landfills can emit volatile compounds and odorous gases into the atmosphere. These emissions can contribute to air pollution and potentially affect the health of nearby communities (Jayawardhana et al., 2019). The impact on human health is related to exposure to pollutants in drinking water, which can lead to various health problems, including neurological, respiratory, and gastrointestinal disorders. The inhalation of odorous gases and volatile compounds can irritate the respiratory system and cause discomfort for people, for example living in proximity to landfills. Contaminants from landfills can enter the food chain when crops and livestock are exposed to polluted soil or water. This can lead to the consumption of contaminated food products, posing health risks to consumers (Parvin and Tareq, 2021).
Engineering and sanitary landfills are designed and managed to minimize emissions. In these facilities, the prevention of leachate formation and material dragging effect due to wind are pursued by several management practices such as the daily cover of the disposed waste, optimization of the waste placement and waste compaction. Furthermore, sanitary/engineered landfills are also equipped with proper systems for both gas and leachate collection and treatment (Di Maria et al., 2018b) and tight controls are performed on the amount and characteristic of the waste placed. However, some minor risks concerning water contamination can also occur for

engineering and sanitary landfills due to the cracking of the natural and artificial barrier systems causing some leakages of both leachate and landfill gas. Such events can happen during the whole life of the landfill with a probability higher than expected and can be caused by many factors such as waste settlement, bad design and/or choice of materials, installation damage and ageing (Pivato, 2011).

Over the years, advanced concepts of sanitary landfills management have been also proposed based on past experiences and according to the new environmental challenges as the "sustainable landfills" (Cossu and Stegmann, 2018). The sustainable landfill is functionally designed to accelerate the degradation of waste to an inert state in the shortest possible period, generally <30 years, for achieving a lower and possibly sustainable impact on the environment. Enhancing the degradation processes also affects the amount of pollutants in the leachate by decreasing, among others, the chemical oxygen demand and biological oxygen demand content. Currently, most of the literature available focuses on the contaminants typically encountered in landfill leachate and are included in national regulations. However, there is little information on emerging contaminants eventually present in this waste.

This paper offers a comprehensive examination of landfill leachate, its origins, and distinctive characteristics. Furthermore, it presents, for the first time, a comprehensive analysis of the global distribution of various waste types in landfills and their evolving patterns over time. This analysis offers insights into the potential pollutants that could be encountered in respective areas and their likely trajectories in the future. The work's primary objective is to underscore the critical need for a more thorough evaluation of the environmental and health ramifications linked to leachate originating from diverse disposal methods. In light of the absence of specific regulations and in light of the escalating concerns about environmental and health implications, particular attention is dedicated to emerging contaminants. While considering the existing body of literature on the risk assessment of landfill leachate contaminants, this paper seeks to provide a broader perspective. The work also aims to give an overview of the possibilities to fit the modern needs of the circular economy, by proposing some reuses of landfill leachate. Finally, it presents the challenges and perspectives for landfill leachate management, offering for the first time a vision of the future perspectives offered by artificial intelligence (AI).

2. Geographical distribution of landfill waste

Many activities such as municipal solid waste recycling performed by the informal sector, for example, waste scavengers and keepers, domestic and open burning, littering, and open dumping cause serious and challenging problems with potentially adverse environmental and health consequences. Globally, a large percentage of municipal solid waste is disposed of in open dumpsites or sanitary/engineered landfills, as shown in Table 1. In particular, for developing economies, >61 % of waste is still not collected (Kaza et al., 2018), up to 93 % of waste is dumped or openly burned and <3 % is disposed of in engineered landfills (Maalouf et al., 2020). It is evident that waste disposal methods exhibit notable disparities based on both income levels and geographical regions. In lower-income nations, open dumping is widespread due to the absence of established landfill facilities.

At the world level, the presence of waste on open land, roads and waterways due to improper and uncontrolled waste management and disposal, for example, open burning, dumping, and littering, has been estimated on about 35–40 % of the whole waste generated affecting a population of about 3.5–4 billion peoples (Atlas, 2014). The 50 largest dumpsites in Africa, Asia and Latin America affected the life of about 64,000,000 people in the area, and manifest waste and leachate go virtually into the rivers and the sea as 38 of these dumpsites are built in coastal areas (ISWA,

2016). In India, Indonesia, and the Philippines, about 9,000,000 people were at high risk of exposure to hazardous chemical pollutants released from about 370 dumpsites (Chatham-Stephens et al., 2013). All of this represents a serious environmental risk and a possible source of disease outbreaks.

Fig. 2 reports a ranking of some of the world's largest dump sites as of 2019, showing their size in acres (Worldatlas, 2022). Data are available in the Supporting information (S1). Xinfeng landfill site in China, is one of the largest landfills in Asia, receiving daily 7000 tons of generated waste. This landfill has a leachate collection system. Deonar landfill site, located in Mumbai, India, receives daily approximately 5500 tons of waste and the Puente Hills landfill site, located in Los Angeles, California, USA, could daily take up to 13,200 tons of waste. The leachate head exceeded 8 m in the Laogang landfill in Shanghai (Touze-Foltz et al., 2021).

The Apex Regional site in Las Vegas is the largest existing landfill, covering a land of about 2200 acres.

Unfortunately, several of the existing and unregulated landfill sites are often located in the proximity of urban areas. Then it was estimated that about 60 million people in the world live <10 km away from the largest dumpsites. All the data, concerning the largest landfilling sites and the population in their proximity, are available as Supporting information (S1).

Among the largest landfills in the world, about one-half receive both municipal solid waste and hazardous waste. This can have deleterious consequences on human health, considering that larger sites involve a high population, as shown in S1. For example, Williams et al. (2019) estimated that 0.4–1 million people die each year in developing nations because of diseases caused by improper waste management. Similarly, Kodros et al. (2016) found that uncontrolled waste burning is responsible for about 270,000 premature deaths of adult individuals whereas Vaccari et al. (2019) quantified that the death of about 9,000,000 people is directly related to several diseases caused by emerging pollutants that are released from municipal solid waste every year. Uncontrolled dumping and engineered/sanitary landfilling are still likely to remain the most common waste disposal option and remain so for the foreseeable future (Table 1).

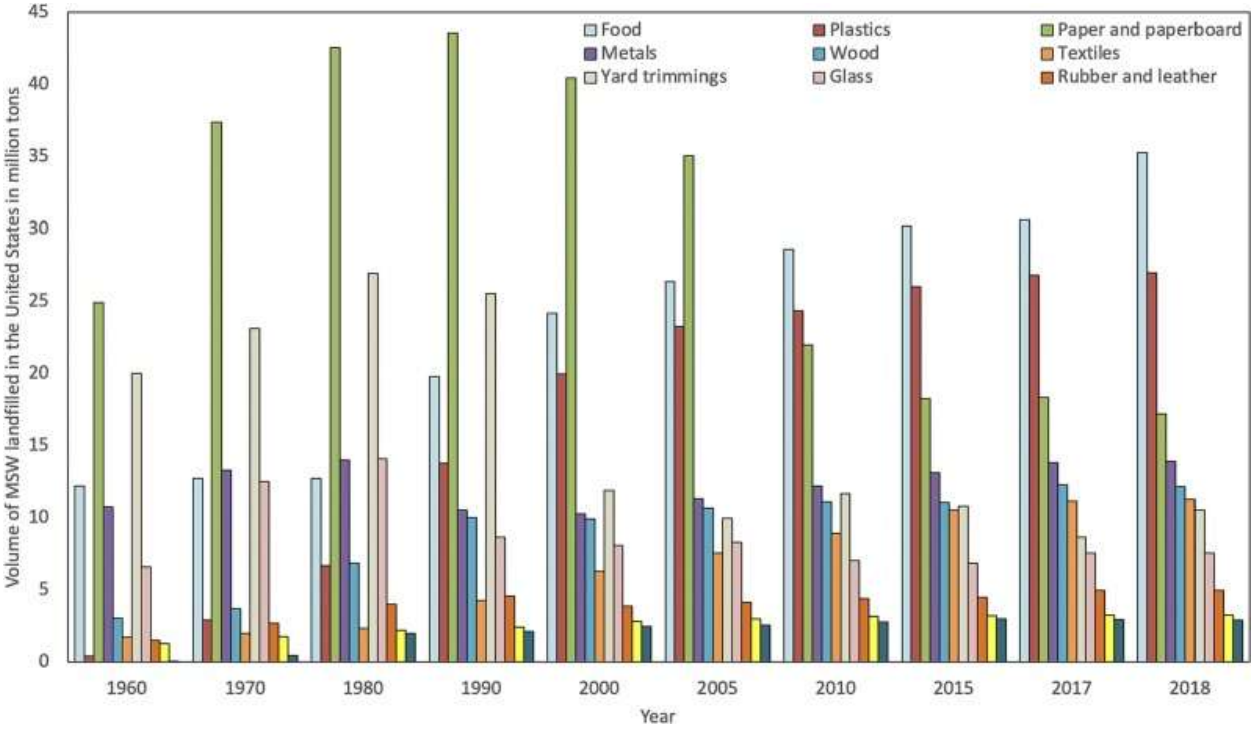
3. Characteristics of leachate in municipal solid waste landfill

3.1. Leachate generation and characterization

Leachate is heavily polluted wastewater, mainly generated by the penetration of precipitated water through the municipal solid waste body. Also, the water originally contained in the waste contributes to leachate composition (Teng et al., 2021). The amount produced leachate can be greatly influenced by several factors including waste composition; climatic conditions; landfill management system; landfill liners and structure; and age (Renou et al., 2008).

As shown in Table 1, landfill and uncontrolled dump remain the first disposal option for waste. However, separate waste collection is realized in many countries, even if at different levels. This is expected to promote a better waste recovery strategy in the next future. At present, data about the specific volume of different wastes destined for landfilling (see Fig. 3) can help to have an idea of the potential pollutants that may be found and their possible trend. For example, the data evolution concerning landfill, available in the USA, shows that food is the most landfilled waste, with 35.3 million tons discarded in 2018, with a continuously increasing trend. Plastic volumes about doubled in 2018, corresponding to 26.97 million tons, if compared to data from 1990, corresponding to 13.78 million tons, but their trend is almost constant, and it is expected to decrease due to an increase in separate collection of packaging waste and the restriction about

the use of petroleum-derived materials. However, this has several implications in terms of released contaminants, such as microplastics.



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Fig. 3. Volume municipal solid waste landfilled in the USA from 1960 to 2018, by material (Source: Environmental Protection Agency (Environmental Protection Agency, 2021)). It is possible to highlight the decrease in paper and paperboard waste generation, with an increase in food and plastic waste. In 2018 the municipal solid waste generated in the USA was about 292 million tons. Of the landfilled wastes, most are plastics, inorganic waste, yard trimmings, and food waste. Last year's loss of landfill capacity with the consequent decrease in landfilling sites represents a problem for the USA, with detrimental effects on the environment.

Along with landfill gas, leachate represents the main pollutant stream generated from waste disposal (Brennan et al., 2016; Koda et al., 2017; Shen et al., 2018). Indeed, a series of potentially toxic compounds based on the original waste composition can be introduced into the landfill: for example, organic nitrogen, aromatic and sulfurous compounds, and hydrocarbons, including chlorinated, bromated, and fluorinated hydrocarbons. Due to the increasing use of a wide variety of new drugs and chemicals, nanoparticles and other microcontaminants can also be found in the waste. Some of these pollutants are partly or completely degradable and may end up in landfill leachate. It is extremely important to highlight that in some cases the degradation compounds are more toxic than the original products (Erythropel et al., 2014).

Common chemical pollutants found in leachate can be grouped into the following classes:

- -Organic compounds detectable by the chemical oxygen demand or the total organic compounds, the volatile fatty acids and the fulvic-like and humic-like compounds resulting in more resistance to biological degradation;

- -Macro inorganic ions as Ca^{2+}, Mg^{2+}, Na^{+}, NH_4^{+}, Cl^{-}, SO_4^{2-}, HCO_3^{-};
- -Heavy metal as Cd, Cr, Cu, Pd, Ni, Zn, Hg, Fe, Mn, Co;
- -Organic compounds, such as polyfluoroalkyl substances, polycyclic aromatic hydrocarbons like persistent organic pollutants and volatile organic compounds;
- -Emerging contaminants include xenobiotic organic compounds such as aromatic hydrocarbons, phenols, chlorinated aliphatics, and pesticides, plasticizers, antibiotics, microbial contaminants;
- -Microplastics.

The composition of the landfill leachate depends on the country/region, waste type, and age of the landfill. Table 2 reports the contaminants and their concentrations in landfill leachates concerning the country and waste type. Landfill age becomes a determinant factor in leachate composition due to the degradation phase that leachate goes through.
Furthermore, a great amount of unsorted wastes arising from different activities such as wastewater treatment sludge, personal and absorbing hygiene products, health care waste, drugs, faeces, electronic waste, oils, batteries and chemical products are often disposed of in dumpsites (Yukalang et al., 2018; Zhao et al., 2018). Such waste represents a major anthropogenic load of different classes of antibiotics and antibiotic-resistant bacteria (Liu and Wong, 2013; Threedeach et al., 2012). Notably, leachate can be an important source of antibiotic resistance genes and contains a plethora of emerging contaminants such as lincomycin, bisphenol A, caffeine, gemfibrozil, crotamiton, sulfamethazine, acetaminophen, diclofenac, salicylic acid, N, N-diethyl-m-toluamide and clofibric acid as well as perfluorinated chemicals into the environment (Eggen et al., 2010; Masoner et al., 2016; Yi et al., 2017).
Due to the degradation processes occurring in the waste mass, the age of the landfill is a major factor in characterizing the quality of leachate and is broadly categorized into three parts (Foo and Hameed, 2009): <5 years old, i.e. young, 5–10 years old, i.e. medium, and >10 years old, i.e. highly mature. Additionally, landfill leachate characteristics are also highly dependent on physiochemical parameters such as alkalinity, total Kjeldahl nitrogen, chloride, biological oxygen demand, suspended solids, conductivity, chemical oxygen demand, total dissolved solids, phosphorus, temperature, pH, temperature, as shown in Table 3.
There are several case studies available discussing the contaminants present in landfill leachate. One recent study conducted in China investigated the occurrence and distribution of emerging organic contaminants in landfill leachates and their ecological risks in the surrounding environment (Wang et al., 2021). This was the first paper reporting the role of landfill leachates in the emerging organic contaminants presence in both aquatic and soil environments in East China. The results suggested that the individual emerging organic contaminants posed medium to high risks to aquatic organisms in groundwater while negligible effects were found for human health through consumption of vegetables. Another study conducted in Iran analyzed the impact of landfill leachate on groundwater quality and identified heavy metal concentrations, COD, BOD5, TOC, EC, NO3-, Cl-, TDS, and pH as sources of contamination, by using a special statistical approach including a main factor (age of leachate) and a subfactor (distance from the source of pollutant) (Vahabian et al., 2019), showing that a high variation in the contaminants (i.e., organic compounds, salts, and heavy metals) can be related to leachate age. A case study conducted in Kuwait examined the chemical characteristics of leachate and the mechanism of leachate formation in two unlined municipal solid waste landfills (Al-Yaqout and Hamoda, 2003). The authors proposed a water balance at the landfill site with a dedicated model designed

to account for leachate generation due to the rising water table, capillary water and moisture content of the waste.

Hence, landfill leachate composition is tremendously heterogeneous and remarkably variable. Consequently, numerous strategies such as waterproofing layers, cover layers and lining are being used to control water entry into the landfill and thus the amount of leachate produced (Dajić et al., 2016). Since leachate is a complex mixture of diverse contaminants, the characterization of the quality of landfill leachates is a challenging task (Boonnorat et al., 2018), particularly for emerging pollutants such as the ones discussed in the following paragraphs.

3.2. Composition of leachate/fate and transport of contaminants in landfill leachate

3.2.1. Dissolved organic matter

Landfills can be considered bioreactors in which chemical, biochemical, and physical processes take place. These mainly depend on the incoming waste composition, moisture, and climatic conditions. The municipal household solid waste is constituted by some substances, which are very similar worldwide, although they vary in amount. Approximately 75–85 % of the refuse destinated for landfill is biodegradable, as shown in Fig. 3. Biodegradable waste can be divided into two fractions: the readily biodegradable part, corresponding for example to food and garden wastes, and a moderately biodegradable portion, for example, wood, paper, and textiles. In a landfill, organic waste is largely degraded under anaerobic conditions. Fig. 4 shows the chemistry of major organic material anaerobic degradation pathways (Renou et al., 2008) occurring in a sanitary landfill, which can be divided into four phases: hydrolysis, acidogenic fermentation, acetogenic fermentation, and methanogenesis.

The first phase of biochemical degradation is fundamental for the reduction of complex organic matter, such as lipids, carbohydrates, and proteins into fatty acids, glycerin, saccharides, and amino acids. The hydrolysis phase is the process with the lower rection kinetics, then it regulates all subsequent reactions, slowing down the entire process.

In the second phase, which is defined as the acidogenic phase, biodegradable organic matter supports anaerobic fermentation, which produces volatile fatty acids as the main fermentation products. The process is enhanced by water presence, due for example to waste moisture or rainfall events, leading to the production of high quantities of volatile fatty acids, as much as 95 % of the organic content. In the acetogenic phase, methanogenic microorganisms develop, and the volatile fatty acids are converted to biogas. i.e., CH_4, CO_2. Aromatic hydrocarbons can be converted into acetic acid if they contain oxygen. The leachate organic part becomes dominated by refractory non-biodegradable compounds such as humic substances. The last phase of anaerobic degradation is methanogenesis: methane and carbon dioxide are produced, starting from hydrogen and acetic acid as a substrate. The presence of water vapor depends on the process efficiency.

Several microbial groups take part in the rate-determining steps of fermentation and methanogenesis. In these chemical reactions, organic parts are the main electron donors (predominant in the landfill environment). Carbon sulfate and dioxide are the major electron receptors.

Degradation of organics needs more long time if the process occurs in the solid phase in comparison to the liquid one, as the organic compounds need to migrate from the solid phase into the liquid phase by means of diffusion and dissolution. The dissolved organic matter in the leachate represents the organic matter fraction that can be passed through a 0.45 μm filtration membrane. It includes organic compounds with a wide range of molecular weights and sizes. As explained, this organic matter generally includes fats and compounds with a nature similar

to humic acids and fulvic acids serving as the abundant source of microbiological processes, thereby considerably influencing the fate of organic contaminants in their vicinity (Lyngkilde and Christensen, 1992).

Therefore, the composition of leachate reflects a typical condition of the dominant biological processes in a given period. Then, the experimental determination of individual organic compounds in leachate is hard to realize and hence properties such as biological oxygen demand, chemical oxygen demand and total organic carbon and volatile fatty acids are typically used to characterize leachate samples (Luo et al., 2020; Wijekoon et al., 2022). Generally, the elevated levels of biological oxygen demand and chemical oxygen demand suggest the presence of high concentrations of dissolved organic matter in leachate. Further, a low biological oxygen demand/chemical oxygen demand ratio indicates a low amount of volatile fatty acids and higher amounts of humic and fulvic-like compounds (Adhikari and Khanal, 2015; Wijekoon et al., 2022).

Leachate analysis of the Mavallipura landfill in India with an intermediate leachate age (5–10 years) showed high chemical oxygen demand concentrations corresponding to ~2000–3000 mg/L (Naveen et al., 2017). Also, a study conducted by Vithanage et al. (2017), for the analysis of dissolved organic carbon fraction in the leachate of Gohagoda dumpsite, Sri Lanka, showed recorded maximum values of 56,955 and 28,493 mg/L respectively for total organic carbon and dissolved organic carbon. They have extracted and purified the dissolved organic carbon fraction including humic acid, fulvic acid and hydrophilic fractions with the use of resin techniques. Recorded maximum values for total organic carbon and dissolved organic carbon were 56,955 and 28,493, respectively. It has been shown that the age of the landfill and the precipitation as the main factors which control the concentrations of the chemical oxygen demand and biological oxygen demand (Ma et al., 2022). Humic and fulvic-like substances can form complexes with metal ions. Therefore, recent attention has been paid to investigating the transport and complexation of toxic heavy metals with dissolved organic matter fractions (Wijekoon et al., 2022; Wijesekara et al., 2014).

3.2.2. Antibiotics and antimicrobial resistance

Antibiotics are extensively used as medicine to treat infections, livestock food additives in the management of animal husbandry (promoting growth in animal farming), and to prevent and treat plant and animal infections (Cabello, 2006; Singer et al., 2003; Zhou et al., 2013). As a result, the demand for antibiotics is exponentially increasing to confer all these applications, consequently leading to the release of huge amounts in the natural environment (Kokoszka et al., 2022). In recent years, the occurrence of antibiotics in the environment has gained the highest attention due to the leverage on the blooming of antibiotic resistance potentiating a global threat to public health (World Health Organization, 2015). An in-depth assessment of municipal solid wastes suggests the potential impact on the environmental settings at different amplitudes, as shown in Fig. 4.

Globally, the emergence of antibiotic-resistant bacteria and antibiotic resistance genes among microbial communities imposes a major threat to humans and the environment (Bengtsson-Palme and Larsson, 2015; Berendonk et al., 2015; Larsson et al., 2018; Martinez et al., 2015; Pal et al., 2015; Topp et al., 2018). Rather than the accumulation of point mutations, horizontal gene transfer plays a pivotal role in the propagation, multiplication, and progression of antibiotic resistance genes in the environment (Amaro and Martín-González, 2021; Anthony et al., 2020; Baquero et al., 2019; Baquero et al., 2021; Buta-Hubeny et al., 2022; Vrancianu et al., 2020). Improper, overused or poorly controlled usage of antibiotics without proper medication

resulted in the development of antibiotic-resistant bacteria (Frieri et al., 2017) and the emergence of antibiotic resistance genes both in the human gut upon initial intake and into the environment after release (Bound and Voulvoulis, 2004).

Several studies over the past few years showed that antibiotics are hardly metabolized and then directly released with excreta into the environment which ultimately goes into the landfill (Dolliver and Gupta, 2008). Surprisingly antibiotics are regarded as both emerging contaminants (Das et al., 2019) as well as food pollutants (Cabello, 2006; Martinez, 2009). To date, the widespread occurrence of antibiotic resistance genes has been observed in plenitude directions including natural ecosystems and engineered ecosystems, like air, surface water, soil, wastewater treatment plants, resulting in the potential spread of antibiotic resistance genes in the environment and human microbes (Buta-Hubeny et al., 2022; Guo et al., 2017; Hubeny et al., 2021; Levin-Reisman et al., 2017). Although landfills play the central character in the management and treatment of solid wastes (Buta et al., 2021a; Chakravarty and Kumar, 2019), the leachate generated during the waste decomposition process is regarded as a major hotspot for transmission of antibiotic-resistant bacteria and antibiotic resistance genes and necessary efforts are to be taken to control it (Wu et al., 2015) for the betterment of the environment and society. Although remarkable/noteworthy relationships have been found among municipal solid waste leachate, antibiotics, and the levels of antibiotic resistance genes associated, very limited research has been carried out in the light of their potential relation at the metagenomics level. Moreover, the composition, toxicity level, diversity, and identification of mobile genetic elements and antibiotic resistance genes in municipal solid waste landfill is still largely unexplored. Hence, research in this domain must be elucidated since municipal solid waste harbour a great number of different classes of anthropogenic compounds and antibiotics in large quantities (Anand et al., 2021). As a result of this, discarded antibiotics and the development of new antibiotic resistance genes significantly pass into the leachate which ultimately greatly pollutes nearby environments, as reported in Table 4. For instance, the study by Threedeach et al. (2012) showed 80.8–87.5 % of *Escherichia coli* isolates from leachate of anaerobic and semi-aerobic landfills in Thailand were highly resistant to four common antibiotics, tetracycline, doxycycline, cephalothin, and minocycline.

Moreover, discharge of treated landfill leachate is also chiefly correlated with antibiotic resistance genes introduction to the downstream ecosystem/surroundings as effluent receiving water, which ultimately leads to accelerating the increase and spread of antibiotic resistance genes concentration (Wang et al., 2020b). Surprisingly, the increase in the humic acid content greatly impacts the accumulation of the antibiotic resistance genes vitally (Yu et al., 2016). Besides, mobile genetic elements also harbour a greater degree of correlation/connectivity to antibiotic resistance genes in leachates (Wu et al., 2017). It has been documented that the numbers of bacterial 16S ribosomal RNA gene copies including *sulII*, *tetO*, *sulI*, *intl1*, *tetW*, and *dfrA* in landfill leachate have a strong positive correlation to developing antibiotic resistance (Wang et al., 2015; Yi et al., 2017).

According to the findings of Song et al. (2016) numerous physicochemical factors, including nitrate concentrations and moisture content in landfill waste, exhibited strong correlations with antibiotics and antibiotic resistance genes, claiming that chemical conditions significantly influence antibiotic and antibiotic resistance genes delivery in landfill settings. Recently, several studies have discovered that depositing waste containing fluoroquinolones and β-lactams into landfills could have a remarkable impact on the dissemination of antibiotic resistance genes and

antibiotic-resistant pathogens (Su et al., 2017a; Wu et al., 2017; Wu et al., 2015; You et al., 2018).
Biocide utilization also contributed to the rise of multidrug resistance (Pal et al., 2015). As many studies indicated that antibiotic introduction has been found to influence the increased frequency of mutation and recombination in bacteria through SOS response (Blázquez et al., 2012; López et al., 2007). Therefore, the release of environmental bacteria to various concentrations of antibiotics is likely to create modifications with a high rate of genetic reorganization and this higher rate enables bacteria to quickly acquire favourable mutation and associated genetic modification, and upon contact with antibiotics may lead to the high frequency of genetic reorganizing bacteria establishment in the environment (Gillings and Stokes, 2012).

3.2.3. Microplastics

Undoubtedly, plastics are one of the most widely used materials globally. It has become an inextricable component of the material world, permeating everything from plastic packaging (bags and bottles), clothing, and equipment parts to construction materials. The world's plastic generation exceeded 348 million tons in 2017 from 2 million tons in the 1950s (Plastics Europe, 2018) and 359 million tons in 2018 (Plastics Europe, 2019). The generation of plastic waste is really blooming throughout the world and is a leading environmental problem as well as an emerging issue. Worldwide, microplastics are arising as a potential pollutant and received the highest attention from the municipality, public audience, and major research societies. Microplastics and large microplastics are classified as particles of plastic waste material that have the highest size from 1 μm to 1 mm (Eerkes-Medrano et al., 2015; Koelmans et al., 2015; Marchesi et al., 2023) and from 1 mm to 5 mm, respectively (ISO, 2023). Recently, microplastics originating from municipal solid waste landfill leachate have been recognized as an emerging threat to the natural ecosystem (He et al., 2019). Solid waste landfills responsible for the release of a total of 17 types of microplastics from different landfill sites were recently documented (He et al., 2019). Moreover, several studies claim that microplastics have been enormously found in marine waters, freshwater bodies, and globally (Auta et al., 2017; Cole et al., 2011; Novotna et al., 2019). However, the concentration of microplastics in the leachate ranged between 0.42 and 24.58 items/L (He et al., 2019).
When compared to other emerging contaminants, such as pharmaceuticals and personal care products (PPCPs), per- and polyfluoroalkyl substances (PFAS), and nanomaterials, microplastics have several unique characteristics and importance: 1) Ubiquity and persistence, 2) Wide range of sources, 3) Regulatory action (Some regions and countries have introduced regulations and bans on microplastic-containing products, reflecting the growing recognition of their environmental and health risks), 4) Challenges in management (Unlike some emerging contaminants that can be effectively removed or treated through conventional water and wastewater treatment processes, the removal of microplastics from the environment poses significant challenges due to their small size and ubiquity (Anand et al., 2023)).
The source of microplastics in the leachate was the resultant of polythene $(C_2H_4)_n$ degradation after being buried in the landfill. Several studies in the recent past have mainly focused on the size of microplastics in different habitats which ranged from >1 μm (81–92 %) (Pivokonsky et al., 2018), <20 μm (96 %) (Triebskorn et al., 2019), <300 μm (61 %) (Leslie et al., 2017), <2000 μm (80 %) (Wang et al., 2017), and <500 μm (Yuan et al., 2019). The formation, accumulation, and transport of microplastics at the landfill site are long-term phenomena. Their study concluded landfill sites as the potential source of release of microplastics rather than serving as a sink for polyethene.

It has been reported that huge quantities of plastics are dumped into landfills every year. Landfilling, globally recognized as the most common waste management technique, was projected to store 21–42 % of the global plastic waste generation (Nizzetto et al., 2016). Currently, increasing awareness is also oriented to emerging contaminants, for example, antibiotics and flame retardants, in municipal solid waste landfills that are still not regulated and for which specific thresholds are not defined yet.

3.2.4. Macro inorganic contaminants

Macro inorganic components represent one of the four major groups of constituents in landfill leachates (Kjeldsen et al., 2002). Macro inorganic compounds in leachates mainly comprise different ions including Na^+, K^+, Ca^{2+}, Mg^{2+}, Fe^{2+}, Zn^{2+}, Al^{3+}, NH_4^+, Cl^-, HCO_3^- NO_2^-, NO_3^-, SO_4^{2-}, and PO_4^{3-} (Chakrabarty et al., 2016; Robinson, 2007; Shehzad et al., 2016). However, Li^+, Ba^{2+}, Co^{2+}, Hg^{2+}, BO_3^{3-}, S^{2-}, SeO^{2-}, and AsO_4^{3-} could also be found in leachate as macro inorganic contaminants in minute concentrations and thus have less importance (Robinson, 2007). Macro inorganic contaminants typically appear in higher concentrations in leachates. However, the current stage of landfill stabilization, the composition of wastes, and other leachate characteristics affect the concentration of some macro inorganic compounds (Adhikari and Khanal, 2015; Wijekoon et al., 2022). For example, methanogenic leachate associated with elevated pH values favours the sorption of cations such as Fe^{2+}, Ca^{2+}, and Mg^{2+} into organic components that reduce the concentrations of cations together with the formation of precipitation with anions. Similarly, the concentration of SO_4^{2-} is decreased in the methanogenic phase since the reduction of SO_4^{2-} to S^{2-} via microbial activities (Adhikari and Khanal, 2015).

Some macro inorganic contaminants such as Cl^-, Na^+, and K^+ are considered conservative pollutants due to their negligible reaction abilities for removal through complexation, precipitation, or sorption (De et al., 2016). Chloride shows insignificant reactions for complexation, precipitation, and sorption (Kjeldsen et al., 2002) while Na^+ is not removed by complexation and precipitation (Erses et al., 2008). Other than being a conservative pollutant, K^+ is identified as a dilution indicator (Demirbilek et al., 2013).

Moreover, Fernández et al. (2014) indicated the usefulness of the concentration of macro inorganic compounds as indicators to access groundwater contamination with leachate plumes. In this study, strong distribution patterns of leachates in groundwater were identified with macro inorganic compounds such as sulfate, chloride, and iron.

3.2.5. Heavy metals

The municipal solid waste landfill leachate containing an unacceptable level of hazardous inorganic contaminants including metals and metalloids may eventually affect the nearby soil profiles, groundwater (O'Shea et al., 2018; Regadío et al., 2012), and the surface water environment. The mobilization of metals was influenced by the characteristics of leachate, in addition to the redox status and pH of minerals present in aquifers. Øygard et al. (2007) have shown the immobilization of unbound heavy metals present in landfill leachate to some extent after aerobic storage of 48 h. The rapid sorption of cations occurred because of increased pH nevertheless, there was little adsorption of arsenic and antimony at such elevated pH indicating the enhanced mobilization of these metals from pore water to the nearby aquifer system. However, arsenic as the inorganic contaminant of landfill leachate was recently presented by (Hu et al., 2019). The fate of leachate containing arsenic was assessed using a suitable extraction process and the overall content of arsenic in the landfill ranged from 15.26 to 38.41 mg/kg. There was an increase in the arsenic content downstream of the landfill up to 19 m. However,

subsequent zones displayed a decrement in the amount of studied metalloid. The content of arsenic varied significantly in different fractions like F1, defined as the exchangeable part, F2 corresponding to the oxidizable one, F3 which is the reducible fraction, and F4 the residual part. The allocation of arsenic in different fractions was affected by the presence of nitrate, carbonate, oxygen availability, the content of ferrous and ferric ions as well as crystalline forms of different mineral species.

3.2.6. Emerging organic contaminants

Leachates originating from different domestic and industrial landfills comprise a diverse array of potentially toxic recalcitrant organic contaminants (Hu et al., 2019) with ample chances of transport into nearby aquifers and subsequent contamination, if not managed properly. Organic pollutants in landfill leachate are found to be diverse in types. In general, the municipally derived landfill leachate consists of increased content of xenobiotics of organic origin apart from the organic materials resulting from the breakdown of landfilled organic components.

Persistent organic pollutants such as albendazole, lincomycin, acetaminophen, diclofenac, naproxen bisphenol A, endosulfan and 2,4-Di-tert-butylphenol have been detected in landfill leachate (Aziz et al., 2018; Wu et al., 2021).

The utilization of organic components via microbial activities and transport of leachate from one region to another region of the aquifer may create different conditions varying from anaerobic like methane produced in the proximity of landfilled location, S, Fe, Mn, and NO_3^- reducing followed by oxidizing environment prevailing at the plume. The occurrence of different anaerobic and aerobic environments beneath the landfilled site is regarded as an important characteristic for evaluating the fate of organic contaminants present in the plume of leachates. The breakdown of little content of organic contaminants derived from landfill leachates is attributed to the microbiological processes and availability of electron acceptors in aerobic and anaerobic zones of plumes. Based on the analysis of leachate plume from a total of 75 points, Lyngkilde and Christensen (1992) concluded the contribution of microbe mediated biodegradation, in addition to adsorption in the different reduction-oxidation environments as the key factor regulating the fate of organic contaminants. Most of the contaminants could not be identified up to 100 m of the plume, however, one of the agrochemicals (herbicide) mecoprop ($C_{10}H_{11}ClO_3$) was observed to transport for long distances. Overall, the study signified the role of the ferrogenic environment in regulating the fate of contaminants.

Disposal of waste containing polyfluoroalkyl substances into landfills has been started a few decades ago however, increasing in quantities every year (Wei et al., 2019). Per- and polyfluoroalkyl substances are considered a major threat due to their environmental and human health-related concerns. The polyfluoroalkyl compounds in landfills potentially leach out and contaminate adjacent soil and groundwater resources (Wei et al., 2019). Among >5000 man-made polyfluoroalkyl compounds, perfluoroalkyl carboxylic acids and perfluoroalkyl sulfonic acids belong to the perfluoroalkyl acids group and are frequently reported in landfill leachates (Rahman et al., 2014). Abiotic leaching such as desorption and biotic leaching processes involves for release of polyfluoroalkyl substances from solid wastes (Allred et al., 2015). Short chained perfluoroalkyl acids consist of 4–7 carbon atoms that are highly soluble and persistent in aquatic medium thus, predominant in leachates compared to the longer chain perfluoroalkyl acids (Benskin et al., 2012; Hamid et al., 2018). The complex nature of the matrix, low biodegradability, high thermal stability, and high water solubility cause the removal of polyfluoroalkyl substances through conventional techniques ineffective (Yu et al., 2009).

Therefore, additional, and expensive treatment technologies are required to remove polyfluoroalkyl substances from leachates.

Besides, local differences in the transformation of organic contaminants of aliphatic nature were also observed. Although the transformation of organic contaminants was observed for both in situ and laboratory-based experiments, in some instances, the in-situ transformations were more prevalent. The environmental conditions prevailing in leachate plume were identified as methanogenic, ferrogenic and nitrate-reducing (Lyngkilde and Christensen, 1992). The conversion of nitrophenol with a reduced lag phase was rapid under a reducing environment in the proximity of the landfill site, however, the transformation was remarkably slower in the oxidizing zone of the investigated plume.

In contrast, the conversion of phenol, C_6H_5OH, with very little, which was much prevalent for up to two months in the distal part of the plume characterized by nitrate-reducing, ferrogenic and manganogenic environments. The conversion of dichlorophenol was noticeably prominent under a highly reducing environment represented by reducing conditions, in the vicinity of landfill sites, having a lag phase reaching up to after 9 days. The differences in the transformation of the study's organic contaminants under in situ and laboratory experiments may be due to changes in the redox environment (Borch et al., 2010; von der Heyden and Roychoudhury, 2015).

The contaminant transformation may also be regulated by the presence of other ions in plumes, the chemistry of contaminants, the nature, and diversity of microorganisms involved as well as the reducing and oxidizing environments prevailing in the plume, aquifer, and sediments. Apart from the biological factors, abiotic factors may also participate actively in the transformation of contaminants (Kotthoff et al., 2019). The natural remediation of recalcitrant organic contaminants stemming from landfill leachate is presented by Baun et al. (2003). Reinvestigation of a previously studied landfill site, for a total of 49 groundwater samples with references to redox responsive substances and organic contaminants, surrounded by the leachate plume was carried out (Baun et al., 2003).

The characteristics of the studied plume were unchanged even after 10 years except for minor alterations in the content of chloride, organic contaminants, and non-volatile organic carbon. Most of the contaminants present in the leachate plume were susceptible to degradation except the mecoprop, benzene, and non-volatile organic carbon. In the leachate plume, toluene was degraded to benzyl succinic acid. The assessment of toxic organic contaminants in the plume could provide insight into the mechanistic details of the natural attenuation process. Reductions in the concentrations of perfluoroalkyl acids in landfill leachate as compared to raw samples during biological treatment have been reported by Yan et al. (2015).

Interestingly, the loss in perfluoroalkyl acids content was not the result of the biodegradation process, as the contaminant was recalcitrant to microbiological activities (Higgins et al., 2007). Since the vapor pressure of perfluoroalkyl acids degradation products was very little, the reduction in its concentration through volatilization was not possible. The decrease in perfluoroalkyl acids content was attributed to the sorption by activated sludge materials.

4. Environmental impacts, risks, and their assessment

Landfill leachate is a very complex high-strength wastewater, which contains suspended and dissolved materials such as heavy metals, inorganic salts, nutrients, microbial contaminants and various organic compounds removed from the decomposing waste in the landfill body (Arunbabu et al., 2017; Wdowczyk et al., 2022). The mixing of landfill leachate into groundwater, surface water bodies and soil undoubtedly generates environmental risks (Ashraf et al., 2019). The main categories that can be directly or indirectly affected are several: land, soil,

water, air, climate, biodiversity, material assets, cultural heritage, landscape, and population and human health. Therefore, this section deeply discusses the adverse effects of landfill leachates on ground and surface water, soil physicochemical and biological properties, development of antibiotic resistance as well as risks of microplastics in leachates and negative impacts on ecology. Moreover, this section points out the important aspects of the Leachate Pollution Index, which has been recognized as a valuable tool to estimate the pollution threats from landfill leachates generated from different landfills/open dumps thus, an important implementation for policymaking.

4.1. Effect of municipal solid waste landfill leachates on groundwater and surface water bodies

Municipal solid waste landfills are considered to be important sources of groundwater contamination due to the leakage of leachate, a complex mixture of pollutants having high chemical oxygen demand, high ammonium nitrogen content, high heavy metal content and lasting toxicological characteristics (Li et al., 2014; Teta and Hikwa, 2017). Many studies have indicated that the main pollutants from landfills found in groundwater include chloride, sodium, and ammonium ions, total hardness, total dissolved solids, organic matter such as chemical oxygen demand, heavy metals (Azizi et al., 2015; Cheng et al., 2013), and phosphate (Milosevic et al., 2012; Smahi et al., 2013).

Hepburn et al. (2019) determined a maximum concentration of 5200 ng/L of per-and polyfluoroalkyl substances, which was the sum of 14 compounds, in a landfill site in Australia. The same study found that PFHxS has the highest concentration (2.6–280 ng/L) among 14 per-and polyfluoroalkyl compounds followed by perfluorooctane sulfonate, perfluorohexanoic acid, and perfluorooctanoic acid, resulting 1.3–4800, 0 ≤ −46, and 1.7–74, respectively. A positive correlation was reported for per-and polyfluoroalkyl substances and leachate contaminants like ammoniacal nitrogen and bicarbonate. Especially in unlined landfills, leachate can contaminate groundwater with potentially hazardous chemicals at concentrations that violate drinking water standards (Reyes-López et al., 2008).

Municipal solid waste landfill leachates can contaminate water resources through groundwater underflow, runoff, infiltration, and precipitation (Mor et al., 2006). Leachate disperses in both horizontal and vertical pathways due to dilution and advection (Abiriga et al., 2021a). After contaminants reach the groundwater, the pollutants in leachate can mix with the aquifers. For example, many simply constructed or non-standard landfills have resulted in groundwater contamination to different extents in developing countries; these landfills include the Henchir El Yahoudia landfill in Tunis (Marzougui and Mammou, 2006), Matuail landfill in Bangladesh (Azim et al., 2011), Ondo landfill in Nigeria (Akinbile, 2012), Mediouna site in Morocco (Smahi et al., 2013), Matang landfill in Malaysia (Zawawi et al., 2012), and the Suchi landfill in India (Bhalla et al., 2012).

About 75 % of the 55,000 landfills in the USA have polluted the water resources close to them (Lee and Jones-Lee, 1993). Moreover, in Spain (Regadío et al., 2012), Denmark (Milosevic et al., 2012) and Greece (Fatta et al., 2002), the groundwater near some landfills has been contaminated by nitrate, nitrite, and ammonium. The studies investigation revealed the availability of different organic wastewater contaminants in groundwater samples. The cholesterol was identified at a site upstream of the landfill sites and documented for its presence at all locations. The leachate plume generated from landfill sites was also noticed for the existence of insecticides and flame retardants. The sampling locations nearby were observed to have higher concentrations of contaminants as compared to those located at distant positions.

The number of organic contaminants at sampled locations varied from a minimum of 4 to a maximum of 17. The presence of hazardous organic contaminants even after long-duration examination of landfill sites revealed the persistent nature and long-range transport of targeted contaminants in groundwater.

The toxic byproducts of the leachate are manifold, of which the heavy metals play a significant role as a contaminant of water pollution (Ebadi Torkayesh et al., 2019). Studies show that it is challenging to evaluate the behavior of heavy metals in leachate-polluted groundwater as they are strongly bound to microscopic colloidal matter and organic molecules (Matura et al., 2012). The effect of landfill leachate on groundwater characteristics concerning size and heavy metal content in colloids has also been investigated by (Zhai et al., 2019). The size of metal-bearing colloidal particles in groundwater downstream of the landfill site was >200 nm, however, at upstream locations, the size was <10 nm.

Furthermore, the concentration of iron was higher in downgradient sampling locations as compared to upgradient sites, suggesting the transport and storage of colloidal materials in an aqueous environment. The study revealed the contribution of colloids in controlling the fate and transport of particulate as well as inorganic contaminants. The analysis of collected leachate samples had higher values of electrical conductivity, nitrate, chloride, biological oxygen demand and chemical oxygen demand during dry environmental conditions. The biological oxygen demand and chemical oxygen demand values of water samples were higher than the prescribed limits indicating the employment necessity of appropriate remedial procedures to make the contaminated water suitable for intended purposes. The increased electrical conductivity and enhanced concentrations of important cations and anions in groundwater collected near the landfill site are also demonstrated by Ahamad et al. (2019). Overall, previous studies have claimed that leachates have four chief components which include heavy metals, nutrients, toxic organic compounds and volatile organic compounds (Arunbabu et al., 2017; Budi et al., 2016; Kumarathilaka et al., 2016; Moody and Townsend, 2017).

Moreover, the water resources are observed to be contaminated with high levels of leachate during the wet seasons of the year. The leachate contamination is often propelled by rainy weather through surface runoff and infiltration (Alemayehu et al., 2019). Furthermore, the leachate flow increases linearly with increasing precipitation (Yu et al., 2021). Therefore, the changes in the rainfall highly affect the amount and characteristics of the leachate (Abunama et al., 2021b). Usually, the contamination levels in the groundwater reduce with increasing downstream distances, from the landfill (Sharma et al., 2020). Compared to the proximity of the landfills, there is less influence of other attributes such as topography, type, and state of the landfill to the degree of leachate contamination of water bodies (Akinbile and Yusoff, 2011).

4.2. Effect of landfill leachates on soil physico-chemical and biological properties

The concentrated leachate that reaches the bottom of the landfill infiltrates through different soil layers before reaching the groundwater system. The infiltration of leachate not only contaminates the soil but also alters the physico-chemical and biological properties of the soil layers through which it passes (Ingle, 2022). Studies show that the surrounding soil environments closer to landfills are directly contaminated by leachate when the leachate is not properly treated (Gu et al., 2022). The passage of landfill leachate through soil layers can negatively affect the soils' engineering properties including factors like shear strength, and volume changes as well as chemical properties such as adsorption and retention of heavy metals (Emami et al., 2019; Ingle, 2022).

Industrial and household metal garbage such as light bulbs and electrical equipment are the major sources of heavy metal pollution in landfills (Adelopo et al., 2018; Jaishankar et al., 2014) which are major anthropogenic sources of soil contamination through landfill leachates (Ojuri et al., 2016; Pohrebennyk et al., 2017; Pohrebennyk et al., 2016). Hussein et al. (2021) indicated the impacted soils in landfills contained high concentrations of heavy metals compared to the natural soils and the soil samples taken from non-sanitary landfills were moderate to strongly polluted. A case study in Pune, India highlights that the soil samples near the MSW dumpsite are highly contaminated with heavy metals and organic pollutants when compared to the farthermost soil samples (Ingle, 2022). As landfill leachate undergoes both horizontal and vertical migration through the soil and it consequently contaminates multiple layers of soil (Gu et al., 2022). Landfills are significant contributors to microplastic contamination in the environment, and the presence of microplastics in landfills is independent of the age of the landfill (Puthcharoen and Leungprasert, 2019). Microplastics are produced in landfills mainly due to the accumulation of large quantities of plastic waste from municipal and industrial sources in landfills (Kabir et al., 2023). The impact of microplastics transported via leachate in soil systems remains a largely unexplored (Bharath et al., 2022). The primary origins of microplastics in landfill leachate stem from two key sources: solid waste and by-products of wastewater treatment plants (Golwala et al., 2021). The distinct characteristics of microplastics can bring about changes in soil texures and structures, ultimately affecting the physico-chemical properties of the soil (Guo and Fei, 2023; Wan et al., 2019).

A recent study conducted by Wan et al. (2022) observed drastically high microplastics contamination in the soil underneath the landfill than the microplastics in leachates and groundwater. This study found 570 to 14,200 items/L of microplastics underneath soil while 3 to 25 items/L of microplastics in leachates and 11 to 17 items/L in groundwater in the landfill site. The majority of microplastics documented in this study belonged to polyethylene, polyethylene terephthalate, and polypropylene. Microplastics presence in the soil can reduce the soil adsorption characteristics, leading to increased bioavailability of hazardous inorganic and organic contaminants in soil (Hüffer et al., 2019). Studies further show that microplastic contamination reduces the residual moisture content of compacted soils, independent of microplastic size and concentration and the impact of microplastics on air-entry pressures in soil varies depending on the size of the microplastics (Xie et al., 2023). The modification of physicochemical properties in microplastics as they age in landfill leachate is a critical reservoir for both microplastics and antibiotic-resistant genes (Anand et al., 2021). The microbial community residing on microplastics includes antibiotic-resistant genes (Liu et al., 2023). Compared to the leachate, the bacterial community on microplastics displays a higher capacity for biofilm formation and pathogenic potential. Moreover, quantitative data on antibiotic-resistant genes indicates that microplastics exhibit a selective enrichment of antibiotic-resistant genes at ratios ranging from 5.7 to 103 times higher than leachate, and the ageing process of the leachate (and microplastics) further enhance the enrichment potential of antibiotic-resistant genes (Su et al., 2021).

Research findings revealed that the introduction of antibiotics has altered the microbial denitrification process, a dominant pathway in reactive nitrogen removal (Hinshaw and Dahlgren, 2013). The study by Wu et al. (2017) strongly supported the hypothesis that the acquisition of antibiotic resistance genes in the form of the mobile genetic element by antibiotic-resistant bacteria influences the denitrification process affecting nitrogen intermediates, causing nitrogen imbalance in the soil.

4.3. Antibiotic resistance and antimicrobial resistance

Most antibiotics are poorly absorbed in the guts of humans and animals and remain unchanged when excreted, resulting in as much as 30 %–90 % of compounds discharged via manure or urine and ultimately released into the soil environment. The prolonged usage of agriculturally important antibiotics likeazithromycin, tetracycline, aminoglycoside, and streptomycin, inducing the development of resistance has attracted national and international concerns (Topp et al., 2018). Illegal supplementation of antibiotics with animal feed also contributes to the excessive release of antibiotics into the environment through animal manure (ur Rahman and Mohsin, 2019).

The majority of antibiotics are released into the environment from the defecation of livestock and humans as their waste contains either non-metabolized antibiotics or active metabolites (Marx et al., 2015). The persistence of released antibiotics, antibiotic-resistant bacteria, and antibiotic resistance genes are noted to be responsible for their environmental dissemination. For instance, Buta et al. (2021b) emphasize the risk of antibiotic resistance gene accumulation in plants. Therefore, it is necessary to use the required doses of antimicrobials for livestock and human being to reduce the onset and spread of antibiotic resistance genes and antibiotic-resistant bacteria in the environment (Pruden et al., 2013; Williams-Nguyen et al., 2016).

According to previous studies, the overall concentration of antibiotics in municipal solid waste landfill leachate is comparatively higher than the total content of antibiotics at wastewater treatment plants (Wu et al., 2015). Thus, landfill leachate can be considered as a “sink and source” for antibiotics and antibiotic resistance genes posing a potential hazard to humans and surrounding ecosystem health. These antibiotics and antibiotic resistance genes diffuse to the surrounding soils and water bodies through a range of physical, biological, as well as microbial processes (Liu et al., 2022a).

Sanitary landfilling is the most frequent waste disposal method, and it involves disposing of antibiotics from various sources like pharmaceuticals, personal care products, and toilet papers from hospitals and households (Eggen et al., 2010; Threedeach et al., 2012). Municipal refuse and landfills released into the soil via leaching caused by environmental events such as rainfall cause their massive dissemination (Salleh and Hamid, 2013). The landfill leachate flow bearing antibiotic resistance genes and metals ultimately disseminate into the environment posing high risks to the ecosystem and human health (Xie et al., 2014). Young leachates could exhibit higher antibiotic concentrations, whereas old leachates may contain a greater amount of antibiotic resistance genes due to the high stability of physicochemical characteristics of older leachates (Wu et al., 2017). A case study in Shanghai, China reveals that sulfonamides, quinolones, and macrolide were found in higher levels in MSW leachate and all leachate samples examined consisted of antibiotic resistance genes (Wu et al., 2015).

Recent studies by experts provide evidence of the propagation of antibiotic-resistant bacteria and antibiotic resistance genes in a landfill area through horizontal gene transfer (Wu et al., 2017; Yu et al., 2016). Studies have concluded that the production and transmission of soil antibiotic resistance genes are affected mainly by the half-lives of antibiotics and their potential sorption to soil particles, which can induce selective pressures (Lau et al., 2017; Xie et al., 2018), the co-selection of antibiotic resistance genes with metal- and biocide-resistance genes in metal or biocide contaminated environments (Imran et al., 2019), and mobile genetic elements (Von Wintersdorff et al., 2016). Wu et al. (2015) showed that the presence of antibiotic resistance genes significantly correlates with heavy metal levels such as Cd and Cr in MSW leachate contaminated soils.

The release of antibiotics in soil and the formation of degradation products rely on the physicochemical properties and microbial activity of the soil, hence antibiotics may exert constant, longer periods of selective pressure among soil microbes (Pan and Chu, 2016). As an example, in the Great Lakes Basin of humid- temperate regions, the applied antibiotics were enriched, leading to their availability for several months and possibly for more than a single crop growing season (Marti et al., 2014). The environmental risk further increases when the treated wastewater or landfill leachate is mixed with river/canal water and reused for agricultural irrigation at places where freshwater availability is under scarcity (Pina et al., 2020). Some studies have indicated that the waste treatment plant may help to partially eliminate the antibiotics, antibiotic-resistant bacteria, and antibiotic resistance genes (Le-Minh et al., 2010; Michael et al., 2013).

Antimicrobial resistance is an emerging threat to human health as it results in significant challenge to a plethora of antimicrobial treatment regimens in use (McGowan Jr, 2001). Studies show that expired medicines and pharmaceuticals mostly are disposed municipal solid wastes (Okeke et al., 2022; Rogowska et al., 2019). Experiments conducted in Ghana have revealed that, when subjected to screening with certain antibiotics, Enterobacteriaceae, along with specific *Bacillus* and *Listeria* species isolated from soil and leachate samples from MSW landfills, exhibited resistance to antibiotics (Borquaye et al., 2019).

Besides, the emergence, survival, and proliferation of antibiotic-resistant bacteria carrying mobile genetic elements can present the risk of dissemination of antibiotic resistance genes within the diverse pool of soil bacteria and ultimately to human pathogens is now one of the prime concerns worldwide (Xu et al., 2021). Therefore, all management practices including manure-derived amendments should be taken into consideration during the development of policy and practice for mitigating the spread of antibiotic resistance in the natural environment.

4.4. Risk of microplastics

Landfills and open dump sites receive a substantial volume of plastic waste from industrial and household sectors, accounting for approximately 42 % of global plastic waste (generated in 2018) (Hahladakis et al., 2018). Plastic waste generation is accelerated throughout the world contributing more and more plastic waste to landfills. Microplastics originating from municipal solid waste landfill leachate are recognized as an emerging threat to the natural ecosystem (He et al., 2019). Microplastics released from municipal solid waste sites could potentially pose risks to both human and environmental health due to the capacity of microplastics to adsorb toxic and long-lasting hazardous chemicals (Silva et al., 2021). The concentrations of microplastics in leachates can vary, and the diversity of microplastic types in leachates is often linked to the kinds of plastic waste present in the respective landfills (Shen et al., 2022). The study conducted by Sun et al. (2021) detected respectively 11.4 μg/L and 235.4 item/L of microplastics mass and concentration in landfill leachates. A similar study from South East Europe revealed microplastic concentrations ranging from 0.64 mg/L to 2.16 mg/L in landfill leachate (Narevski et al., 2021). The concentration of microplastics in young landfills is higher than in old landfills, and specific polymers such as polypropylene, polystyrene, nylon, and polycarbonate contribute significantly to microplastic contamination (Singh et al., 2023). Because of the hydrophobic properties, microplastics have the potential to act as carriers of persistent hazardous chemicals. If not treated well (in the landfills or leachate), microplastics can easily contaminate the surrounding environment (Hartmann et al., 2017). Despite being an emerging contaminant, research on the levels of microplastics in landfill leachates remains limited (Silva et al., 2021).

The buoyancy effect resulting from low density coupled with uneven shapes of microplastics causes challenging situations when removing them through the sedimentation process. Therefore, contamination of groundwater and surface water sources with microplastics resulting from leachate leakages and environmental disposal of treated leachates is inevitable. Natesan et al. (2021) detected 2–80 items/L of microplastics in groundwater resources around Kodungaiyur and Perungudi municipal solid waste landfill sites in India. Microplastics in groundwater possibly create human health-related consequences over long-term use.

Microplastics occur in landfill leachates together with high concentrations of other contaminants including organic pollutants and heavy metals. Therefore, other pollutants could bind with microplastics while making it a vector and carried away into the natural environment with leachate discharge creating harmful environmental impacts (Su et al., 2019). Weathering of microplastics further increases their surface area and hydrophilic activity permitting the binding of wide varieties of organic and inorganic pollutants (Duan et al., 2021). Weathered microplastics can adsorb heavy metals and metalloids by creating hydrogen bonds, electrostatic interactions, and ion complexation (Dong et al., 2020; Wang et al., 2020c). Similarly, electrostatic interactions and hydrogen bonding permit the binding of hydrophilic organic pollutants into weathered microplastics (Liu et al., 2019; Wu et al., 2020). This binding process of organic and inorganic contaminants into microplastics induces environmental threats via increasing bioavailability and distribution of contaminants.

Studies showed the positive involvement of microplastics for antibiotic resistance genes in soil and aquatic environments. Su et al. (2021) found out bacterial communities associated with microplastics exhibit greater pathogenic potential and high biofilm formation compared with the microbial communities in leachates. The same study discovered a positive correlation between microplastics ageing with antibiotic resistance gene enrichment. A similar study conducted by Shi et al. (2020) observed an extended enrichment of antibiotic resistance genes in microplastics particle sizes between 200 and 500 nm. Furthermore, prolonged exposure to microplastics driven bacterial communities to be closely associated with antibiotic resistance genes. Exposure to microplastics further induces the generation of reactive oxygen species which alters the membrane permeability of bacteria making them susceptible to receiving antibiotic resistance genes through intra-bacterial community transferring of genetic materials. Therefore, thorough investigations of the presence of microplastics in leachate and factors affecting their mobilization would help mitigate the associated risks.

The removal of microplastics from leachate is a challenging process due to the diversity of leachates as well as microplastics (Chamanee et al., 2023). In addition to the existing microplastic removal methods, there is a pressing need to develop innovative technologies for microplastic removal. These approaches should be backed by rigorous data collection and supporting evidence and then integrated into waste management systems to effectively reduce the presence of microplastics (Rafiq and Xu, 2023). To address the environmental impact of microplastics in leachates, it is imperative to minimize the disposal of plastics in landfills. This can be accomplished by prioritizing strategies such as reduction, recycling, and waste-to-energy conversion. Furthermore, public awareness campaigns should be launched to encourage changes in consumer behavior, specifically emphasizing the avoidance of short-lived items, like single-use plastics (Silva et al., 2021).

4.5. Ecological risk

Leachate can pose ecological risks if not properly managed. As shown, leachate can contaminate surface water, groundwater, soil, and ecosystems due to the presence of various pollutants. For

example, landfill leachate when accumulated at high levels can have consequent negative effects on the ecology and food chains such as genotoxicity in living organisms (Mukherjee et al., 2015). The genotoxic effects of leachate on DNA molecule alterations have been proven by many studies (Gajski et al., 2012; Phoonaploy et al., 2016; Promsid et al., 2015). Genotoxicity arises as a consequence of the presence of various contaminants in leachates and the continuous interaction among these contaminants (Kwasniewska et al., 2012). A recent study related to the genotoxic and oxidative stress potential of landfill leachate in rats has revealed alterations in the antioxidant status within the liver, kidney, and testes of rats subjected to landfill leachate exposure. Furthermore, the study detected the presence of specific toxic chemicals, elevated levels of heavy metals, and an increased concentration of microbes in the rats exposed to landfill leachate, thus showing the potential of genotoxicity to living organisms (Arojojoye et al., 2022). Some prohibited chemicals like the organophosphate insecticide methamidophos were found in concentrated leachate (Wang et al., 2020a). Methamidophos affects the nervous system of living organisms and is therefore banned in many countries in the world (Tosun et al., 2001). Through long-term bioaccumulation, the emerging organic contaminants such as per- and polyfluoroalkyl substances found in the leachate may pose threats to aquatic organisms, plants, and subsequently to humans (Gunarathne et al., 2023; Wang et al., 2021).

On the other hand, the heavy metals present in the leachates could cause detrimental effects on soil and aquatic organisms. Heavy metals including, Cr (VI), Cd, As, Hg and Pb are considered non-threshold contaminants due to their highly toxic nature toward organisms and can produce lethal impact even at small concentrations (Jayanthi et al., 2016; Rahman and Singh, 2019). Their non-biodegradable nature and bioaccumulation through food chains provoke long-lasting ecological risks. Disruption of natural biological equilibrium and retardation of self-purification processes in nature were reported in response to heavy metal contamination through landfill leachates (Gworek et al., 2016; Öman and Junestedt, 2008; Talalaj, 2015). Findings from several studies concerning the ecological risk assessment of exposure to leachate highlight the significance of ongoing research into landfill leachates and the cumulative environmental risks they pose to neighboring ecosystems, as well as the health of humans and other organisms (Gholampour Arbastan and Gitipour, 2022; Qi et al., 2018; Rouhani et al., 2022).

The study conducted by Gu et al. (2022) in an informal landfill site in southwest China found altered microbial composition and co-occurrence patterns in vertical and horizontal surface soils impacted by landfill leachates compared to the uncontaminated soil. The microorganism communities involved in carbon, nitrogen and sulfur cycles in contaminated soils showed a significant shift compared to the uncontaminated soil. The anammox and denitrification microbial communities dominated the contaminated soil while retarding the growth of aerobic chemoheterotrophy, and cellulolysis communities resulting hindered nitrogen fixation process. This kind of microbial community shift highly affects the typical ecological function in soil. Furthermore, the microbial communities of aquifers altered drastically due to the contamination of landfill leachate (Abiriga et al., 2021b).

In summary, the ecological risks include:

a) Water pollution: if leachate is not properly collected, treated, and managed, it can potentially contaminate surface water bodies, such as rivers, lakes, and streams, as well as groundwater resources. This can have detrimental effects on aquatic ecosystems, including fish and other aquatic organisms, by disrupting their habitats, impairing water quality, and affecting their survival and reproduction.

b) Soil contamination: leachate can also seep into the soil, potentially contaminating nearby soils and affecting the health of plants and other organisms in the soil ecosystem. Contaminated soil may lose its fertility, and pollutants in the soil can be taken up by plants, potentially leading to bioaccumulation and biomagnification in the food chain.

c) Ecological habitat disruption: leachate can impact the ecological habitats around landfill sites. Surface runoff from leachate-contaminated areas can potentially disrupt the natural habitats of nearby ecosystems, leading to changes in plant and animal populations, as well as alterations in nutrient cycling, soil structure, and other ecosystem processes.

d) Biodiversity loss: leachate pollution can negatively impact biodiversity by contaminating habitats, reducing the availability of suitable food and shelter, and causing direct harm to plants and animals. This can lead to changes in species composition and abundance, loss of biodiversity, and disruption of ecosystem functions and services.

e) Accumulation of persistent pollutants: some pollutants in leachate can persist in the environment for a long time and accumulate in the biota, leading to long-term ecological risks. This can affect the health and survival of organisms in affected ecosystems and potentially impact the overall ecological integrity of the area.

7. Conclusions: This paper presents an overview of the composition, environmental impact and ecological risks associated with landfill leachate, which includes a global overview of the main landfilling sites and the characteristics of the waste that generates leachate. Some of these technologies have shown potential in removing contaminants from landfill leachates, with the possibility of increasing the removal efficiency through a combination of different methods. However, none of these technologies are reduced to practice as of this date.

From: Vicki Idema
To: Benton Public Comment
Subject: LU-24-027
Date: Thursday, April 10, 2025 5:06:40 PM
Attachments: cancer3.pdf

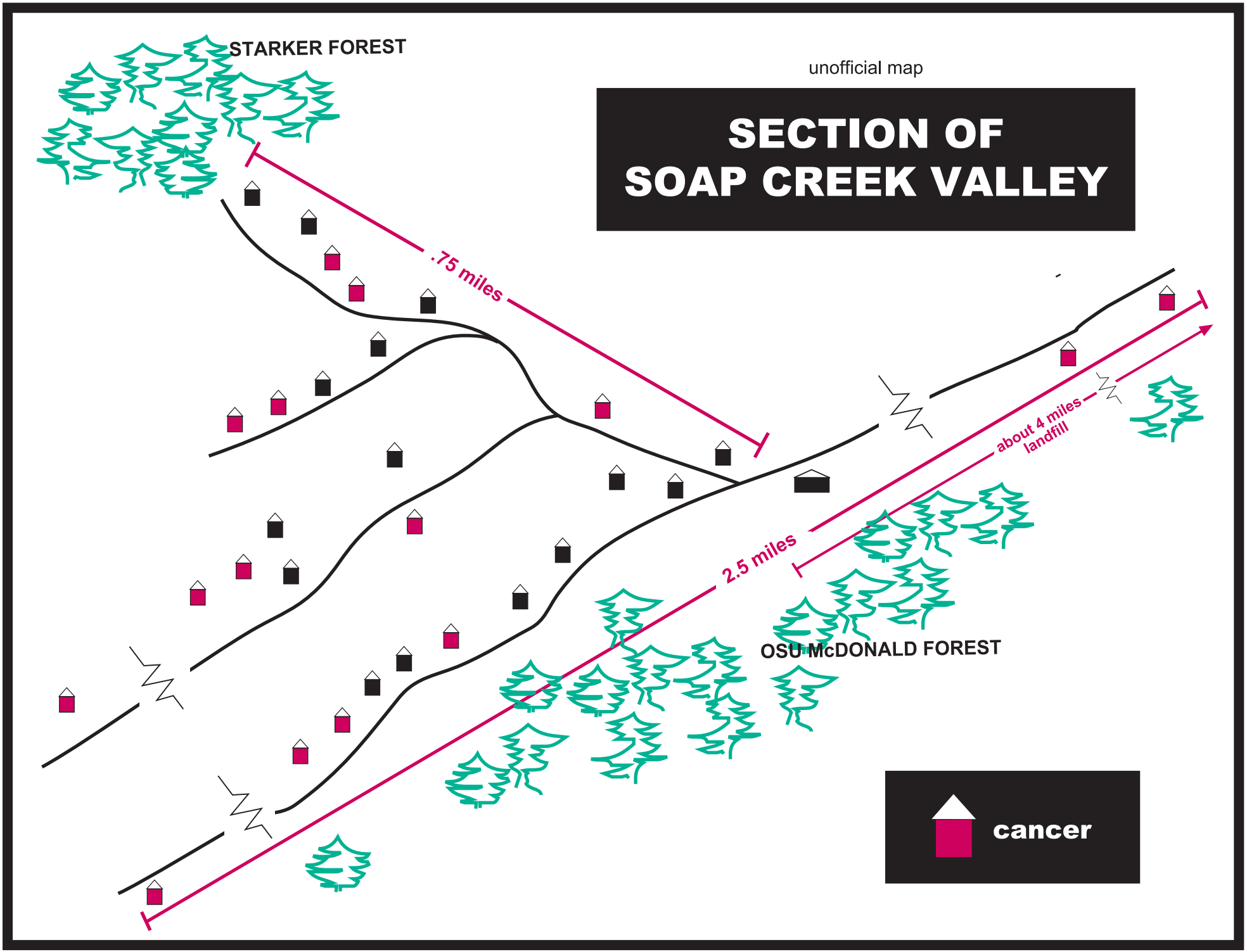
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

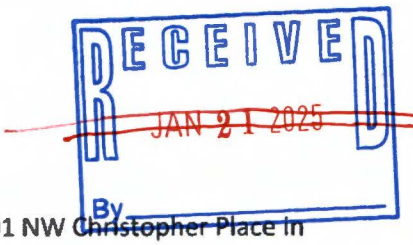
Dear Commissioners,
I am writing in hopes you deny the application for Republic Services to expand the landfill.
There are too many toxins in our air, water and soil.
Without more investigation into these hazards, one should be very concerned.

Did you know Soap Creek Valley has a cancer cluster.
I have lived in the valley for over 35 years and have seen many neighbors die from cancer.
We have and had blood, breast, brain, gall bladder, lung and bladder cancers.
A number of years ago I made an unofficial map (attached) of a section of the valley near to where I live.
Since I drew it, we have had other cases of cancer.

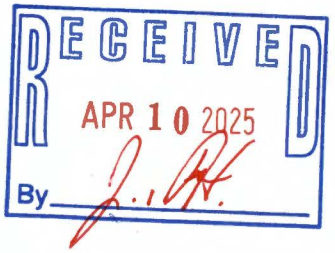
Can Republic honestly tell us that the toxins coming from the landfill have nothing to do with the cancers?
Until tests can show all our air, water and soils are free from these hidden dangers, I would not like to see any expansions.
Please deny Republics application ~ for the sake of our health.

Thank you for your time,
Vicki Idema
37358 Soap Creek Road


STARKER FOREST
unofficial map
SECTION OF
SOAP CREEK VALLEY
.75 miles
about 4 miles
landfill
2.5 miles
OSU McDONALD FOREST
cancer



Hello, I am Ken Kupperman, and my wife is Pei Kupperman. We live at 2101 NW Christopher Place in Corvallis and also have a farm approximately 5 miles northwest of the Coffin Butte Landfill on Sauerkraut Road, off of Airlie Road. We could not be more in opposition to any expansion of the landfill, in fact we would like to see the current operation with Republic transition to termination as soon as is possible. Why, because Republic's operation at Coffin Butte is polluting our environment, potentially a major environmental disaster waiting to happen, and it is creating an ever expanding financial burden for its future cleanup. At our farm we have be affected by toxic fumes on an ever increasing number of days and severity, to the extent we can't work outside during those events. We know from the experience of the 2020 wildfires that its related smoke taint caused loss of marketable crops. Ever increasing emissions from the landfill are detrimental, but at what threshold? Zero emissions should be required. One of our major concern is the potential for a catastrophic landfill fire. Each year in US there are over 8,000 landfill fires, it is common; it can happen. If we have a fire at the landfill, will we have a Chernobyl in our back yard, the risk is unimaginable and we must take steps to prevent it. Republic has proven to be non-compliant to safeguards and is a blatant polluter. Toxins being emitted into the air and groundwater from the landfill, waste particulates blown out of the trucks all along the Highway 99 corridor as they leave the landfill and the carbon footprint of waste transportation from far distances, plus their untreated sludge that is being dumped into the Willamette. What kind of stewards are we being for future generations if we let this expansion happen? The current operation is primitive, outdated and profiteering. We need to find a better solution for our waste management that is less polluting, safer with long term viable. Expansion must not be allowed.





From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Thursday, April 10, 2025 2:46:00 PM

Subject of Testimony: Oppose/Deny LU-24-027

Full Name: Debbie Palmer

Email: dwingp@gmail.com

Street Address: 37340 Moss Rock Drive, Corvallis, OR 97330

Written Testimony:

I was going to submit my comment using this form, however there is a word/character limit which cut me off, so I will instead be submitting it by email.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 206.192.248.76

From: steve.strauss@gmail.com
To: Benton Public Comment
Subject: Opposition to expansion of Coffin Butte Landfill / Application filing number LU- 24-027
Date: Thursday, April 10, 2025 4:41:42 PM

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Dear Planning Commission Members:

I write in opposition to the proposed expansion of Coffin Butte Landfill.

I am an avid walker and biker, and use the area often, especially the Dunn Forest 400/420 gravel road loop that has the landfill directly in view (and about a half-mile away). I also use other trails in nearby McDonald Forest. Increasingly over the 40 years I have lived in town and recreated in the general area, the smell from Coffin Butte has grown. This really spoils my recreation experience, and I am sure cannot be good to breathe.

I am also concerned about the leachate, and its effect on humans, animals and plants that use nearby wetlands and the Willamette River. Often the heavy metals that leach can be deleterious in extremely low concentrations. What are the plans for monitoring and mitigation? Without a lot of data and engineering specifics, the proposed expansion should not even be considered. I have not seen these data and plans, and wonder if they have been examined in depth by qualified toxicologists and engineers who have no conflicts of interest? As an OSU professor who has taught a toxicology course for years, I can recommend some to you if that would be helpful.

Thanks much for considering my concerns.

Steven H. Strauss
3322 SW Cascade Ave
Corvallis, OR 97333

From: Nancy Yialouris
To: Benton Public Comment
Subject: Coffin Butte Landfill Expansion
Date: Thursday, April 10, 2025 10:08:38 PM

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To Whom It May Concern:

My name is Nancy Yialouris. I have an Albany address but I am a Benton County resident. I'm writing because our neighborhood is affected by the odors that are emitted from the Coffin Butte Landfill. Our neighborhood is east of Independence Highway, between that highway and Scenic Rd. Any time there is a stagnant air alert or a heat inversion, we smell the gases that are emitted from the landfill. The odor is so strong we can smell it inside our house. In the summer, we often have to close the windows at night because the stench permeates the area. During the fall and winter, if the winds are blowing from a westerly direction we smell the odor inside the house with the windows closed. I have smelled the dump, not only in our neighborhood, but clear into Corvallis proper as well as down along the Ellington Street area in Albany. I have filed several complaints with the DEQ and have received contact from that office regarding these concerns.

Having lived in watershed areas previously I'm familiar with how pollution from refuse can leach into the water table or run off during rains, polluting creeks, rivers and ponds. I also understand that methane gas is a byproduct of the decomposing waste at the landfill and fear that if a fire got started there, it very probably would burn toward our area, threatening our subdivision along with other homes in the subdivisions on the east side of Scenic Rd. The air and water pollution resulting from what used to be a local dump site has grown as the landfill has expanded to take waste from cities and towns far from Benton County.

It is for the above stated reasons that I feel strongly that this landfill should be closed and relocated away from watershed areas and populated areas with care taken to select a site that can contain the pollutants that result from decomposing waste and gaseous byproducts along with leaching that accompanies such an operation. At the very least, the proposed expansion of the landfill should be denied since the site has grown beyond its capacity and, from my understanding, is a major source of air and water pollution.

We all want to live in a place where the air and water are clean. To my mind, those elements are basic to good health and a thriving community. So I'd like to thank you for taking the time to consider my concerns.

Sincerely,

Nancy Yialouris,
2717 Quince St. NW
Albany, OR 97321

From: Peter Adamczyk
To: Benton Public Comment
Subject: Oppose/Deny application LU-24-027
Date: Friday, April 11, 2025 10:51:38 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Re: application file number: LU-24-027

Peter Adamczyk
3949 NW Clarence Circle
Corvallis, OR 97330

I am a resident of Corvallis writing to declare my STRONG OPPOSITION to the proposed expansion of the Coffin Butte Landfill.

There are so many reasons that this expansion makes no sense, but I will focus on just one: the negative environmental impacts of the landfill on the surrounding community. The combined population of the Albany-Corvallis metropolitan area is some 230,000. All indications are that this number will continue to grow. If a new landfill were to be proposed today on the Coffin Butte site, in one of the most congested areas in Oregon, it would be immediately rejected, and for obvious reasons:

- the **immediate impacts** of odors, and the noise and traffic impact of numerous large trucks in the area, as well as the garbage spilled regularly on the roads by these trucks. I often drive between Corvallis and Albany and frequently encounter foul odors as I pass Coffin Butte - the proposed expansion would make this problem much worse. I have personally witnessed Republic Services trucks with garbage falling out of them on the way to the landfill on several occasions.
- The very real concerns about **future impacts** from leachates, microplastics, toxic chemicals such as lead, arsenic, cobalt, and copper, and greenhouse gases, particularly methane. My family and I enjoy the many recreational opportunities available in this part of the Willamette Valley and the Willamette River. This proposed expansion would negatively impact all of these options.
- **Republic Services has a very poor record,** both in Benton County and in other sites that they manage, including in Sylmar, CA https://lapublicpress.org/2025/03/sunshine-canyon-landfill-smell-complaints-violations/ of maintaining their sites and in responding to and correcting violations.

There are so many potential sites in Oregon that are in less wet climates with far lower population density. Any of these would do a better job of providing this necessary service to Oregon while dramatically decreasing the impact on the surrounding communities.

The proposed use violates Benton County Codes 53.215 (1) and 53.215 (2) as well as Benton County Comprehensive Plan policy 6.5.5. **I strongly urge the Planning Commission to deny this proposal.**

Sincerely,
Peter Adamczyk

From: carolislam@juno.com
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Friday, April 11, 2025 1:07:39 PM

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Dear Benton County Planning Commissioners,

Our names are Kamal and Carol Islam and we own a rental house at 1115 NW 35th St., Corvallis, OR.
We are writing because we strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. We urge the Planning Commission to deny this application.
The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns about:

- **Air and water pollution** threaten our local ecosystems and community health
- **Traffic increases** that pose safety risks on nearby roads and pathways
- **Odor and noise issues** that degrade quality of life for residents and visitors
- **Negative impacts on wildlife, recreation, and property values**
- **Long-term climate and environmental consequences** for future generations

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management. We believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities!

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,
Kamal & Carol Islam
2401 N Wedgewood Ct.
Muncie IN 47304

From: Richard Llewellyn
To: Benton Public Comment
Subject: Re: Deny Coffin Butte CUP, LU-24-027 with respect to PFAS in Landfill Gas Emissions
Date: Friday, April 11, 2025 7:32:31 AM
Attachments: Benton County Coffiin Butte CUP.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Commission,

Please submit the attached pdf document as my testimony regarding Coffin Butte CUP, LU-24-027 with respect to PFAS in Landfill Gas Emissions.

Thank you,

Richard Llewellyn

April 10, 2025

Re: **Coffin Butte CUP, LU-24-027 with respect to PFAS in Landfill Gas Emissions**

Dear Benton County Planning Commission,

I have family residing in Benton County, and have lived and worked in the Corvallis area. However, the experiences I wish to relate to you are those of having a landfill sited next to our family home near Boise, Idaho in 1972, and after it expanded in the 1990s into a major regional landfill.

The original cell did not use an impermeable liner, because, although it was widely understood at that time that unlined landfills were likely to contaminate groundwater, it was not until several years later that the federal Resource Conservation and Recovery Act (RCRA) of 1976 required the practice.

After that original cell received waste for twenty years, at least one neighbor's drinking water well was contaminated. Around that time the county decided it needed to either prepare to close the landfill, as it was approaching its expected life, or expand it. The latter was chosen, with plans to operate the landfill for another century.

However, the original cell still accepted most of the county's waste for another two decades, growing so large that the 'Hidden Hollow Cell' became the largest ridge in the area, blotting out our view of the Boise Mountains. By the time the cell closed several years ago, it had accepted more than a half century of waste perched, unlined, above our neighborhood aquifer – compounding a long term liability that would have been mitigated had common sense prevailed in 1972 rather than obeisance to outdated regulations.

I call attention to my neighborhood's experience because a similar situation has developed with respect to chemicals collectively known as per-and-polyfluoroalkyl substances (PFAS), or informally as 'forever chemicals,' due to the highly stable nature of the many carbon fluorine bonds that characterize this large group of chemicals – chemicals that we are increasingly finding toxic at minute exposure levels.[1]

Industrial, medical, and consumer wastes that generally end up either in sewage treatment plants or landfills, often contain 'forever chemicals,' so that in many communities, these represent the major local repository of PFAS. Until recently, the primary risk of PFAS release from municipal solid waste landfills has been thought to be in the liquid leachate or 'garbage tea' that accumulates as water percolates through the landfill layers. Leachate now requires careful handling in part due to the PFAS risk – it is not uncommon for this to be shipped at considerable cost to hazardous waste facilities when onsite collection ponds fill.

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[1] Human Health Toxicity Assessment for Perfluorooctanoic Acid (PFOA) and Related Salts. EPA.gov 2024. From https://www.epa.gov/sdwa/human-health-toxicity-assessment-perfluorooctanoic-acid-pfoa

Less attention has been given to the PFAS released in air emissions, either as uncontrolled 'fugitive' gases or upon being burned in flares or even upon combustion to drive electricity generation, as it is unlikely that the conditions in flares and engines are adequate to fully mineralize PFAS and prevent its escape into the local airshed.[2] Neighbors of landfills could tell the Commission much about the occurrence of odors from the fugitive gases, and although officials generally downplay the smell as a mere nuisance, these odors likely contain volatile PFAS as well.

Until a year ago, the general consensus was that the landfill gas emissions contained about a third as much PFAS as was found in the leachate.[3] However, recent research that specifically measured the neutral, more volatile PFAS known as fluorotelomers found 'stunning' concentrations in three municipal solid waste landfills.[4] The findings made headlines in the American Chemical Society,[5] and science[6] and industry newsletters.[7,8]

The most prevalent type of fluorotelomer found in landfill gas is especially troubling due to its relationship to one of the two types of PFAS that are now federally classified as hazardous substances in drinking water. The 8:2 fluorotelomer has eight fully fluorinated carbons, and two that are not – so that these latter two are not protected by the shell of fluorine, and are readily lost either by metabolism upon inhalation of the fluorotelomer, or through environmental degradation. The result is often the highly stable and highly toxic eight carbon type of PFAS

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[2] "Interim Guidance on the Destruction and Disposal of Perfluoroalkyl and Polyfluoroalkyl Substances and Materials Containing Perfluoroalkyl and Polyfluoroalkyl Substances— Version 2" EPA.gov. 2024. From https://www.epa.gov/system/files/documents/2024-04/2024-interim-guidance-on-pfas-destruction-and-disposal.pdf

[3] Tolaymat T, et al. A critical review of perfluoroalkyl and polyfluoroalkyl substances (PFAS) landfill disposal in the United States. Sci Total Environ. 2023 Dec 20;905:167185.

[4] Landfill Gas: A Major Pathway for Neutral Per- and Polyfluoroalkyl Substance (PFAS) Release Ashley M. Lin, Jake T. Thompson, Jeremy P. Koelmel, Yalan Liu, John A. Bowden, and Timothy G. Townsend. Environmental Science & Technology Letters 2024 11 (7), 730-737

[5] Some landfill 'burps' contain airborne PFAS, study finds. American Chemical Society. 2024. From https://www.acs.org/pressroom/presspacs/2024/june/some-landfill-burps-contain-airborne-pfas-study-finds.html

[6] Landfills belch toxic 'forever chemicals' into the air. Science News. 2024. From https://www.sciencenews.org/article/landfills-toxic-forever-chemicals-pfas

[7] PFAS Emissions from U.S. Landfills Pose a Silent Environmental Crisis. 2024. From https://www.environmentenergyleader.com/stories/pfas-emissions-from-us-landfills-pose-a-silent-environmental-crisis,48301

[8] Four Landfill Studies to Follow this Summer. Waste Dive 2924. From https://www.wastedive.com/news/landfill-roundup-july-pfas-coffin-butte-oregon-brookhaven-new-york-landfill-scs-volusia-florida/723786/

known as PFOA[9] which accumulates in human blood upon repeated exposure due to its half life of longer than one year.[10,11]

PFOA, is one of the two PFAS mentioned above now classified as hazardous. It was voluntarily phased out of production by industry more than a decade ago due to its known toxicity – the current federal standards in drinking water are 4 parts per trillion (4 ng/L). The precursor chemical, 8:2 FTOH, in one of the three landfills in this recent study, had a calculated concentration of 740,000 parts per trillion escaping in landfill gas (740,000 ng/cubic meter).

Common sense would suggest that landfills should also treat the gaseous component of PFAS, and prevent the contamination of local air, soils, and eventually, waterways. However, no such regulations enforce this common sense protection on the federal level, and Oregon's recent proposed expansion of its hazardous substance list to include PFAS will not extend to airborne emissions.[12]

Like the unlined cell near my family home, a landfill that expands today in Benton County may contribute another half century of toxic contamination and liability, even though today we too should know better. No major landfill, especially one near residential homes, organic farming, critical waterways, and a wildlife refuge should be allowed to expand without fully addressing this major pathway of PFAS contamination. If this common sense action is not taken before expansion, the problem may never be addressed.

Please deny the requested Conditional Use Permit.

Sincerely,

Richard Llewellyn
PhD Biochemistry

9170 Hill Rd
Boise, Idaho 83714
(208) 419-7527

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[9] Huang MC, et al. Toxicokinetics of 8:2 fluorotelomer alcohol (8:2-FTOH) in male and female Hsd:Sprague Dawley SD rats after intravenous and gavage administration. Toxicol Rep. 2019 Aug 20;6:924-932

[10] Titaley, Ivan. (2024). Chemical transformation, exposure assessment, and policy implications of fluorotelomer alcohol partitioning from consumer products to the indoor and outdoor environment—from production to end-of-life. Environmental Science: Advances. 3. 1364-1384.

[11] Nilsson H, Kärrman A, Rotander A, van Bavel B, Lindström G, Westberg H. Biotransformation of fluorotelomer compound to perfluorocarboxylates in humans. Environ Int. 2013 Jan;51:8-12.

[12] State updates hazardous substances list to include harmful forever chemicals, begins rulemaking. Alex Baumhardt, Oregon Capital Chronicle. April 2, 2025. https://oregoncapitalchronicle.com/2025/04/02/state-updates-hazardous-substances-list-to-include-harmful-forever-chemicals-begins-rulemaking/

From: Debbie P
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Friday, April 11, 2025 5:36:24 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

With all my being I urge you to deny LU-24-027.

My husband and I moved to the property of our dreams in Soap Creek Valley ten years ago. When we considered buying we of course noticed the landfill, but were told it was *near capacity and would be closing soon.* If you went to the Coffin Butte Landfill's website at the time, they would not have dissuaded you from this "closing soon" idea - instead they offered a comprehensive page that walked you through all the detailed steps that would be taken when the landfill closed. That page no longer exists; now they have only this brief explanation under Q&A:

> "Once the Landfill is filled to capacity, a final landfill capping system will be installed that consists of a Geomembrane welded to the bottom liner geomembrane, an engineered soil liner, cover soils, and a vegetation layer. At that time the site could be used as an open green space, parks, wildlife viewing area, or nature trails. The site will also be maintained for an additional 30 years in post-closure care after the final closure. This care includes continued groundwater monitoring, leachate management, and compliance reporting until such time the Oregon Department of Environmental Quality approves the site for final closure."

Setting aside the numerous environmental and health concerns for the moment (because they are not negligible!), when we moved here it was a reasonable expectation that this ugly, out of place, industrial eyesore would probably within 5-10 years look more like the hills surrounding it if closed and revegetated the way Republic Services led us to believe. A few more years of ugly was acceptable — but an ever-expanding monstrosity, on the other hand, would seriously interfere with the character of the area, a violation of BCC 53.215 (1).

And "the area" — especially when it comes to "character of" — is not restricted to properties immediately adjacent to the landfill site zone. This landfill impacts the character of the area for miles around now. To say it sticks out like a sore thumb is an understatement.

When the original owner built the house we live in - in 1983 - the 1977 Solid Waste Management Plan was in force (it still is! It has not been updated). And in that SWMP, the landfill *was going to close by the year 2000.* And back then it was infinitely smaller then than it is now. Instead it grows like a cancer on the landscape.

In summary, you *might* live or build near a landfill if you knew the timeline for its closure and could weigh that in the balance of your decision-making (i.e. if you knew for a fact that the disruption to the character of the area was temporary). But there's no question that this now huge landfill — already starkly out of place in this otherwise gorgeous part of north Benton County — will indeed seriously interfere with this area's beautiful character if it is allowed to

get even bigger.

Please STOP this landfill expansion. You have the power of discretion in this decision. Use it to deny LU-24-027.

Sincerely,
Debbie Palmer

From: Debbie P
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Friday, April 11, 2025 5:36:24 PM

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get even bigger.

Please STOP this landfill expansion. You have the power of discretion in this decision. Use it to deny LU-24-027.

Sincerely,
Debbie Palmer

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Saturday, April 12, 2025 9:48:42 PM

Subject of Testimony: Coffin Butte

Full Name: Alice Evans

Email: mikeandbron@comcast.net

Street Address: 3902 NW Clarence Cir

Written Testimony:

I am support the expansion. People do not seem to understand that this is a regional landfill and we in Benton County have relatively low garbage rates because we do not have to absorb the huge infrastructure costs of a landfill by ourselves. Ask Republic or some neutral party what our tipping fees would be without taking trash from other Counties and let folks ponder that. The people that live near the landfill (it was there before they were) are the loudest voices.
The tonnage cap could be reinstated as a compromise perhaps.

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.48.245

From: Bruce Cowger
To: Benton Public Comment
Cc: Bruce Cowger
Subject: Testimony regarding LU-24-027, the application to expand the landfill
Date: Sunday, April 13, 2025 8:57:55 AM

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Testimony for the Benton County Planning Commission

Purpose: This testimony regards LU-24-027, the application to expand the landfill

From: Bruce and Donna Cowger, 37194 Helm Drive, Corvallis, OR 97330

We oppose this application and strongly urge its denial. Republic Services has failed to prove that its proposed expansion won't further impact northern Benton County. We are gravely concerned about what is known and what isn't known about the Coffin Butte landfill and Republic's proposal.

What is known:

- When we moved to our current Soap Creek Valley home in 1985, we never smelled the dump unless we were right on Coffin Butte Road. Starting about 15 years ago, the dump's odor at our house is apparent whenever the wind blows from the east or north. This squarely contravenes Benton County's goal of "maintaining and improving the quality of the air, water, and land resources."
- The outdoor entertainment area we created 20 years ago at our home is unusable on days when Soap Creek Valley smells like the dump. This has significantly degraded the character of our property.
- The sooner Coffin Butte closes, the better. Western Oregon is a poor location for a landfill as rainfall soaks contributed garbage, leading to huge volumes of toxic leachate and climate warming methane.
- The emitted gas and aerosol cloud from Coffin Butte is massive and continuously spewing into our air, 24 hours a day. I have seen evidence that the detectable plume is over a mile long; imagine the commotion if this continuous eruption were visible. And it's spewing right now! Again, this massively undercuts our County's Comprehensive Plan regarding our natural resources.
- Republic's assertion of no impact from expanding the Coffin Butte landfill is laughable, given the scale of current impact.

What isn't known:

- What evidence does the Environmental Protection Agency have that instigated the January 2025 request to Republic for its environmental compliance records? Republic has yet to share what it knows about the EPA's request.
- What are the long-term effects of chemical aerosols from Coffin Butte settling onto our property, onto us, and into our well water? How much will our health and that of our children be compromised? How much will residents and Benton County have to pay to remediate the effects of "forever chemicals" borne by the plume constantly emanating from the dump? Allowing the landfill to expand will increase both our health risks and the future remediation burden on the County.
- What are the long-term effects of dumping millions of gallons of toxic leachate into the Willamette River? How much will remediation cost taxpayers? Allowing the

landfill to expand will increase the undue burden on Oregon and federal government.

- Republic has suggested that an expanded landfill will somehow be less harmful than its existing operation but has offered nothing to substantiate this claim. If Republic actually has a plan to reduce the adverse impacts of Coffin Butte, why wasn't that implemented prior to this request for expansion?

While Republic Services alleges their proposed expansion of the Coffin Butte landfill won't further degrade the character of northern Benton County, the company has fallen far short of meeting the burden of proof. On the basis of what is known about the landfill and the many as-yet answered questions, please deny this expansion and thereby affirm Benton County's core value of protecting all its residents.


Virus-free.www.avg.com

From: Susan Dornfeld
To: Benton Public Comment
Subject: Testimony opposing LU-24-027
Date: Sunday, April 13, 2025 9:23:52 AM
Attachments: landfill gas plume.pdf

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TO: Benton County Planning Commission

FROM: Susan Dornfeld, 6005 NW Vineyard Drive, Corvallis, OR 97330

This testimony is about LU-24-027, the application to expand Coffin Butte Landfill.

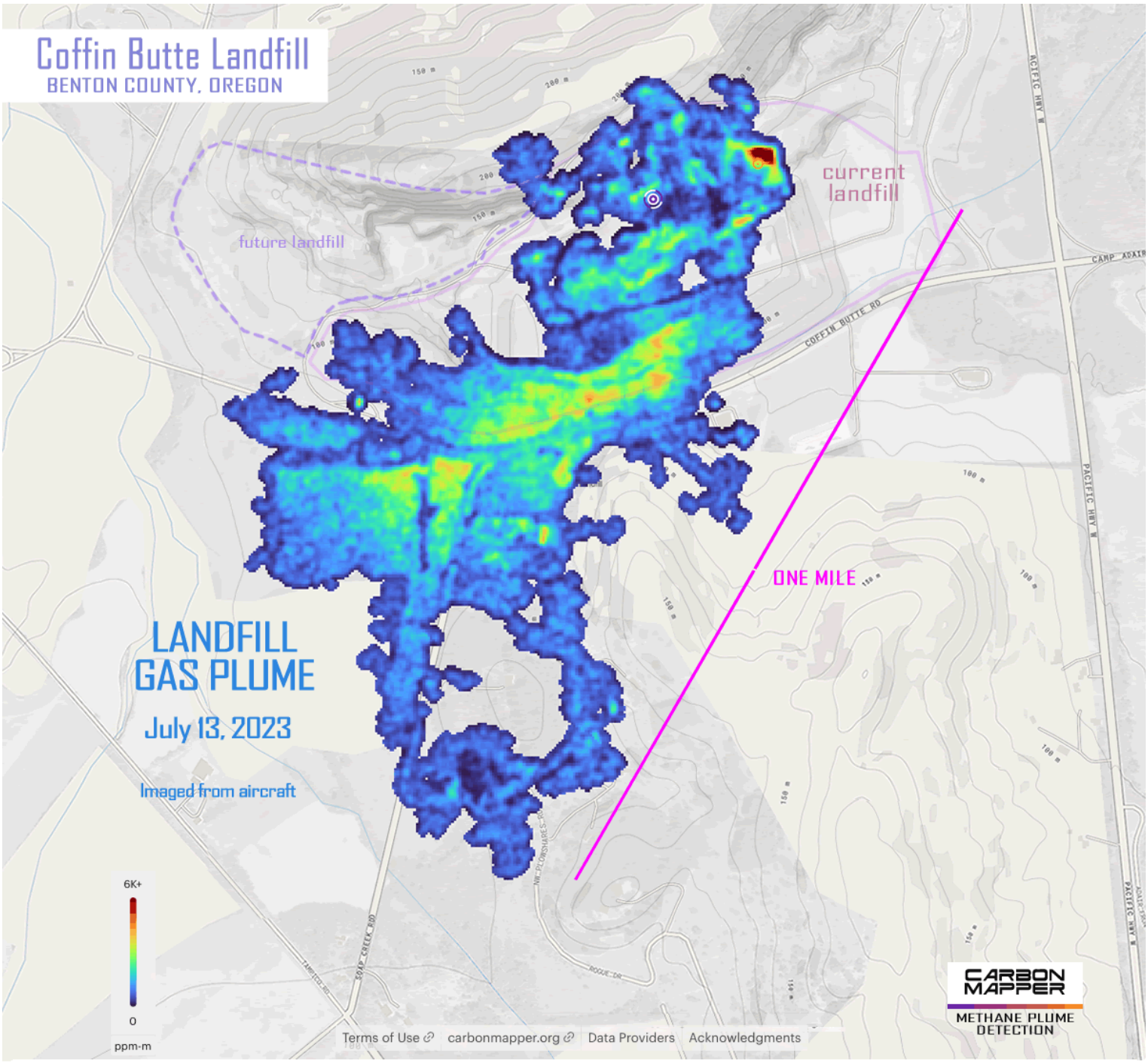
I strongly oppose this application, and I urge you to deny LU-24-027.

The proposed expansion of Coffin Butte Landfill (the landfill) would violate BCC 53.215 (1), which states "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." The character of the surrounding area is public recreation and rural residential, both of which rely on clean air. I live over seven miles from the landfill, and gases from the landfill negatively affect my health; when there is a temperature inversion my eyes burn, my throat hurts, and I have headaches. An inversion can last a week or more. This interferes with daily activities in my neighborhood like dog-walking, hiking, gardening, and children playing outdoors. Expansion of the landfill would further degrade air quality and impair public health. EE Wilson Wildlife Area is adjacent to the landfill, and offers wildlife watching, hunting, and fishing. How can these activities be enjoyed along with poor air quality, trash along the roadside, and increased garbage truck traffic?

I know that methane and other greenhouse gases are released from the landfill, because I have seen a map of the landfill gas plume, which is about a mile in length. I have attached a copy of the map, and you can see more information at https://data.carbonmapper.org/register/?location=Coffin+Butte+Road%2C+Corvallis%2C+Oregon+97330%2C+US&details=CH4_6A_500m_-123.23207_44.70070%3Fstatus%3Dnot_deleted#11.88/44.70214/-123.21962 .

The landfill emits 1.4 metric tons of methane per hour. This is 10.4 times greater than 100 kg/hr, which is a "super emitter event" under guidelines established by the Environmental Protection Agency (EPA). In January this year, the EPA initiated an action against the landfill. This strongly suggests that the EPA has cause to believe that the applicant is misrepresenting their environmental compliance. Given the serious nature of this action, I feel the Planning Commission must reject the application to expand the landfill, which relies on the same environmental record that the EPA is investigating.

Thank you for considering my testimony.



Source: carbonmapper.org

From: Sarah goode
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 13, 2025 11:27:05 AM

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Dear Benton County Planning Commissioners,

My name is Sarah Goode and I am the Secretary for Bit by Bit, a local non-profit located at 38578 OR-99W, Corvallis, OR 97330. We are an equine therapy non-profit that provides care for clients, volunteers and over 600 people community members in Benton, Linn and Lane counties on an annual basis.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns about:

- **Air and water pollution** threaten our local ecosystems and community health
- **Traffic increases** that pose safety risks on nearby roads and pathways
- **Odor and noise issues** that degrade quality of life for residents and visitors
- **Negative impacts on wildlife, recreation, and property values**
- **Long-term climate and environmental consequences** for future generations

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. As we strive to continue our work at the non-profit, we find the expansion a threat to our continued work in the community. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management. Our non-profit does therapy outdoors for our clients just a few miles from the current location of the landfill, however with this possible expansion we are concerned we would need to relocate if this expansion goes through because the health of our clients, therapy horses and volunteers would be harmed.

I believe this plan to expand the landfill places a long-term burden on local communities, and could force us to relocate out of the county, removing a source of therapy for over 600 community members.

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,
Sarah Goode

7652 12 Mile Rd, Shepherd, MT 59079

goodesarah24@gmail.com

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, April 13, 2025 7:02:27 AM

Subject of Testimony: Landfill

Full Name: Greg Ropp

Email: seed.junk.seed@gmail.com

Street Address: 5995 NE Hwy 20 Corvallis,OR. 97330

Written Testimony:

I am writing for my support for the landfill expansion. If this does not pass our current rates will double or triple when they are forced to haul our garbage away (probably to eastern Oregon). the amount of fuel they will use to just haul away our garbage away and the amount of trucks used to haul it away would double or triple what they are currently using. If Benton county truly cares about the environment then I'm curious why your trying to harm it by doubling the emissions and doubling the trucks on our roads? This makes no sense to me. You say your for the environment yet this is one of the more harmful things you can do. Nobody seems to look at the future and how much more damage you will be causing in the future if this does not pass.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 199.58.98.131

From: Yvonne UL
To: Benton Public Comment
Subject: Benton County Conditional Use Permit application number LU-24-027
Date: Sunday, April 13, 2025 11:51:10 AM

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Hi Nick, it's been a long time. I'm happy to see that you and Sheila are enjoying your beautiful family. I love the Christmas card I get every year! Please give her my best. Thanks. Yvonne

Below is my letter to the planning commission:

Dear Commissioners,

I oppose the expansion of the Coffin Butte Landfill.

It has not been managed well, allowing methane gasses and other chemicals to leach into and contaminate our air and water systems. Not only is this just plain bad, it is a violation which has not been adequately addressed. If you approve "with conditions," who will monitor and enforce those conditions? With the reduction of federal funds to the EPA, Oregon DEQ will have more work to do, so monitoring will only decrease. This will allow Republic Services to get away with even poorer management and further damage the land, air and water nearby and downstream.

I hear the county is making a lot of money on this. Is this what it comes down to? What about livability? This area could be used for housing instead of other county's trash. If you're going to allow expansion, why not instead encourage more residential and business building, which provides jobs and brings in people and taxes income?

By allowing the landfill expansion, the horrible smell, as well as air and water concerns, trash, traffic…all will decrease property values and make people want to move away from Corvallis and Adair Village. I don't live near there, but I hike, drive, and have friends close by and it stinks! Have you smelled it? And have you seen the trash along the highway leading up to the landfill?

Finally, as a hiker I value that I can hike so close to home in beautiful surroundings with wildlife and fresh air. I do not want to see more of our beautiful local forest torn up to be replaced by a mountain of trash.

If you approve this, I believe you would be doing this beautiful town of ours a terrible disservice.

Please do not approve the expansion.

Thanks for your consideration and hard work.

Respectfully,
Yvonne Uribe-Lomnicky

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~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Yvonne Uribe-Lomnicky
541.223.1237
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

May you be happy.
May you be safe.
May you find peace.
May you be free.

From: Mike Beilstein
To: Benton Public Comment
Subject: Coffin Butte expansion- LU-24-027
Date: Monday, April 14, 2025 9:54:43 AM

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Benton County Planning Commission - re **LU-24-027**

Hello Commissioners-

I am strongly opposed to any expansion of the Coffin Butte landfill.

I have lived in Benton County for more than 50 years and appreciate the quality of life that derives from our natural environment and the commitment of its inhabitants to maintaining a healthy sustainable community.

The landfill is, and will continue to be, a toxic waste site. For generations this site will be producing and leaking climate changing methane gas, odors that affect neighbors and travelers, and leachate that contaminates ground water and the Willamette River.

Good management practices could reduce, but not eliminate, the adverse effects of the landfill on our community. The history of management at Coffin Butte landfill has not indicated compliance with best practices. Even if contractual obligations are met, maintenance would not be guaranteed for the decades and centuries that the landfill will be leaking toxic and noxious materials.

Ultimately, Benton County, and the region which depends on Coffin Butte landfill, need to develop waste management plans that do not include land-filling. Alternatives may be difficult and expensive, but they will be cheaper than the growing environmental costs of continuing the current landfill practices.

Expansion of Coffin Butte would allow the region to avoid and delay the development of waste management plans that are consistent with long-term sustainability. Please do not allow this expansion, which would delay appropriate planning for a sustainable human future.

Mike Beilstein

1214 NW 12th St

Corvallis, OR 97330

541 602 1007

mikebeilstein@yahoo.com

From: Julia Bradshaw
To: Benton Public Comment
Subject: Subject: Oppose/Deny LU-24-027
Date: Monday, April 14, 2025 7:26:43 PM

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To: publiccomment@bentoncountyor.gov

Subject: Oppose/Deny LU-24-027

Dear Benton County Planning Commissioners,

My name is Julia Bradshaw and I live at 645 NW Calloway Drive, Corvallis, 97330. My home is approximately 2.5 miles away from the Coffin Butte landfill.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns about:

- **Air and water pollution**. I am particularly concerned about the air quality issues due to the methane and the water quality issues knowing that the leachate is dumped into the Willamette River. I am concerned that the regulation of these issues seems to be not as optimal as needed for community health reasons.
- **Roadside Trash.** I cycle the roads leading to and from Coffin Butte landfill as they are close to my home. It is very clear that the roadside trash is greater on the side of the road leading to the landfill, than away from it. Clearly, the trash-trucks are contributing to the trash in the countryside.
- **Traffic.** As a cyclist, the number of trash trucks passing at speed is disconcerting. I am also concerned about the state of the roads with heavy trucks coming from great distances to Coffin Butte landfill.
- **Odour Issues.** Living 2.5 miles away, the odour does travel to my home, particularly on hot days and on days when the cloud cover is low. This affects quality of life.
- **Long-term climate and environmental consequences** for future generations. This landfill is very close to the water table. We need to be cognizant of the impact of this landfill in the very long term as well as the short term of the life of the landfill.

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.

I believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on

local communities!

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,
Julia Bradshaw

645 NW Calloway Dive
Corvallis
OR 97330

From: Anna Delaney
To: Benton Public Comment
Subject: Deny LU-24-027
Date: Tuesday, April 15, 2025 9:50:10 AM

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Dear Benton County Planning Commissioners,

My name is Anna Delaney, and I live at 330 SW 10th Street in Corvallis. I also volunteer with *Bit By Bit*, a therapeutic equestrian center that serves children and adults throughout Benton County.

I am writing to express my strong opposition to Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would significantly interfere with the character of our community and place an undue burden on public infrastructure, in direct violation of Benton County Code 53.215 (1) and (2). It raises serious concerns, including:

- Air and water pollution that threaten the health of local ecosystems and residents
- Increased traffic that would endanger the safety of children, families, and animals on nearby roads
- Persistent odor and noise pollution that would disrupt both daily life and therapeutic programs
- Harmful impacts on property values, wildlife habitats, and outdoor recreation
- Long-term environmental damage and climate consequences

At *Bit By Bit*, we provide horse-assisted therapy to children—many of whom are neurodivergent or coping with trauma—and our work depends on a peaceful, clean, and safe environment. The noise, smells, and traffic from an expanded landfill would be deeply disruptive to our sessions, jeopardizing both the effectiveness of our program and the well-being of the children we serve.

Moreover, this proposal directly conflicts with Benton County's 2040 Thriving Communities Initiative. Rather than expanding landfills, we should be investing in smarter, more sustainable solutions like waste reduction, recycling, and circular economic practices that support a healthier future for everyone.

Please reject LU-24-027 and stand with our community, our children, and our shared environment.

Thank you for your time and consideration.

Sincerely,

Anna Delaney
Corvallis, OR 97333

From: MARY DEVINE
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Tuesday, April 15, 2025 10:40:45 AM

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I submit this as testimony to express my strong opposition to LU-24-027. Please deny the application to expand the landfill.

Just this morning a Statesman Journal article titled “This [Corvallis] is the best college town in Oregon, according to World Atlas” left me feeling proud of the city that our family adopted as home in 1990. We moved to Corvallis because its stated values were just what we were seeking for the long term; but when I consider the landfill expansion proposal, my feelings change to angst and sadness.

Our fair city and county have already been negatively impacted by the current landfill so I am incredulous that there is ANY consideration to allowing further expansion. In no way can it live up to Benton County’s 2040 “Thriving Communities” values. For example, Corvallis could easily become “the dump town.” That would have a definite negative effect on the ability to attract and keep citizens, including our “temporary” OSU citizens. The expansion would violate both BCC 53.215(2) and BCC 53.215(1). Our quality of life would degrade.

I imagine you must feel unappreciated in your role at times, but you have the chance to become a hero in your community’s eyes by seeing this issue clearly for what it is: an opportunity to do the right thing.

Thanks for your commitment of time and energy. Please vote NO.

Mary Devine
925 NW Witham Drive
Corvallis OR 97330

From: Maynard Freemole
To: Benton Public Comment
Subject: LU-24-027
Date: Monday, April 14, 2025 6:09:07 PM

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Commissioners:

I strongly oppose any expansion of the Coffin Butte landfill.

As forty-year residents of Benton County, we have always appreciated and, in many ways, come to rely on the natural beauty of the area. That beauty stems from a healthy environment, and we have always contributed to the community effort to sustain that environment.

Coffin Butte is a threat to that environment--our environment--and a blight on its beauty. Its effluent leakage is toxic to our groundwaters, and its methane emissions contribute to climate change. It should be closed, not expanded.

Republic Services has profited, and Benton County has benefitted, from using Benton County as a dumping grounds for other counties as disparate and distant as Multnomah, but clearly enough is enough! Hence the "need" for this expansion. Other counties should look to their own waste.

Please reject any expansion of Coffin Butte landfill.

Maynard Freemole
2002 SE Crystal Circle
Corvallis, OR 97333

From: Gregg Olson
To: Benton Public Comment
Subject: File LU-24-027 opposition
Date: Tuesday, April 15, 2025 10:42:27 AM

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Dear Benton County Planning Commission

My name is Gregg Olson and I now live at 5394 Davidson St, SE, Albany, 97322. Until this February 2025 I lived in Corvallis since 2007.

I am writing because I strongly oppose Republic Services Conditional Use Permit application LU-24-027 to expand Coffin Butte Landfill. I urge the Planning Commission to deny this application.

First, I think it is greatly unfair that Coffin Butte takes the vast majority of waste from other counties. One source says that 24 of 36 Oregon counties send their waste to Coffin Butte. They should be taking care of their own waste or depositing it somewhere safer than Coffin Butte. Butte County should not be Oregon's waste bucket!

The Coffin Butte area is one of the wettest parts of the Willamette Valley, with 50-60 inches of rain per year. This greatly increases methane production and leakage, as well as contamination of groundwater and rivers. Fractured basalt on the hillsides make it very difficult to monitor well contamination. In January of this year over 41 sites of escaped methane were found. Methane is 80 times more heat absorbing than carbon dioxide. Coffin Butte came under a formal complaint last year for excess methane.

Are there options? Columbia Ridge Landfill near Arlington and Eastern Oregon Waste Management in Pilot Rock are in areas of less than 10 inches of rain per year. Much less problems with methane and groundwater pollution. This sites are easily accessed by railroads, which are are an environmentally better and cheaper way of transport, and connect with most of Oregon.

Please reject LU-24-027. Thank you for protecting the health and future of Benton County,

Sincerely,

Gregg Olson
Albany, OR, 97322

From: Catherine Stearns
To: Benton Public Comment
Subject: CUP Application #LU-24-027
Date: Tuesday, April 15, 2025 8:06:28 AM

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Catherine Stearns
29138 Tampico Road
Corvallis, OR 97330
Statement in opposition to Republic Services request to expand Coffin Butte Landfill .

It is amazing to me that ever since the first Earth Day in the '70's, there has not been a consistent program to change our society to buy less, need less and recycle more.
I fear that until someone finds a way to make a profit from reduction of "stuff ", we will continue the madness of endlessly filling holes in the ground with refuse
Other cultures have found viable alternatives to the ceaseless piling on of solid waste and still their societies thrive safely. We cannot wave a magic wand and make these human caused problems disappear. We can and must do better NOW.

We now have an opportunity to change the poisonous insanity of Coffin Butte Landfill into something less harmful to people, the earth , our water, air and wildlife of all forms. There is no need for a vast plume of lethal explosive methane gas to continuously poison our skies. There is no need for leachate to permeate soil and contaminate groundwater. There is no need for residents to continue to have their outdoor time fouled by "dump days" odors.

Rather, I prefer to focus on encouraging Benton county to make a historical decision and deny Republic services application for a conditional use permit. If all of the above mentioned "costs " of having Republic services in our county isn't enough to convince you, maybe the scientific, documented data from other county residents will.

In my opinion, the platitude of "if they check all the boxes then you cannot legally deny their application" is a manipulative strategy to deny you Commissioners the power to take a stand for our county's health and safety. Please do not be cajoled into doing business as usual. Please heed the concerns and warnings from hundreds of Benton County residents and deny Republic Services' application for a conditional use permit. Future generations will applaud your wisdom.

From: sushelley@aol.com
To: Benton Public Comment
Subject: Coffin Butte Landfill Expansion
Date: Monday, April 14, 2025 2:12:27 PM
Attachments: Benton County written testimony.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County:

Please accept my comments on the upcoming hearings regarding the expansion of the Coffin Butte Landfill.

Thank You,

Sincerely,

Shelley A. Su

6065 SW Grand Oaks Dr.
Corvallis, OR 97333
541-929-3960

April 14, 2025

Attn: Benton County Planning Commission

Re: Proposal to Expand the Coffin Butte Landfill

Dear Planning Commissioners:

I am writing to urge the Benton County Planning Commission (BCPC) to deny Republic Services' request to expand the Coffin Butte Landfill (CBL) located near Adair Village in northern Benton County.

As a PhD toxicologist, former EPA employee, former OSU faculty member, and cancer researcher for many years, I was greatly alarmed to learn of the unprecedented exceedance of methane concentrations from the CBL currently spreading throughout the Valley. Several studies have verified that methane levels are greatly exceeding allowable limits. Methane emission levels are tightly controlled for human health and safety reasons, and due to their adverse impacts on the environment.

The EPA has previously cited Republic Services for worker health safety violations. In January of this year the EPA issued a subpoena to Republic Services for a detailed record of the amount of trash the landfill is accepting, its gas collection and emission control systems, its surface monitoring of pollutants, etc. It is clear that the EPA considers these violations to be serious.

Given that Republic Services is currently under investigation for violations of the Clean Air Act and other environmental laws, it is EXTREMELY inappropriate and reckless at this time to grant an expansion of this operation. It is clear that Republic Services is either incapable of properly operating the landfill or, even more disturbing, is not concerned about the effects of toxic releases into our community. In addition, given that the expansion will only add a few more years of operation to this facility, it makes no sense to move forward with ANY future plans for the CBL until the current problems facing the CBL are addressed and corrected.

In the last 7-8 years it is also clear that Republic Services has not been complying with EPA regulations with respect to the proper handling of liquid toxic wastes generated by the landfill. In addition to the methane problem, there are profound concerns about the handling of leachate generated by the landfill. The leachate contains many chemicals that are extremely toxic to human health and the environment, including polyfluoroalkyl substances (PFAS) and other heavy metals. PFAS chemicals, which are being discharged into Oregon waterways, are

some of the most dangerous chemicals on earth. Referred to as “forever chemicals” because of their extreme longevity and consequent accumulation in the environment, PFAS chemicals cause a myriad of health effects, including cancers, reproductive effects, thyroid disease, liver disease, etc., in concentrations as low as parts per trillion. People and animals can be exposed by eating food grown or raised in PFAS-contaminated soil or water, including agricultural products, and wild fish and game.

Further, I would like the BCPC to also consider that, given the CBL is in close proximity to many homes in the area, as well as several national wildlife refuges and the Willamette River, these current emissions are not to be tolerated. Both the BCPC and the Benton County Commissioners (BCC), who hold the ultimate responsibility for the decision whether or not to expand the CBL, must prioritize the health of its citizens, as well as the dangers to wildlife and the environment, in making this decision. As a citizen who has lived in the Willamette Valley for over 50 years, it is my belief that allowing these emissions to continue, let alone to decide to increase the size of the CBL given the current state of its poor management, is not in keeping with the longstanding respect and stewardship of the Oregon people and their commitment to the environment. It is, in fact, willful misconduct and gross negligence.

In addition, the problem of Republic Services’ long-term lack of attention to proper handling of the CBL is being felt, not just in the immediate vicinity of the dump, but in other counties miles from the site. As each year passes the impact of this mismanagement is being felt further and further away. This is unfair to the communities that surround Benton County, and they should not be required to suffer the consequences of poor decisions made by us. These people are our neighbors and our friends, and they deserve our/your respect and support.

I strongly urge you to vote NO on the Coffin Butte Expansion. Lastly, I want to point out that, as a representative of the citizens of this community, your responsibility lies in the PROTECTION of the citizens of Benton County and the state of Oregon. Our citizens do not want or deserve this toxic mess. We deserve better.

Respectfully,

Shelley A. Su, PhD
Oregon State University (ret.)

From: ANN NMB
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 14, 2025 1:02:15 PM

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To the Benton County Commissioners,

I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.
I feel you must vote NO on the (Oppose/Deny LU-24-027) because the landfill DOES NOT even now meet current emission standards. See recent EPA air quality inspection*.
An expansion would not align with the below stated in *Benton County's 2040 Thriving Communities Initiative.*
The proposed expansion would seriously interfere with the character of the surrounding area and impose an undue burden on public resources, in violation of Benton County Code 53.215

6.1.4 In reviewing land use actions, Benton County shall evaluate potential impacts on air, surface water, groundwater, noise and glare levels, and land quality, where possible utilizing existing studies and prioritizations such as the County's Environmental Assessment Pri ority List. Appropriate steps shall be taken to minimize degradation.
6.1.5 Benton County shall work with local citizens and appropriate local, state and federal agencies to establish partnerships to achieve enforcement of air, land, and water quality standards

NOTE*In June 2022, the Environmental Protection Agency (EPA) conducted an ANNOUNCED air quality inspection event at Coffin Butte landfill. During the inspection, the EPA found a massive number of leak locations where the methane emissions exceeded the air quality standard; so many leaks that the EPA inspector ran out of flags available to mark them.

SINCERELY-
Benton County Resident and Home Owner for 41 years!

Ann E Weinstein
2063 Rosecrest Dr
Philomath, OR 97370

From: Joel Weinstein
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 14, 2025 1:21:43 PM

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Dear Benton County Commissioners,
My name is Joel Weinstein and I am a
Benton County Resident and Home Owner for 41 years!
I live at 2063 Rosecrest Dr, Philomath, OR 97370.
I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would seriously interfere with the character of the surrounding area and impose an undue burden on public resources, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns about:

- **Air and water pollution threaten our local ecosystems and community health**
- **Traffic increases that pose safety risks on nearby roads and pathways**
- **Odor and noise issues that degrade quality of life for residents and visitors**
- **Negative impacts on wildlife, recreation, and property values**
- **Long-term climate and environmental consequences for future generations**

Please reject LU-027.
THANK YOU, Sincerely,
Joel Weinstein
Philomath, OR 97370

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Tuesday, April 15, 2025 5:31:02 PM

Subject of Testimony: Please don't expand Coffin Butte Landfill

Full Name: Nathan W. Looney

Email: nlooney4@aol.com

Street Address: 2645 NW Kingston Way, Albany OR 97321

Written Testimony:

Dear Planning Commission,

I want to write to express my opposition to the expansion of the Coffin Butte Landfill. I'm concerned about the landfill polluting local ground water sources nearby. I'm also concerned about noxious and unpleasant smells that come from the landfill. I don't think they are benign as Republic Services suggests. Too much garbage is coming into the landfill. It's not surprising that there are such terrible smells coming from it. Please don't allow Republic Services to expand things so they can just bring in more garbage.
Lastly, I'm sure Republic Services would say they own the landfill, they can do what they want, but it's not right for so much garbage from other counties to come to Benton County. It doesn't help Benton County. It hurts Benton County. The waste needs to go to a drier area of Oregon where there isn't so much rain. If Coffin Butte isn't expanded, then it won't be able to take in more garbage, which will be a good thing for Benton County. Thank you for listening.

Sincerely,
Nathan Looney

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 98.246.101.162

Van Camp/Sovereign
5542 SW Redtop Place
Corvallis, OR 97333

Nancy W SC

Bt Mabuc

Gabashathesd



RE: Trash Land Use Expansion

April 13, 2025

Dear Benton County Commissioners,

Please do not approve any expansion of the Coffin Butte landfill. The Republic Services trash dump presents an existential threat to life in this valley. Any one of several disasters, awaits us in the future.

The badly situated dump emits toxic gas, endangering the health of every resident who draws breath. The filthy fluids seeping into the surrounding areas spoil the land and the water. A poorly timed spark and a high wind may burn uncontrollably as it ravages the forest and then our homes and businesses. There is no conceivable amount of money Republic Services could pay the county, that would pay for the remediation of this valley, when our air, water and soil have been poisoned beyond where it is safe to live. Who will make the residents whole? What parent will fund their child's University education here, if the water is neither safe to drink or bathe in? Why has our small county become the dumping ground for trash from around the Pacific Northwest. Why are our land, water, air and roads, being sacrificed in order to enrich Republic Services.

The time left before the current dump is full should be use to find a more favorable location for a new dump site for Benton County. Preferably land that is not next to a nature preserve, located over a significant water aquafer, on productive farmland. Such locations do exist. Republic Services has more than enough money to afford to find less dangerous locations. Their record profits could be used to improve recycling, but as they have told their shareholders, there is no profit in recycling. Promises they have made to the county in previous years have not been kept.

Please do not allow Republic Services to increase the amount of trash they heap onto our county.

Respectfully,

Kathleen Van Camp and Michael Sovereign

Residents, Corvallis

April 13, 2025

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Respectfully,

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Residents, Corvallis

From: Thomas Allison
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Wednesday, April 16, 2025 1:56:47 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I'm writing to oppose the expansion of operations at Coffin Butte. Arsenic has shown up in local wells, and PFAS get sucked out daily by fleets of tanker trucks that deliver it to various facilities, most if not all of which aren't equipped to remove PFAS, and so end up flushing these (and other) toxins into the river. In addition, there are leaks in the liners, so we don't even know what's going directly into the water table. I'm really hoping you will do the right thing and prevent the expansion of operations.

Best regards,

--
Thomas Ryan Allison
Photographer | Videographer | Writer
www.thomasallison.com

From: Bill Briskey
To: Benton Public Comment
Subject: Oppose/Deny Reference Application File Number LU-24-027
Date: Wednesday, April 16, 2025 4:15:22 PM
Attachments: KEklund Petra Schuetz letter 1-2025 methane.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have three primary concerns:

1. Landfill gas impact on health of my family, which includes an infant and a 5-yr-old
2. Effluent concerns since I have a well
3. Impact on how I use my land

My property shares 1580 feet of fence line with the NW corner of the landfill and the topology brings the smell right to us anytime there's a south component to the wind direction. When we bought our land 35 years ago, we were told by a Valley Landfills, Inc. representative that the original deposit location, called Cell 6, was closed so all future garbage would always be moving away from us. Since Republic moved all the refuse out of Cell 6 and Knife River blasted to remove more of the Butte at that NW corner, we've already experienced more odor and picked up more airborne garbage that blows over the fence. The quarry blasting has caused structural shifts in our house, broke a window, and we now have major cracks in concrete slabs in out-buildings. Understandably, we're very interested in the outcome of the expansion discussion.

I am becoming increasingly concerned about my family's exposure to toxic gasses every time a breeze comes from SE to SW. The gas being comprised of methane, carbon dioxide, plus other aerosols including toxic PFAS (per- and poly**fluoroalkyls**) was just last year measured by the EPA to exceed the maximum allowable emission level by 219 times. I have not seen any evidence that the ongoing problems in the existing methane collection system have been corrected since the last EPA visits, just continued gas emissions indications from satellite images and my own nose. This clearly violates BCC 53.215 (1) and makes me wonder why it doesn't get the attention it deserves by Benton County and EPA officials.

I haven't complained about the odor because, hey, I live next to a dump. But the **increase in odor** is also raising my awareness to the apparent lack of mitigation and potential long-term damage from toxicity exposure. I hosted business associates once and the stench forced me to cancel the meeting and everyone left – I haven't been able to host events since then. Before there's any expansion allowed, I'd like to see Republic get a handle on what they already have to manage. I'd also like to see evidence that they are actually solving the problem instead of dismissing complaints.

My family's well is located 500 feet from the landfill property. The migration of effluent

carrying toxic levels of arsenic to the east is alarming. When Republic starts filling Cell 6 with garbage and takes advantage of the newly exposed hillside there, I'm hoping that there won't be a westward flow of escaped effluent into the aquafer that feeds my well. Its depth is roughly 250 feet (130 ft ASL) below the bottom of the closest corner of Cell 6.

I used to have a small pond on my place, on the east side of the landfill. Water from the pond fed a small livestock tank downhill from the pond. A few years back the pond dried up. It turns out that even before Cell 6 was excavated and the quarry blasting began, the landfill decided to divert surface and shallow water flow off the Butte away from my property without discussing it with me. They did call me prior to that and offered to buy that portion of my land because they said that there was a chance that my field would experience "brighter areas" caused by runoff from the landfill. So my intended use of the pond for a livestock reservoir has been permanently curtailed.

There's no easy solution for waste, but how about accountability? It's pretty clear to me that the practice of hiding violations in the past has turned into a standard operational procedure. It's unlikely that Republic can change its practices to be transparent with the County, and the county's contract representative (legal counsel) is not negotiating on behalf of the stakeholders in our county. Ken Eklund, past Chair of the Disposal Site Advisory Committee, has been closely following the connected issues of climate damage through methane and odor impacts, both of which come from excessive leaks of landfill gas. The letter he wrote (attached) to the Planning Official and her consultant, Winterbrook Planning, does an admirable job of summarizing several areas of concern that mirror my own and highlight a lack of accountability.

I see first-hand how the landfill disregard for environmental and local land use impacts my family. I encourage our county commissioners to visit a neighborhood downwind of the landfill and think about the long-term impact when they stand there breathing in the potpourri of nasty gasses. It might be several years before science solidly connects these gasses to human health issues – even if Republic is still a viable company at that time, the expected class-action lawsuit will certainly target Benton County. The short-term financial benefits might look nice now, but the future impact will destroy Benton County and that legacy will be tied to the people making decisions today. I vote no for any expansion and would prefer that landfill operations cease. It's time for another county to carry the load.

William J. Briskey, PE
39101 Military Road
Monmouth, OR 97361

Dear Petra,

I have some notes for you, as you consider the final Application by Republic Services in order to make an official determination about its completeness as Planning Official.

1. The missing 2024 EPA Inspection Report.

> A final report from the 2024 EPA inspection is not yet available, but Applicant is aware that the inspectors found exceedances while conducting surface emissions monitoring.
>
> – Jeff Condit, Burden-of-Proof-Revised-January-15-2025.pdf, p. 102

This final report of the 2024 EPA Inspection is available, and was available prior to January 15. (I received a copy third- or fourth-hand on January 14; more about this report and its implications here). **A discussion of this report is vital to an honest narrative about methane emissions at the landfill.** A reminder that when the EPA released its inspection of the landfill in 2022, Republic similarly did not relay its report to the County, but suppressed it instead for over a year.

In the 2024 report, as in the 2022 report, the inspectors narrate a process where they find an exceedance, document it, walk a short distance (often very short), find another exceedance, and so on. They are finding another exceedance three minutes later or fifteen feet apart. In each report they cover a remarkably small proportion of the landfill surface yet find a similar high level of exceedances. The photo documentation in the 2024 report shows visually obvious problems that have been problems for some time, i.e., tears in the tarp with weeds growing out of them that are three feet high. Most notably, the 2024 report includes an instance where *a gas well was uncapped entirely*.

The 2024 report casts doubt on the Applicant's "we were upgrading the gas collection system" narrative of their 2022 report, suggesting instead a narrative where the Applicant is in a perpetual state of system "upgrade" because of deferred maintenance. The "we were upgrading the gas collection system" account does not explain why every time that an entity that is not paid by Republic has pointed a methane detector at Coffin Butte Landfill in the last two years, that entity finds excessive landfill gas emissions :

- in June 2022, the first EPA inspection uncovers 61 exceedances, including several that flamed out/approached or exceeded the lower explosive level of methane;
- in July 2023, Carbon Mapper aerially surveyed the landfill for a ten-day period and mapped multiple landfill gas plumes from multiple sources, with a combined average leak rate of approximately 3.4 metric tons of landfill gas *per hour*;

- in July 2024, the EPA's return inspection again found multiple exceedances, including one with a methane concentration over 110,000 ppmv (the EPA threshold for reporting is 100 ppmv and for remediation is 500 ppmv);

- in September 2024, Carbon Mapper surveyed the landfill from space and found the landfill was still super-emitting methane with an average leak rate of approximately 1.8 metric tons of landfill gas per hour.

In no instance did a survey fail to find dozens of leaks, including leaks with high and very high methane concentrations (EPA) or leaks that are super-emitters many times over (Carbon Mapper). The narrative that these independent sources establish is one where Coffin Butte Landfill's condition has not been maintained properly and now landfill gas emissions are burgeoning out of control of the operator.

2. DEQ's notification of investigation, August 2024.

> In August 2024, members of Oregon's congressional delegation called for the U.S. Environmental Protection Agency to complete an investigation into concerns about the landfill. Also in August 2024, DEQ issued a formal warning to Coffin Butte for not complying with new requirements to reduce methane emissions from the state's landfills.
>
> – Tracy Loew, Salem Statesman-Journal, January 10, 2025

Several DEQ officials accompanied the EPA inspectors on their 2024 inspection, and when the EPA prepared its report in August 2024, DEQ issued the formal warning highlighted above. **A discussion about this warning from DEQ is necessary for the application to be deemed complete.** The formal warning from DEQ calls into question the Applicant's narrative that it is in compliance with federal and state regulations; instead it seems that Applicant is in a recurring state of being out of compliance with regulations, and successful only at keeping one step ahead of being fined.

Side note: the Applicant's Environmental Manager, Ian Macnab, resigned in fall 2024, after the second EPA inspection, the formal warning from DEQ, the calls for the EPA to take action about the landfill's non-compliance, and the release of the Carbon Mapper quantifications of its methane emissions data.

3. The rapid decline in the efficiency of the Applicant's gas collection system.

> The US Environmental Protection Agency estimated in 2019 that Coffin Butte Landfill's methane collection system converts 57% of its methane to CO2, as compared to other Oregon landfills such as Columbia Ridge (85%) and Dry Creek (80%)[90] … Republic Services' notes that data it submitted to the EPA for inclusion in its 2021 greenhouse gas report estimates that Coffin Butte's landfill gas collection system has a collection efficiency of 91.2 percent.
>
> — The BCTT report, page 669

In the January DSAC meeting (link), methane was on the agenda, a continuation of questioning begun in DSAC's December meeting. CBL's new Environmental Manager, Paul Koster read these notes (with landfill General Manager Bret Davis chiming in):

> [begins around 1:23:22]
>
> PK: So, our last gas model was completed in 2023, and we'll be completing a new gas model spring of this year. So, looking at the gas model from '23, our efficiency was estimated about 70% for '24, and 73% in 2023. This is the total amount of methane generated 2024 – was about 3,923 to 4,100 scfm throughout the year, on average, every day, every minute. The loss in flow was largely due to – we did lose some flow between '23 and '24, was largely due to the commissioning of the new and closed flare construction project. So we had some changeover. We did lose a little bit on that.
>
> BD: Thank you for [adding]. We do a – we added wells, and so on. And so yeah, the system's not able to collect it a hundred percent. When we're adding wells or more collection.

So, to summarize, the landfill's gas collection system, which Republic reported was operating at 91.2% efficiency in 2021, by 2023 had declined to 73% and sagged further in 2024, to 70%, according to Republic's own gas modeling. **This is a critical consideration for any honest narrative about the landfill's methane emissions level**, as each decline of 1% in gas collection efficiency signifies a commensurate rise in fugitive emissions of landfill gas (by my calculations, each 1% decline in efficiency =

approximately 1.2 more metric tons of landfill gas released per day). The Applicant's representative, Paul Koster, stated this information became known to the Applicant in 2023, and was updated in 2024, and so it was well-known to the Applicant when they were preparing their application.

Note that the data is converging regarding this decline in gas collection efficiency: EPA inspectors have found it on the landfill surface, Carbon Mapper has surveyed and quantified it from the air and now from space. More data is imminently forthcoming, now that methane-detecting satellites pass over Coffin Butte Landfill several times a day. The decline in gas mitigation efforts requires a honest conversation about how low efficiency will go and what environmental impacts will be happening at that level.

4. Surging methane emissions equals surging landfill gas odors.

Methane is a pollutant and a potent greenhouse gas, and well deserves its focus in abatement efforts. The landfill gas from Coffin Butte Landfill is generally about 50% methane, 40% carbon dioxide, and 10% a mixture of many other gases, including odorifics and toxic gases such as aerosolized PFAS. So the unregulated releases of methane detected in EPA and Carbon Mapper surveys of Coffin Butte Landfill are evidence of increasing amounts of toxic and odorific gases being released by the landfill (the lead inspector for the EPA specifically mentions landfill odor in the 2024 report).

Odorific gases accompany methane, but they also occur in the pre-anaerobic phase of landfilling, and processes such as soil cover that oxidize methane do not necessarily reduce odorific gases.

The application should not be considered complete without a discussion of the relationship between the increasing amounts of landfill gas being released and the increasing number and duration of "dump day" odor events in the landfill region. As we've seen, over the past three years the Applicant has normalized a steep decline in its gas collection efficiency, so this discussion should include what measures if any the Applicant will implement to reverse the increasing odor impact upon other land uses in the region where they're occurring.

These are my first observations about the Applicant's revised application; I will likely be adding more. I'm happy to answer any questions, and hope this information will be of use to you and your consultants.

Respectfully,

Ken Eklund
37340 Moss Rock Drive
Corvallis OR
408-623-8372

From: mattdelaney1126@gmail.com
To: Benton Public Comment
Subject: Conditional Use Permit application LU-24-027
Date: Wednesday, April 16, 2025 11:15:43 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

My name is Matt Delaney, and I live at 38674 Harrington Drive in Lebanon, Oregon. I am writing to express my opposition to Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would significantly interfere with the character of the community as well as create harmful impacts on property values, wildlife habitats, and outdoor recreation.

Rather than expanding landfills, we should create more sustainable solutions like waste reduction and recycling.

Sincerely,
Matt Delaney

From: kiko denzer
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Wednesday, April 16, 2025 10:18:46 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I strongly OPPOSE the approval of LU-24-027 expanding the Coffin Butte Landfill.

Republic Service's proposed expansion of the landfill violates the following Benton County Codes (BCC):

it would "significantly interfere with the character of the area," [53.215(1)]; and it would
"create an undue burden on public improvements, facilities, utilities, or services in the area." [BCC 53.215(2)]

I have worked and lived in Benton County for 30+ years. I appreciate the quality of the environment, the vibrant and livable community, the robust and diverse economy, and the diverse efforts to improve health and equity for all — all values claimed by the county in their 2040 Thriving Communities Initiative.

I hold the county commissioners, citizen participants, and staff all accountable for defending those values. Allowing the dump to expand, however, would violate every one of them, not to mention the Benton County codes cited above.

Among all the reasons to oppose expansion, the following stand out:

1. Benton County urgently needs homes that lower income folk can afford (37.1% of renter households spend over 50% of their income on rent, making us the most rent-burdened city in the state). Republic Services purchased Rural Residential property abutting the landfill, land that could house a subdivision and ease the housing shortage. Instead, it lies fallow. North County is a prime area to develop new homes, yet young families who have moved to new subdivisions there report such noxious dump odors that they regret their decision to buy. For the same reasons, other property owners have been hindered in their efforts to sell property in the area. Odor and loud truck traffic, and subsequent loss of property values will clearly limit development in this area, hinder the construction of badly needed housing, and reduce much needed tax revenues. Obviously, all these "interfere with the character of the area" [BCC 53.215(1)] and "impose an undue burden on public improvements" [BCC 53.215(2)].

2. The public improvement of roads is also unduly impacted by large heavy trucks not only carrying trash in, but taking toxic leachate out; these costs are borne, unfairly, not by the corporations that hire and manage the trucks, but by Benton County residents.

3. The Republic Services dump property yields less tax revenue than

would be collected were those acres to be devoted to housing.

4. Portland, which has stated values similar to those of our Thriving Communities Initiative, refuses to send its trash to any facility in the Willamette Valley, simply because high rainfall and porous soils in our valley produce more of the most damaging of landfill effects, which are methane (a more potent greenhouse gas than CO2), and leachate (full of the toxic “forever chemicals” known as PFAS). This is obviously bad — for our city, our county, and our good earth herself.

5. The landfill is already an ugly first impression of Corvallis for anyone coming in on Hwy 99 from the North. If allowed to expand, Republic plans to take out three Empire State Buildings worth of soil from the south side of Coffin Butte Road and replace it with more trash — trash that will not come from Benton County, but from all over the state, as well as out-of-state — another violation of both BCC 53.215 (1) and BCC 53.215(2).

6. The PFAS in the leachate that the landfill now trucks "away" have been deemed a health hazard at any concentration. This toxic soup, steeped in all our rainfall, ends up in our Willamette River.

7. Not all the toxic leachate gets trucked out. We don't know how much simply infiltrates the water table, but we do know that other poisons leach out of the landfill, one of which, arsenic, has increasingly been showing up in local wells at levels well above anything considered safe.

8. The landfill produces enormous amounts of methane which not only warms the climate more that CO2 does, but which is also highly flammable and the source of regular fires that landfill staff are often unable to control — and which, in our dry and increasingly fire-prone summers, pose an enormous threat to the entire valley.

All these effects make Benton County itself into an enemy of the very values it claims to hold dear. Literally and in every other way, the dump toxifies my home county. I would call that "significant interference with the character of the area."

Finally, and obviously, the dump is only the most visible tip of the iceberg. Underneath is our shared responsibility for producing all this waste in the first place. If we really want to live up to our values, we need to reduce our need for enormous holes in which to bury all the stuff we don’t want or can’t use.

Other communities who are doing a much better job of this than we are. If we really want to live up to our values, we need to put the energies of our planning commission into looking upstream for ways to prevent problems, instead of just trying to manage problems that Republic Services seeks to exacerbate.

Lane County, for example, is building a state of the art facility that offers a better strategy for capturing more recylables, reducing emissions, and diverting material away from landfilling.

Another avenue would be to follow the long-standing and successful example of the community-owned consumer cooperatives that provide light, power, phone and financial services, as well as food, insurance, and

even, in some countries, housing and health care. A waste management cooperative, owned and managed by the community it serves, would have no incentive to increase the amount of trash it accepts. Instead of looking for more trash to generate more revenue, it could offer practical incentives to reduce trash and produce less waste. And it would be able to work with the citizenry, because it would be of the citzenry.

We can do better, but not if we expand the dump.

-- Kiko Denzer, Philomath

From: MARY DEVINE
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Wednesday, April 16, 2025 2:43:59 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is testimony to express my strong opposition to LU-24-027. Please deny the application to expand the landfill.

I oppose this expansion request for myriad reasons, but this submission is about health issues. An expanded landfill will DEFINITELY be detrimental to the statewide goals promoted in the Benton County Comprehensive Plan: “maintaining and improving the quality of the air, water and land resources of the state.”

I worry that our air quality is already worsened by having the *existing* landfill (dangerous particulate matter, heavy metals, VOACs and sulfides and the use of toxic fly ash as daily cover). All of us are harmed by this (whether or not we know it). And issues with air quality don’t stop at the landfill borders. Our water quality is also degraded. Dangerous leachate is produced and sent to our wastewater treatment plant (which *isn’t even designed to process* leachate). The remaining leachate is threatening local soil and groundwater. What part of this can be considered OK? The fact that other counties have shut down their own polluting waste facilities tells us something. ANY effort to increase these harmful effects is the opposite of protection. Please don’t fail us, your county’s residents, in the way that some government agencies (OSHA, DEQ and EPA) as well as Republic Services have done. Let’s try to remediate the existing damage of the landfill.

“We recognize and will address the well-being of our people by including health considerations in all policies, practices, activities and operations” (as stated in the 2040 Thriving Communities Initiative, Health in All Actions). Please protect our health by doing just that: by voting a resounding NO to this request to expand the landfill.

We’re counting on you.

With sincere thanks for your efforts on our behalf,

Mary Devine
925 NW Witham Drive
Corvallis OR 97330

From: Estill, Charles
To: Benton Public Comment
Cc: Debora Estill
Subject: Coffin Butte Expansion
Date: Wednesday, April 16, 2025 8:55:31 AM
Attachments: Landfill.pdf

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Please find the attached testimony

Debora Estill

#9000 Trillium Lane

Corvallis, OR 97330

Re: : LU-24-027

To whom it may concern:

My name is Debi Estill. My husband and I reside at 39000 Trillium Lane, Corvallis, OR, two miles southwest of the Coffin Butte Landfill, where we have lived for 12 years. I appreciate you taking time to listen to my gradiences regarding the proposed landfill expansion.

I (Debi) was born and raised in Corvallis and have lived her for most of my 65 years. Growing up in southwest Corvallis, I have fond childhood memories of going to the landfill with my father; it was an adventure! However, the landfill was very different in those days. It was, of course, much smaller, and absent was the stench since the smaller size was more manageable. Today, the landfill loom large on the horizon, has totally disfigures the natural beauty of the Coffin Butte/Adair area, and emits a horrific stench on most days and an intolerable stench on others. The scene and stench are especially bad when compounded by the dust raised by the endless flow of big trucks entering and exiting the landfill, that I see as I drive east on Tampico Road to attend to my daily responsibilities away from home.

Today, in stark contrast to my past idyllic memories of a pristine western Oregon, the roads leading to the landfill are now littered with trash and garbage which has blown out of trucks on their way to empty their load at the landfill. It is unclear whose responsibility it is to pick up this unsightly debris but, clearly, Republic Services is not doing it and the debris is sporadically removed by local volunteers. Feeling powerless, and at a loss as to what to do to mitigate this situation. So, in an effort born of desperation, I had yard signs made with the words DON'T TRASH CORVALLIS, in bold letters with some more subtle subtitles, and distributed to like-minded neighbors to display on their property and make their objections to landfill expansion available for passersby to see. The public reaction has been uniformly positive.

It is my contention that both surface streams and ponds and underground water in the area surrounding the landfill, and perhaps even miles away, extending all the way to the Willamette River as being contaminated with toxic chemicals and" forever compounds" from the landfill leachate. This poses a serious health threat to all living creatures in the area as well as severely reducing the recreation opportunities on our waterways due to fear of negative health consequences resulting from exposure to the leachate.

I am well aware that Benton County residents and businesses need a place to dispose of refuse. In the past, the Coffin Butte was managed very well and adequately met the county needs. But I am compelled to ask why Benton County should be the dumping ground for areas tens and more miles away. These other counties and municipalities should be responsible to find their own solution for refuse disposal rather that make Benton County their dumping ground. Frankly, I find this totally irresponsible and disgusting.

In summary, I totally reject an oppose the expansion of the “new” landfill. There is a long history of failure to meet air quality and other EPA mandated water regulations and I do not expect compliance to improve and likely will become even worse. Republic Services in a billion-dollar industry and readily absorbs and fines imposed and keeps on polluting our beloved environment. I stand united with my neighbors and vehemently oppose the landfill expansion and we will do all in our power to see that the area we call home is not further spoiled by the greed Republic Services is known for. It is time for Republic Services to consider more than their bottom line and do the right thing and be in compliance with the BCC 55.215 Benton County Comprehensive Compliance Plans for the sake of our county and state and future generation of Oregonians.

Sincerely,

Debi E. Estill

From: Scott Lesko
To: Benton Public Comment
Cc: Scott Lesko
Subject: Oppose/Deny LU-24-027
Date: Wednesday, April 16, 2025 11:22:47 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Commissioners,

The waste management situation in Benton County has gotten to the point where we need a change and we need to stop pursuing a failing strategy. The situation is not improving, on the contrary, it is getting progressively worse.

The Coffin Butte Landfill is a poor solution to our waste management challenges. The landfill continues to generate a huge volume of leachate that will continue well past the day it is finally closed. The landfill is in the wrong climate to work effectively. There is just too much rain and to top it off Corvallis is no longer going to process the leachate by the end of 2025. The leachate contains PFAS and heavy metals that cannot be removed with present-day wastewater treatment processes. They just get dumped into the Willamette river. The land around the dump is being contaminated by the leachate that leaks out of the landfill. The bigger the landfill, the more leachate is generated. This is in direct conflict with the Benton County Comprehensive Plan (BCCP) sections 6.1.4, 6.1.7, 6.5.4 & 6.5.5.

Although Republic Services is responsible for the maintenance of the landfill for 30 years after it closes, the long term financial and environmental liability for current and future generations will continue long after Republic Services is no longer maintaining the landfill. This ongoing liability will cost the county, and therefore taxpayers, an incredible amount of money and the environmental damage may not be recoverable. We need to reduce and minimize this never-ending liability by cutting our losses and STOP THE EXPANSION.

As I live miles away from the Coffin Butte landfill, I feel little personal effect from the landfill other than the scar it leaves on Benton County. However, the folks who live adjacent or nearby Coffin Butte are affected by the stinky, polluted air on a daily basis. This is a terrible situation that needs to be addressed to improve their quality of life. Let's not make it worse by expanding the landfill.

Expanding the Coffin Butte Landfill is the wrong answer. It only propagates an unmanageable situation. We need a different solution to our solid and hazardous waste problem. I think that we should investigate a waste management approach similar to Polk county's, i.e. a garbage transfer station next to a rail line (as proposed in Rickreall). The Portland & Western Railroad (PNWR) could meet this need for Benton County. This supports BCCP sections 6.3.1(reducing vehicle miles traveled (VMT)) & 9.1.11 (continuation and expansion of rail service).

Please put an end to the status quo by stopping this expansion and moving forward with a new approach. Vote NO and STOP THE EXPANSION of the Coffin Butte landfill.

Thank you for your consideration.

Sincerely,

Scott Lesko

24669 Hidden Valley Road

Philomath, OR

From: cimclapp@q.com
To: Benton Public Comment
Subject: LU-24-027 Oppose landfill expansion
Date: Thursday, April 17, 2025 4:39:13 AM

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April 16, 2025

To: Benton County Planning Commissions
RE: LU-24-027

My name is Cynthia Clapp and I am officially submitting my strong request to OPPOSE LU-24-027.

I live on Brenneman Lane at the base of Tampico Ridge, aka Poison Oak Hill, that directly borders the proposed expansion. I have lived in my home for over 40 years and have witnessed firsthand the massive change of the landfill and its "interference with the character of the area" and have personally experienced the demise regarding the quality and use of my home which "seriously interferes with uses on adjacent property" BCC 215(1), supportive example below. Approving the expansion proposal will only exponentially continue the deterioration of this area and increase the safety and health risks.

- Water contamination from the landfill is one of the many concerns. My property uses a spring fed system located on Tampico Ridge to supply water for our livestock and to irrigate our garden and plants and a well for drinking and household use. The risk of groundwater contamination from the landfill leachate is evident.
- I've seen the printed documentation of the methane gas plume extending over a mile above our property. The stench alone is enough to drive us indoors and even then the toxic odor finds it way inside. What are we breathing?
- I pick up a pile of garbage on the hill weekly that not only is an eyesore but threatens the wildlife and grazing cattle.
- Plans for my son and his family to take over the property have been called off as the risks for their health and safety are already too high. Selling my home instead will be wrought with obstacles let alone my own struggling conscience.

The concerns of the Coffin Butte Landfill as it exists now, let alone with the impending expansion, are numerous, complicated, and filled with unknowns. We need to act responsibly and finally call an end to the misuse of this land. I would gratefully appreciate your devout consideration to OPPOSE the expansion, once and for all.

Cynthia Clapp
38277 Brenneman Lane
Corvallis OR 97330

From: James Dashiell
To: Benton Public Comment
Subject: Public Comment - Benton County Planning Commission - re LU-24-027 - James Dashiell
Date: Thursday, April 17, 2025 3:30:52 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Esteemed Commissioners-

I'm writing to express my opposition to the proposed landfill expansion of Coffin Butte by Republic Services.

This is a land use issue that has major environmental consequences. The Coffin Butte landfill generates excessive methane and leachate, a problem that is in large part due to its location in an area that receives more than 20 inches of rainfall a year, and it's underlying slope. This is not an ideal foundation or location for a huge, regional landfill. This excessive runoff and off-gassing is effecting our waterways and air quality. Republic Services would like to continue making Coffin Butte a profitable expansion of their business in the Pacific Northwest, but ultimately it will be the citizens of this area who bear the cost of environmental degradation and the lasting legacy of this waste site.

I think that our best option would be to say, "Thanks, but no thanks." The EPA is investigating methane leaks and compliance issues with Republic Services, so as a responsible government and it's citizens, we should let these issues be settled by the agencies with the proper jurisdiction while we call Coffin Butte Land***full*** and wind down it's active influx. A Benton County approval of expansion to this site would not be helpful to any future EPA demands that might be enforced against the operations at this site.

Ideally we should be partnering with counties in Eastern Oregon and aid them in managing landfills as well as access to them. The people of Oregon need to know that we (Benton County) have considered options for the future of their non-recyclable, non-compostable, unable to be repurposed trash that doesn't rely *solely* on the corporate strategy of Republic Services. An Eastern Oregon landfill option/partnership would have much less methane and leachate problems, due to its lower rainfall and more arid topography. That's good for future generations of Oregonians. We can do better than an old Army quarry and its surroundings. This is a site that was never intended to become a solid waste dump for millions of citizens in the Pacific Northwest.

-James Dashiell

815 NW 11th st

Corvallis, OR 97330

818 857 9333

jdash72@yahoo.com

From: kiko denzer
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027, ENRAC comments
Date: Thursday, April 17, 2025 8:00:50 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have just read ENRAC's recommendation to the county regarding the question of whether or not to approve expansion of the Coffin Butte Landfill.

While I think the recommendation provides ample reason to deny LU-24-027, some of those reasons deserve comment:

1. The issues caused by VOCs and odor contaminants are, in fact, not unknown. Complaints have been ongoing and numerous, for a long time. Citizen analysis has found high levels of hydrogen sulfide, which is toxic, corrosive, flammable, and harmful to human health. Trace amounts have a characteristic foul odor of rotten eggs. Also documented are high levels of nitrogen dioxide, due to methane combustion. Chronic exposure can increase the risk of chronic lung disease. Concentrations were found as high as 60–80 parts per billion — more than double what the EPA considers safe. The county has a duty to investigate.

2. Methane Emissions have been documented at a scale far exceeding anything considered acceptable.

3. The question of water pollution is, in fact, settled. Testing of local wells shows unsafe (and growing) levels of arsenic, and PFAS are not only leaching into the groundwater thru breaks in the liners, but are also being trucked out for inadequate treatment prior to being flushed into the Willamette River.

4. Odor is not a "NIMBY issue." Rather, it is clear evidence that Republic Services is failing to comply with its contract. It is also information that could be related to higher local rates of birth defects and cancers.

Benton County has a stated commitment to citizen participation. To ignore the concerns of neighbors would constitute a denial of that commitment, as well as willful avoidance of what could be a major public health issue. Denial of the conditional use permit is only the obvious first step.

All these matters demand further investigation, and proactive, ***regional*** planning to reduce what we put into the waste stream, and better manage what we can't.

-- Kiko Denzer, Philomath

From: DELAVEGA Marriah
To: Benton Public Comment
Subject: FW: For I Don"t Know : "Planning Commission Application LU-24-027"
Date: Thursday, April 17, 2025 4:41:54 PM

Please see the comment below that came in through the "contact us" option on the website.

Sincerely,

Marriah De La Vega
Executive Assistant to the Board of Commissioners and County Administrator

D : 541-766-6800 C : 541-368-6985
Email: marriah.delavega@bentoncountyor.gov

www.Bentoncountyor.gov

-----Original Message-----
From: Benton County, Oregon <wordpress@bentoncountyor.gov>
Sent: Thursday, April 17, 2025 4:37 PM
To: *Benton Webmaster <Webmaster@bentoncountyor.gov>
Subject: For I Don't Know : "Planning Commission Application LU-24-027"

From: Vicki Lynne Druliner <tvrowland1@msn.com>
Subject: Planning Commission Application LU-24-027

Sent For: I Don't Know <webmaster@bentoncountyor.gov>

Message Body:
I strongly OPPOSE the approval of LU-24-027 expanding the Coffin Butte Landfill. I have been a Benton Co. resident for 52 years and lived in the Soap Creek Valley 36 years. Approval of the proposed expansion would violate BCC 53.215(1) and BCC 53.215(2) as well as conflict with the Benton Co. Comprehensive Plan policies 5.9.4, 5.1.2, 5.2.1 and 5.7.4, which protect the natural areas in Benton Co. The landfill has grown from an almost accidental location used by Camp Adair over 70 years ago for burning garbage to a regional landfill located at a site ill-suited for any type of waste disposal. As other landfills continue to close down and Republic Services continues to accept further garbage, this will only increase the danger to wildlife and the surrounding environment. Currently the EPA has filed a "Section 114 Information Request" to force Republic Services to reveal their (self-declared) compliance records, suggesting that there are areas of concern they wish to investigate, however I urge you to not defer to the EPA for their review to carry the burden of proof, but look at all the testimony being submitted by your constituents, as well as environmental groups such as Beyond Toxics and the Mid-Willamette Bird Alliance, identifying the numerous and valid concerns. The great blue heron rookery across from the dump entrance that once held over a dozen nests has been abandoned since Republic Services developed the land right next to it, including the flaming burn-off plume (since enclosed) that appears to have been the last straw for the herons. The contamination of air and water continues to be a growing concern for many. There are no easy solutions for problems of this magnitude, but allowing further expansion of this facility seems to be adding to the problem rather than stopping it or trying to solve it. Ultimately it will be the problem of Benton County and their taxpayers to pick up the pieces in the coming years, after Republic closes down.

--
This e-mail was sent from a contact form on Benton County, Oregon (https://www.bentoncountyor.gov)

From: David Hackleman
To: Benton Public Comment
Subject: LU-24-027
Date: Thursday, April 17, 2025 10:24:47 AM
Attachments: Adjacent Landowner Comments DH 4 17 2025.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached are my written testimony as an adjacent landowner. I have also mailed a physical copy with my signature to Benton County Community Development Department, 4500 SW Research Way, Corvallis, OR 97333 today.

Sorry I will be unable to attend in person, I am out of the country from 18 April through 3 May.

Sincerely, David Hackleman
39125 Military Road
Monmouth OR 97361

16 April 2025
David Hackleman (503.569.2504)
39125 Military Road
Monmouth, OR 97361

To:
Benton County Planning Comission
Benton County Community Development Department
4500 SW Research Way
Corvallis, OR 97333

Re: File Number LU-24-027
Comments regarding Conditional Use permit proposal to expand the Coffin Butte Landfill,

From my perspective, it is not in the best interest of Benton County nor my adjacent property to support the expansion proposal. The impact of the landfill on adjacent property uses and the overall character of the area has become more and more significant since the site was changed from local to regional. Dramatically increasing the annual intake of refuse is not the answer. In addition, an increasing burden is being imposed upon the local infrastructure, primarily regarding state and county roads and emergency services, but also including habitability of the local region for humans and wildlife. An expansion of the landfill will only exacerbate this situation.

My commentary in no way is to be construed as an affront to the talents and work performed by the operators of the landfill. They perform their work in a very professional manner. It is not their fault that this landfill is in an inappropriate location for expansion and actually should be capped and terminated. Having a major landfill in an area with significant rainfall - immediately upstream and adjacent to a wetland wildlife refuge for aquatic flora and fauna is not in the best interest of future generations. We can do far better!

The vastly increased intake of refuse has already negatively impacted the value of my property. Refuse is apparent on Hwy99W in increasing amounts from improperly secured transport vehicles. Odors that were uncommon for decades are on the increase and noise from the vehicular operations is heard more as the landfill height increases. In addition, the observation by passing motorists on Hwy99W is now one of sheets of plastic instead of grassy green slopes.

There is a great deal of inertia regarding refuse disposal. Work is underway to move us in the direction of less need for landfills, but at a minimum one could locate landfills in regions far superior to one which is adjacent to a wetland and has a moderate to high level of rainfall. Long ago, Oregon commenced development of a means to utilize a landfill located in an arid region of our State for refuse including the use of public funds to build transfer stations on railway systems. It is time we utilize this form of conveyance and also take steps to further encourage compost operations and reclaim. By not supporting an expansion of the existing landfill, the movement toward such a future would be encouraged.

Observations:

1. The air quality at my residence and all the others on the North side of the Butte seems to be increasingly affected by odors believed to be emanating from the landfill as it is now growing at a far greater rate than it was in prior years. It is suspected that this is due to the increased elevation and change of the location of the dumping sites, but may also be impacted by covering practices. This last year, I have noticed many days in which an odor is present, however I have been remiss in reporting each day of an odor event as they are so frequent. Once I am indoors, the filtering in my HVAC system reduces the intensity. I do not measure the composition of the emissions detected. These odors are those of decaying organic matter.

2. Airborne debris are being deposited on my property from the landfill at a rate that has been increasing during the last few years. I can supply photos of such material should these be necessary. The majority are plastic films such as bags and wrappers commonly discarded in refuse streams.

3. The view from the apex of the Butte is now being occluded by portions of the landfill. The ramifications are a lack of the ability to view Hwy99W at this time. The horizon view has not been occluded to date, however in the event the landfill and any structures reach a height approximately 50 feet below the location of the telecommunications systems, their presence will negatively impact the site viability for such operations.

4. In addition, the ambient audio noise at the hilltop due to the vehicular and equipment operations at the landfill during operating hours is significantly greater than it was when fewer vehicles were traversing the area and when the landfill dump site was not as elevated. This does reduce the quality of the conditions at the geodesic dome.

5. The noise floor (a technical term related to telecommunications) has increased from S1 as measured by radio apparatus in 1990 to S6 as measured this year. This represents an increase in the local electronic noise from radio sources of approximately 30dB, or a factor of 1000. This increase has reduced the quality of the site for telecommunications operations. It is unclear as to the source of this radio noise, it is under investigation. The noise floor at my residence on the North Side of the Butte has remained at S1 and not increased.

6. Property value estimations (Zillo) have been declining over the last few years. While uncertain of the precise reasons for such declines, the net result is that the absolute value of the property I and others on the North Side of the Butte own may be further at risk if expansion is supported.

Recommendations:

1. Monitoring and reporting of the air quality including both Greenhouse gas emissions (Carbon Monoxide, Carbon Dioxide, Methane, etc.) and known odor compounds (such as Sulfides and Non-methane organic compounds) with alert notifications to the public and any personnel that can take actions toward abatement if levels exceed either emission standards for public areas or significant odor detection levels. Monitors should be placed at the periphery of the landfill properties. A minimum of four such monitors downwind from the landfill in the top four prevailing wind directions.

2. A means to eliminate the airborne debris.

3. Public dissemination of the water quality of all test wells on a website that is easily accessible with appropriate comparison to similar regions beyond the local landfill area.

4. Testing and reporting of the water quality for all local residential drinking water wells performed at a minimum annually with comparison to Oregon standards for Drinking water.

5. Covering of all areas of the landfill deemed "filled" with an appropriate layer of local fill dirt and nurturing of appropriate grasses on this fill that will not penetrate the polymer layers below and provide a more pleasing view to motorists passing the landfill along Hwy99W. It is important not to import fill dirt that may contain invasive species seeds from remote locations.

Following are some details of the impacts I have experienced, many of which are increasingly interfering with my intended uses and can be construed as becoming a burden for the public as well.

I have owned and resided on 40 Acres of land on the north side of Coffin Butte since 1980. My property extends from Military Road Southward and over the crest of Coffin Butte and contains the summit. A portion of my property extends on the south face of Coffin Butte and adjoins the landfill properties. I chose this property based on its qualities for residence, agriculture, forestry and radio telecommunications. These uses have been identified in the legal documents I prepared regarding my land use. I have supplemented the forest through planting and maintained its integrity to the present day. I had a road constructed that reaches the top of the Butte. Along that road, there are several test wells. Water samples are drawn from these wells by Republic or its representatives on a periodic bases. Reports of the water quality have not been received by me so I am uncertain of even my own water well quality.

Radio Telecommunications:

The apex of Coffin Butte is one of the best sites for radio telecommunications in the local area. This is one of the primary reasons I selected the property. I have made significant capital improvements to the hilltop to enable the telecommunications:

- a 35-Foot geodesic dome
- three 50-foot self supporting towers
- two smaller self supporting towers
- a self-supporting 50 foot rotating mast
- Solar panels to harvest electric energy
- Storage batteries
- Radio Telecommunications electronic hardware
- Antennas for communications
- Remotely operated amateur radio communications equipment
- There is a well situated on the hill crest

Soap Creek valley is the secluded valley immediately West of Hwy99W and South of the Landfill area. My property is the site of an amateur radio emergency services radio relay (repeater) station for that valley as it is the ideal location for such a communications gateway. The repeater is powered via solar panels with battery storage and is fire hardened as it is buried below its antenna tower. It is in place to facilitate emergency communications to and within the Soap Creek valley. This emergency communications system is an adjunct of the Benton County Emergency Services network. It is owned

and maintained by the Soap Creek valley Amateur Radio community, a volunteer group composed of local citizens within the valley. They have also connected non-amateur radio citizens in the valley through the use of FRS (Family Radio Service) communications tools.

I am an amateur radio operator, having been first licensed in 1966 and continually hence. I am a member of the Amateur Radio Relay League and president of the Oregon Chapter 108 of the Quarter Century Wireless Association. While these are not professional employment activities (amateur radio operators and communications are stipulated by law to be non-commercial), they enable me to aid my fellow citizens in times of natural and other disasters when other forms of communication are not available or unreliable. I have been a Benton County Emergency Services volunteer since 1980.

The Quarter Century Wireless Association Oregon Chapter has installed a remote amateur radio transceiver system within the dome I own on the hilltop. It is powered by solar panels with battery storage. There is a wireless communications control link to this system to one of the Amateur Radio operators in Soap Creek Valley. These types of communications links operate in the 3 to 5 GHz region of the radio frequency spectrum and are considered "line of sight". This means if something blocks the path, communications are not possible.

As long as the landfill surface stays at a minimum 50 feet below my lower property line, it should not deleteriously affect signal transmissions to the site. At the present time, increased radio and audio interference is present for signal reception. At this point is it more of a nuisance than a major issue, however it does reduce my ability to utilize my property in the manner I have been using it since 1980. The earlier local (not regional) landfill was not increasing in size at a rate that would significantly alter my use for radio communications for the foreseeable future, but with the increase from 40KTons to 1MTons annual input, the time to potential interference was reduced by a factor of 25 to roughly 6 years instead of 150 years.

Forestry:
The property was purchased with timber remaining in 1980. Harvesting was performed prior to my purchase, but probably no later than in the 1940's. Trees spanning up to 40 – 50 years age were on the property. To improve the forest, I have planted hundreds of tree starts on the North side of the Butte. The trees on the North side now range in age up to at least 100 years and many exceed 100 feet in height. This year I am in the process of improving the forest further through the removal of invasive species and possibly some selective thinning. The trees do not seem to be affected by the proximity to the landfill, however significant quantities of plastic film-like materials have been found throughout the property. These were not present when I acquired the property in 1980 and are likely the result of a modest amount of material being lofted by wind from the landfill. As the height of the landfill operation level increases, more such material will be lofted and deposited on the North side of the hill. This type of deposit is primarily a nuisance. It does degrade the quality of the property from my perspective and for anyone that might be considering acquisition of it after me.

Agriculture:
The property at the top of the hill and at the bottom on the north side are suitable for pasture use. The land quality is adequate for fruit trees and berry bushes, but not very suitable for row crops. Currently, the hilltop has not been employed as pasture for livestock in part due to its remote location. Odors from the landfill will probably not affect use of this nature unless there are toxic elements to the emissions. It is unknown if toxic or otherwise dangerous emissions exist from the landfill as no monitoring of the emissions is evidently taking place. The odors detected by personal observation seem to be from the landfill, but the composition of these is unknown for the above mentioned reason.

Since some odors may stem from sulfides that could be toxic, it would be appreciated if monitoring were in place. Whether or not an expansion takes place, it is likely emissions will increase as the landfill active area is elevated and hence such monitoring is increasingly important to ensure safety both for personnel living near and utilizing or working at the landfill.

Residence:
I have resided at 39125 Military road the majority of the time since 1980. While the landfill was a small county facility, I had a close and friendly relationship with Mr. Weber and his operations. I was well aware of the landfill and was of the understanding that it was to focus on local refuse. The rate of landfill deposition was far lower until the change to a regional landfill. While I am a local landholder, I was not aware of any opportunity to comment regarding the change to a regional landfill. That change has affected my quality of life, property use, and the character of the region. In spite of this, my relationship with Valley Landfills and Republic has been friendly. I have happily cooperated with access to the monitoring wells and other items. It is not them that are creating the issue, it is the location and geology of the site.

Odors and audio emissions from the landfill have been on the increase over the last several years. While odors have been present frequently, I have not sent in very many notes regarding odors or audio emissions. At this time, odors are present frequently, and do detract from the ambiance of my residence. Odors are present even during periods in which the landfill is closed. Noises (back-up beepers, etc.) are heard more often lately during the operations, disturbing the ambiance as well.

As the landfill increases in extent, the market potential for my property diminishes. Should the landfill be completed and closed, my property value will likely stop diminishing, odors and emissions will reduce and the view from the apex of the butte would be of green grass instead of black plastic. Due to our climate, rainfall permeates the landfill and enables materials to migrate through runoff beyond the confines of the landfill, either as surface water or even possibly penetrating and entering the aquifer.

No matter what takes place, I shall remain committed to my term of participation in the Benton County Disposal Site Advisory Committee. We have recently worked as a team and developed a plan towards increasing the preparedness of the site in the event of a wildfire entering or emerging during the fire season. Thanks go to Republic and the Adair Rural Fire Department on this matter!

Sincerely, Dr. David Hackleman

From: Mai Kiigemagi
To: Benton Public Comment
Subject: OPPOSE/DENY LU-24-027
Date: Thursday, April 17, 2025 11:09:22 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

My name is Mai Kiigemagi and I live at 2660 NW Linnan Circle, Corvallis, Oregon.

I am writing because I strongly oppose the expansion of the Coffin Butte Landfill. I urge the commissioners to vote NO.

The landfill at its current size negatively impacts wildlife habitat in the area. It will only get worse with the expansion. The landfill attracts great numbers of scavenging birds such as crows, ravens, gulls, and starlings. These birds compete for nesting cavities with endangered songbirds, and also predate on eggs and nestlings. Two species of concern, the Oregon Vesper Sparrow and the Streaked Horned Lark, could live in this area, but don't, due to the large numbers of scavengers. Additionally, Great Blue Herons have been nesting in the area for many years. The proposed expansion extends into their current nesting area, which would have a serious impact.

These concerns relate directly to the Benton County Comprehensive Plan 5.9.4: "In making land use decisions, Benton County shall protect identified sensitive wildlife habitat types and wildlife corridors from adverse impacts."

Benton County Code 53.215(1) states "The proposed use does not seriously interfere with uses on adjacent property, with the character of the area." Providing wildlife habitat is certainly one of the characters of the area, with which the landfill expansion would most definitely interfere.

Please reject LU-24-027.

Sincerely,
Mai Kiigemagi
2660 NW Linnan Circle, Corvallis, Oregon

From: Dani Melton
To: Benton Public Comment
Subject: LU-24-027
Date: Thursday, April 17, 2025 8:11:55 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

The coffin butte landfill has been a growing problem for our community. The unpleasant odor, high levels of methane, and seemingly unregulated dumping of hazardous material is unsafe for neighboring communities.

Republic Service's trucks litter the roads and are cleaned up on the taxpayers dime. It is unclean for us and the wildlife sharing our beautiful state.

Until Coffin Butte cleans up it's act, the landfill must not expand. We should not be taking in so many other counties trash or paying to clean up their mess. Please stop the expansion of the landfill.

Thank you for understanding mine and many others concerns.

Danielle Melton

Cambridge circle
Corvallis, Or

From: BECKY MERJA
To: Benton Public Comment
Subject: Oppose / Deny LU-24-027
Date: Thursday, April 17, 2025 8:43:09 AM
Attachments: 2025 Comp Plan Merja.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners,
I would like to submit my testimony regarding LU-24-027 into the record.
Respectfully,
Becky Merja
Corvallis, OR

April 17, 2025
To: Planning Commissioners
Re: LU-24-027

Please DENY LU-24-027.
I bought property in Soap Creek Valley in 1979. For 46 years I have watched this area evolve from rural countryside, with farming and forestry activities to a massive industrial complex that generates noise, traffic, litter and a stench that permeates the air for miles. The proposed new landfill will be a mirror image of the current landfill operation which **Does seriously interfere with the character of the area (BCC 53.215(1).**

The Benton County Comprehensive Plan Goals are "The Big Picture" that the Development Codes are based on. The Comp Plan goals reflect the values of our community. ***The following are goals I feel are being violated by the proposed expansion and current landfill operations***.

Goal 3 "Preserve and maintain" Agricultural land.
The applicant has purchased agricultural land ***(as a buffer to landfill operations)*** and pretends to farm. I approached one of the contract farmers about buying hay off landfill property. He informed me that the nitrates in the hay were so high nothing would eat it, rendering that crop useless.

Goal 4 "Preserve and maintain" Forest lands
The applicant proposes to use Forest Conservation land that is currently a buffer to the landfill, as the future location of the leachate ponds. This activity will disturb wildlife, impact adjacent properties and ***further*** diminish recreational experiences in neighboring EE Wilson (BCC 53.215(1)).

Goal 5: "Protect and maintain" Natural Resources, Scenic and Historic Areas, Open Space
The applicant has altered the historical shape of Coffin Butte beyond recognition and proposes to do the same to Tampico Ridge. The basin between Coffin Butte and Tampico Ridge is the natural entrance to Soap Creek Valley. Approving this new landfill will result in further defacing of local landmarks and drastically change the historic landscape and view shed of the area (BCC 53.215(1)).

Goal 6: "Maintain and improve" air, water and land resource quality
Air: "Dump Days" If we can smell it, we know air quality has deteriorated. Landfill gases permeate the air for miles.

Water: ALL Landfills LEAK, (let's assume this one IS leaking, ***because we sure don't know that it is not***). Ground water supplies 90% of rural residential drinking water - near by Soap Creek drainage is part of the Luckimute Watershed that feeds the Willamette River. Our water resources are in harms way.

Land: “Bio Solids”, from the Corvallis Wastewater Treatment Plant settling ponds, are spread on agricultural lands. Those “Bio Solids” contain whatever toxins settle out of the dump leachate (“garbage juice”) that is trucked to that facility.

Goal 7: “Protect people, property & environment from” Natural Hazards.
Wildfires are becoming more common; the current landfill emits explosive levels of methane creating fuel for a catastrophic fire event.

Earthquakes, when the “big shake” hits, it won’t matter how well engineered the landfill cells are, there will be contamination that will impact water, air, and land for generations.

Goal 10: “Provide” Housing.
The applicant has purchased Rural Residential properties ***(as a buffer)*** to landfill operations. This removes RR land that was once available to families who would like to live close to town yet in a rural setting.

Goal 11 Public Facilities & Services:
The landfill, all its heavy traffic and explosive levels of methane, are in Adair Rural Fire and Rescue District jurisdiction. This District is primarily staffed by volunteers who have day jobs. The bigger the landfill gets the bigger the burden is on emergency services. (BCC 53.215(2))

Goal 12: “Provide safe, efficient, cost-effective” Transportation
The applicant proposes to create a new landfill on Tampico Ridge (South of Coffin Butte Rd.), while continuing operations to the North of Coffin Butte Rd. The combined Construction and Landfill traffic will impact user safety and ***further*** degrade the travel surface. Camp Adair Rd. and Independence Hwy have already been heavily impacted by landfill site preparation. The burden of repair falls on taxpayers. (BCC 53.215(2))

Goal 15: “Protect, conserve, restore, enhance” Willamette River Greenway.
More than 30 million gallons of dump leachate (“garbage juice”) is trucked to two wastewater treatment plants (that are not equipped to filter out the toxins) and released into the Willamette River. How does this practice “protect, conserve, restore, enhance” this resource?

LU-24-027 is not supported by any of these goals. In Benton County, we pride ourselves on being environmentally conscious and progressive, will our actions on this issue reflect those community values**? Please deny LU-24-027 conditional use permit.**

Becky Merja
27407 Writsman Crk Dr.
Corvallis, OR 97330

From: Debbie P
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027 (resubmit, with address)
Date: Thursday, April 17, 2025 10:08:35 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I originally tried to send this via the County's form on April 11 (the form has fields for address etc), but the body of my testimony got truncated without warning, so I re-sent it via email… but realized just this morning I neglected to include my address (apologies!). So I am re-submitting it one more time, below, with my address included. - Debbie Palmer

---

Dear Benton County Planning Commissioners,

With all my being I urge you to deny LU-24-027.

My husband and I moved to the property of our dreams in Soap Creek Valley ten years ago. When we considered buying we of course noticed the landfill, but were told it was *near capacity and would be closing soon.* If you went to the Coffin Butte Landfill's website at the time, they would not have dissuaded you from this "closing soon" idea - instead they offered a comprehensive page that walked you through all the detailed steps that would be taken when the landfill closed. That page no longer exists; now they have only this brief explanation under Q&A:

> "Once the Landfill is filled to capacity, a final landfill capping system will be installed that consists of a Geomembrane welded to the bottom liner geomembrane, an engineered soil liner, cover soils, and a vegetation layer. At that time the site could be used as an open green space, parks, wildlife viewing area, or nature trails. The site will also be maintained for an additional 30 years in post-closure care after the final closure. This care includes continued groundwater monitoring, leachate management, and compliance reporting until such time the Oregon Department of Environmental Quality approves the site for final closure."

Setting aside the numerous environmental and health concerns for the moment (because they are not negligible!), when we moved here it was a reasonable expectation that this ugly, out of place, industrial eyesore would probably within 5-10 years look more like the hills surrounding it if closed and revegetated the way Republic Services led us to believe. A few more years of ugly was acceptable — but an ever-expanding monstrosity, on the other hand, would seriously interfere with the character of the area, a violation of BCC 53.215 (1).

And "the area" — especially when it comes to "character of" — is not restricted to properties immediately adjacent to the landfill site zone. This landfill impacts the character of the area for miles around now. To say it sticks out like a sore thumb is an understatement.

When the original owner built the house we live in - in 1983 - the 1977 Solid Waste Management Plan was in force (it still is! It has not been updated). And in that SWMP, the landfill *was going to close by the year 2000.* And back then it was infinitely smaller then than

it is now. Instead it grows like a cancer on the landscape.

In summary, you *might* live or build near a landfill if you knew the timeline for its closure and could weigh that in the balance of your decision-making (i.e. if you knew for a fact that the disruption to the character of the area was temporary). But there's no question that this now huge landfill — already starkly out of place in this otherwise gorgeous part of north Benton County — will indeed seriously interfere with this area's beautiful character if it is allowed to get even bigger.

Please STOP this landfill expansion. You have the power of discretion in this decision. Use it to deny LU-24-027.

Sincerely,
Debbie Palmer
37340 Moss Rock Dr, Corvallis OR 97330

From: Debbie P
To: Benton Public Comment
Subject: LU-24-027
Date: Thursday, April 17, 2025 9:33:05 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners,

And now for something completely different. You've possibly waded through hundreds of LU-24-027 testimonies at this point and could use a break? Please take two and a half minutes to watch this delightful little music video of beloved Corvallis singer-songwriter Neal Gladstone's song "Goin' to the Landfill". It's short, and will hopefully put a smile on your face.

https://www.coffinbuttefacts.org/song/

As you're listening/enjoying… I hope you will pay particular attention to the lyrics of the final stanza...

…and then note that *this was written nearly 25 years ago.*

Maybe… just maybe, *this time around* things could be different(?)

Please deny this expansion.

Submitted with heart and sympathy for your enormous undertaking in this hearing,
Debbie Palmer
37340 Moss Rock Drive
Corvallis, OR 97330

PS - if you ever want to find this again or share with someone else, just go to VNEQS' website www.CoffinButteFacts.org and click on the little musical note in the Menu.

From: SHEPHERD Gabe
To: Benton Public Comment
Subject: FW: [SUSPICIOUS] Please deny LU-024-27, the application to expand Coffin Butte Landfill
Date: Thursday, April 17, 2025 10:37:47 AM

Gabe Shepherd (he/him)
Commissioner

Desk: 541-766-6813
Cell: 541-609-9136
Email: gabe.shepherd@bentoncountyor.gov

www.Bentoncountyor.gov

-----Original Message-----
From: Andrea Holt (andreaholt1220@gmail.com) Sent You a Personal Message <kwautomail@phone2action.com>
Sent: Thursday, April 17, 2025 10:33 AM
To: SHEPHERD Gabe <gabe.shepherd@bentoncountyor.gov>
Subject: [SUSPICIOUS] Please deny LU-024-27, the application to expand Coffin Butte Landfill

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Gabe Shepherd,

I oppose LU-024-27, the expansion of Coffin Butte Landfill, because of the negative impacts such an expansion would have on the environment and because it will seriously interfere with the mostly rural character of the area. If approved, this expansion will also diminish sustainability efforts in the region, and derail alternative waste management initiatives needed to protect Oregon residents. The extent of the landfill?s negative impacts are only now beginning to be known. These impacts include unacceptable health effects from polluted air, ground, and water; PFAS and other toxics that flow from the landfill; a weakening of alternatives to waste creation; and a hastening of climate change, to name a few. It would be irresponsible to assert that expanding its operations would not seriously interfere with the air, water, wildlife, and other natural resources that we all share. For these reasons I'm urging you to deny LU-024-27.

Sincerely,

Andrea Holt
31115 W Crossroads Lane
Eugene, OR 97408
andreaholt1220@gmail.com
(774) 571-8712

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. If you need more information, please contact Member Care at Sierra Club at member.care@sierraclub.org or (415) 977-5673.

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Thursday, April 17, 2025 5:13:19 PM

Subject of Testimony: Oppose expansion of Coffin Butte Landfill

Full Name: Ellen Tappon

Email: tappons@gmail.com

Street Address: 1454 Northwest 17th Street

Written Testimony:

I oppose the expansion of the Coffin Butte Landfill. The hazardous waste, air pollution, climate damage, degradation of the environment and ecosystem far outweighs the money the county receives and cost of mitigation efforts. It is not only a health danger, but an eyesore. The County should be looking out for the well being of the county and not the income from providing an unrestricted dumping ground for the NW's hazardous waste. What we need is a waste management plan with efforts to reduce waste and manage the input of toxins into our air and water.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 67.189.30.43

WOLF
124 NW 7th St 303
Corvallis OR 97330

PORTLAND OR RPDC 972
15 APR 2025 PM 2 L



RECEIVED
APR 17 2025
By

Benton County Development
4500 SW Research Way
Corvallis OR 97333-1139

Attn
Coffin Butte
Testing

97333-109300

Deborah Wolf

124 NW 7th Street. 303

Corvallis, OR 97330

RECEIVED
APR 17 2025
By

Dear Commissioners
I tried to email
this on 4/12/25
but was unsuccessful
Hope I can testify on
May 1st
Thank you
Debra Wolf

TESTIMONY AGAINST THE PROPOSED COFFIN BUTTE E

DEBORAH WOLF

Thank you, Commissioners, for your service and for allowing this testimony.

I am joining my fellow citizens of Corvallis in saying no to the proposed expansion of the Coffin Butte garbage site. Republic has demonstrated a callous lack of reasonable monitoring of the leachate and methane emissions already. There are large tears in the covering daily which allow these substances to escape. Republic's practice of dumping leachate into the river puts us all at risk of higher rates of cancer, liver damage and developmental problems with children. Not only does Republic have no accountability with our waste, it brings in garbage from nine other major sites as far away as Washington State—only 10% of this mess is local.

According to the 2020 Franchise Agreement between Republic Services and Benton Country stipulated that is this expansion is approved, there will be NO LIMIT to the amount of garbage they can dump there. I'm afraid that our children and grandchildren will bear the brunt of us not stopping the expansion of this huge toxic stew, which unchecked could fill an entire valley. (6.1.2.In cooperation with appropriate agencies, Benton County shall manage its air, water and land resources to insure their protection, conservation, restoration or enhancement.) Now is our chance I urge a vote for no expansion.

Deborah Wolf

124 NW 7th Street. 303

Corvallis, OR 97330



TESTIMONY AGAINST THE PROPOSED COFFIN BUTTE EXPANSION LU-24-027

DEBORAH WOLF

Thank you, Commissioners, for your service and for allowing this testimony.

I am joining my fellow citizens of Corvallis in saying no to the proposed expansion of the Coffin Butte garbage site. Republic has demonstrated a callous lack of reasonable monitoring of the leachate and methane emissions already. There are large tears in the covering daily which allow these substances to escape. Republic's practice of dumping leachate into the river puts us all at risk of higher rates of cancer, liver damage and developmental problems with children. Not only does Republic have no accountability with our waste, it brings in garbage from nine other major sites as far away as Washington State—only 10% of this mess is local.

According to the 2020 Franchise Agreement between Republic Services and Benton Country stipulated that is this expansion is approved, there will be NO LIMIT to the amount of garbage they can dump there. I'm afraid that our children and grandchildren will bear the brunt of us not stopping the expansion of this huge toxic stew, which unchecked could fill an entire valley. (6.1.2.In cooperation with appropriate agencies, Benton County shall manage its air, water and land resources to insure their protection, conservation, restoration or enhancement.) Now is our chance I urge a vote for no expansion.

From:	Debra Higbee
To:	Benton Public Comment
Cc:	WYSE Nancy; SHEPHERD Gabe; MALONE Patrick; Mason Leavitt; Mark Yeager; Phil Carver
Subject:	Comments on LU-24-027 from 4 Environmental Groups
Date:	Friday, April 18, 2025 12:53:36 PM
Attachments:	Coffin Butte Landfill Expansion Letter.docx.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chair Fowler and Commissioners,

On behalf of 350 Salem, Beyond Toxics, Oregon Chapter Sierra Club, and Valley Neighbors for Environmental Quality and Safety, I am submitting the attached letter, and attachments, regarding Republic Services' application for a Conditional Use Permit to expand Coffin Butte Landfill.

We appreciate the opportunity to comment. Let me know if you have any questions.

Respectfully,
Debra Higbee

Debra Higbee
Conservation Committee Chair
Oregon Chapter Sierra Club
Pronouns: she/her
Phone (541-554-6979) | Pacific
ConservationCommittee@oregon.sierraclub.org

April 18, 2024

Benton County Planning Commission
4500 SW Research Way
Corvallis, OR 97333

Submitted via email to publiccomment@bentoncountyor.gov

Subject: LU-24-027

Dear Chair Fowler and Commissioners,

On behalf of 350 Salem, Beyond Toxics, Oregon Chapter Sierra Club, and Valley Neighbors for Environmental Quality and Safety, we are submitting the following testimony regarding LU-024-027, Republic Services' application for a Conditional Use Permit to expand Coffin Butte Landfill. We recommend that Benton County deny this application. As you may know, we promote the responsible use of the earth's ecosystems and resources, strive to protect and restore the quality of the natural and human environment, and defend our rights to a healthy world. Approving this application would be a decisive step in the opposite direction.

We understand that approval of this land use application would have to come from your findings that: the expanded landfill would not seriously interfere with uses on adjacent property, or with the character of the area, or with the purpose of the zone, and that the expanded landfill would not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and that further, you must find that an expanded landfill will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on any surrounding lands devoted to farm or forest use; and that further still, you must find that an expanded landfill would not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to people engaged in fire

suppression. Finally, our testimony may refer to relevant provisions in the Benton County Comprehensive Plan or Development Code that the landfill expansion would contravene.

From our experience with and research into landfills in general and Coffin Butte Landfill in particular, we assert that you cannot find support for any of the application's criteria, because an expanded landfill inherently runs counter to all these concerns and to the values of the residents of Benton County, and the members of the undersigned organizations. We will set out some of the arguments supporting our statement in the continuation of our testimony below.

An expanded landfill increases methane leakage and climate change impacts

There have been many disclosures about large-scale methane leaks at Coffin Butte Landfill in recent years (EPA inspections 2022 and 2024), which have led to an ongoing investigation of the landfill and recent legal action by the Environmental Protection Agency, and concurrent inquiries by Oregon DEQ. The landfill has also come under observation by organizations promoting accurate and actionable climate science, who have produced images in which the landfill can be seen leaking huge plumes of methane-laden landfill gas into the surrounding region (Attachments A, B, C, D). Methane is a pernicious greenhouse gas: each ton of methane vented into the atmosphere will add the equivalent of over 80 tons of carbon dioxide over the course of 20 years. Estimates of this leakage show this landfill's outsized impact upon the climate: Attachment E1 shows the landfill owner's own estimate of the cumulative small-scale methane leakage; Attachment E2 shows the climate damage from large-scale leaks caused by infrastructure failure, as quantified by the climate science non-profit Carbon Mapper.

Climate change is "everything change," and the science documenting its potential disruptive impact is too vast to recount here. The undersigned are gravely concerned about these impacts on the quality of natural and human systems – from entire ecosystems down to the health and survival of our local forests, farms and homes and the safety of our local firefighters. We refer you to the statewide goals promoted in the Benton County Comprehensive Plan, which are to maintain and improve the quality of the air, water and land resources of the state; to protect people and property from natural hazards; to maintain and improve the variety of economic and social activities that are so vital to the health, welfare, and prosperity of Oregon's citizens. These County goals map very well to the goals of the undersigned, and an expanded landfill is incompatible with them.

The next decade is critical to averting the worst impacts of the climate crisis. Floods, fires, storms, food shortages and other unnatural disasters are becoming more frequent and more extreme. We must do everything in our power to ensure a safe, livable climate for future generations.

An expanded landfill increases unacceptable community health effects in air quality

The impacts on human health on the people who live, work, travel or recreate in the vicinity of a landfill are well known. The expansion of Coffin Butte Landfill will continue and magnify those impacts.

Although methane is the most commonly traced pollutant in landfill gas, due to methane's flammability and severe and immediate impact on global warming, landfill gas contains other pollutants as well, many of

them toxic and odorous.[1] Air quality reports for Coffin Butte Landfill tell us that its landfill gas contains methyl ethyl ketone; methylene chloride; ethyl benzene; hydrogen sulfide; hexane; isopropyl alcohol; perchloroethylene; toluene; vinyl chloride; xylene – all released at the landfill in quantities over a quarter ton per year. All these chemicals have either been identified as Hazardous Air Pollutants or assigned a Risk Based Concentration, or both, by the EPA.[2] The landfill exceeded its air quality limit for these non-methane volatile organic compounds in late summer 2024, and notified Oregon DEQ.[3]

Recent published research indicates that PFAS, the toxic "forever chemicals," become aerosolized and airborne in landfill gas plumes.[4] These plumes drift for miles, as documented by aerial imaging and a growing stream of landfill odor complaints by the public. Scientific studies have shown that exposure to PFAS in the environment may be linked to harmful health effects in humans and animals. Since PFAS and other toxics flow from the landfill and accumulate in surrounding areas, we suggest you cannot find that an expanded landfill would not seriously interfere with uses and practices on area properties, such as homes, farms, forests, wildlife and recreation areas, especially as the impacts of landfill gas are not yet fully understood, but they will be extremely long-lasting. This uncontrolled exposure to and contamination of the area is of great concern to the undersigned organizations.

An expanded landfill increases unacceptable community health effects in water quality

Republic Services sends leachate untreated to the Salem and Corvallis wastewater treatment plants, which then discharge this unremediated effluent into the Willamette River, a drinking water source, a source of agricultural irrigation, and a natural water system. Not all leachate is pumped out of the landfill, however – what remains threatens local soil and groundwater.

Municipal landfill leachate is created when rain filters through solid waste, leaching out chemicals, metals, organics, etc. Landfill leachate, laden with harmful chemicals like PFAS, enters municipal wastewater treatment plants (WWTPs). Municipal WWTPs are not designed to treat leachate, so many toxics including PFAS pass unremediated through the plant and are discharged into the Willamette River. The 16 million gallons of leachate sent to the Corvallis plant in 2021, for example, was discharged upstream of the Adair Village, Sherwood, and Wilsonville drinking water intakes, as well as many agricultural irrigation

---

[1] Landfill air pollution may be as unhealthy as it is unpleasant, study finds: https://hpdp.unc.edu/2011/07/landfill-air-pollution-may-be-as-unhealthy-as-it-is-unpleasant-study-finds/

[2] Air Toxics Emissions Inventory for Coffin Butte Landfill, Oregon DEQ, 2020.

[3] Earlier this morning we notified the Oregon Department of Environmental Quality that Coffin Butte Landfill exceeded its threshold for non-methane organic compound emissions (NMOCs), as stipulated in its Title V Air Quality Permit. NMOC emissions between September 2023 and August 2024 were 51.33 tons; our existing permit allows for 49 tons during a rolling 12-month period. We notified the Oregon Department of Environmental Quality (ODEQ) of this development within an hour of obtaining the numbers, as required by our air permit." Letter to Benton County government, September 30, 2024

[4] Landfill Gas: A Major Pathway for Neutral Per- and Polyfluoroalkyl Substance (PFAS) Release – https://pubs.acs.org/doi/10.1021/acs.estlett.4c00364

withdrawal points. Salem's WWTP took in over 21 million gallons of leachate from Coffin Butte landfill in 2024.[5]

An expanded landfill would increase its rainwater footprint by about 45%, and increase its leachate generation proportionally. This additional leachate would also end up in the Willamette River, creating additional pollution that downstream drinking water treatment facilities and other downstream users would be subjected to or would be burdened to remove.

An expanded landfill also poses a greater risk of groundwater contamination. Fractured basalt, not clay, underlies this dump, and water moves unpredictably through fractured basalt. Parts of this dump are unlined, and the lined areas may already be leaking (the possibility that contaminants have already reached the main Willamette basin aquifer has not yet been investigated). Proximity to the Corvallis Fault further complicates the understanding of local groundwater. Extreme weather in the form of flood rains (atmospheric rivers) pose the possibility of overwhelming the leachate collection system and overflowing into groundwater. Landfill contamination of groundwater leads to health impacts.[6]

Protecting our water resources is an important directive of both the undersigned organizations and the Benton County Comprehensive Plan. Operating a landfill in a rainy region is asking for trouble, as it's a given that its liners have either failed or will fail at some point, and the timeline and severity of that eventuality will be in direct proportion to the footprint of the landfill.[7] An expanded landfill would thus increase this risk. We note that, in its geologic analysis, Republic states that the hydrogeology of the expansion area has not yet been investigated.[8]

An expanded landfill undermines alternatives to waste creation.

Oregon prides itself on recycling and environmental stewardship. Benton County declares itself to be "dedicated to protecting natural resources through sustainable practices, ensuring a healthy environment for current and future generations." These are also key resolutions for the undersigned organizations.

Landfilling, however, is not a sustainable practice, does not ensure a healthy environment, nor does it promote a circular economy. Landfilling, especially for-profit landfilling, continues to facilitate a wasteful, throw-away culture.

---

[5] Leachate Report 2024 https://docs.google.com/document/d/1zdTXouyTiN64P0lFvEXmW1W05z4_gU_0/edit?usp=drive_link&ouid=107653358548947869848&rtpof=true&sd=true

[6] Public Infrastructure Disparities and the Microbiological and Chemical Safety of Drinking and Surface Water Supplies in a Community Bordering a Landfill: https://stacks.cdc.gov/view/cdc/32429

[7] Hudson and Mohawk Leachate Collaborative published a major report, "The Threat of Landfill Leachate to Drinking Water in the Hudson and Mohawk Rivers" https://docs.google.com/document/d/1M5W0-GJ3umRlqMKHNa_FPCL-qSqrSeCpUOTv3JCApHA/edit?tab=t.0#heading=h.v33rxnwu8b2v

[8] For the development area south of the road, investigation reports are in preparation for submittal to the DEQ as part of the permitting process." Coffin Butte CUP – Environmental Summary https://library.municode.com/or/benton_county/munidocs/munidocs?nodeId=7cbbdcc58f44e

Both the state of Oregon and Benton County have set aggressive goals for waste reduction. More locally, the Climate Action Advisory Board for the City of Corvallis is urging several waste reduction initiatives, including a No Wasted Food ordinance. There are similar measures being proposed throughout the wasteshed for Coffin Butte Landfill, which now extends across 16 counties and comprises 30% of the municipal solid waste generated in Oregon. We suggest you cannot find that an expansion of the landfill will not pose a significant threat to initiatives like these and will imperil the considerable gains in material reuse, pollution control and energy efficiency.

Coffin Butte Landfill does not need to expand

On Coffin Butte Landfill's website, on the day we write this (April 9, 2025) Republic states: "Today, there is approximately 1 year of airspace remaining in the active disposal cell (aka cell 5E.) There are no other cells ready for disposal operations." Republic's statement is false: the landfill has, and indeed is already using, other permitted space (cell 6A), the former rock quarry. Republic's statement is also misleading: Republic Services is attempting to create a narrative that the landfill expansion is needed locally, or else the company will stop its services.

This false narrative is an attempt to justify the environmental threats and harms that we have discussed in our letter. Any landfill expansion would also free Republic from their current contractual intake limit, magnifying those threats and harms. We suggest that you cannot make a finding that expanding the landfill is in any way "necessary." It is not necessary for the residents of Benton County, whose trash comprises only 7% or so of the intake and who have a signed commitment that Republic Services will dispose of Benton County's waste to the year 2040.

Summary: By any criteria, the application to expand the landfill should be denied.

We believe that expanding Coffin Butte Landfill would risk seriously interfering with the natural value and functional ecosystem in the E.E. Wilson Wildlife Area; would risk seriously and permanently degrading the character of the area, which has been rural farmland, residences and timberland for over a hundred years; would risk imposing undue burdens on the area's public infrastructure; would risk the current state of, and our common efforts to improve, the quality of the air, water and land resources of the state; would increase and accelerate the environmental hazard that the landfill poses to people and property; would degrade the quality and variety of economic and social activities vital to the health, welfare, and prosperity of Oregon's communities; would increase the burden to public infrastructure by increasing leachate flow into the Willamette River; and many other risks and harms as stated in this letter.

We believe that expanding Coffin Butte Landfill would force a significant change to the farm and forest practices in the area; would increase fire hazard and risk to firefighting personnel; would undermine regional efforts to use our resources and materials more sustainably; and would subvert the will of the people to live cleaner, more responsible, less trash-filled lives.

In addition to risks to the area, the expansion's contribution to climate damage would pose risks to human systems and ecosystems elsewhere. Exporting these risks is unacceptable to the values of Benton County government, the State of Oregon, and the undersigned organizations.

We recommend the Planning Commission deny Republic Services' application to expand the landfill. Expansion is not needed, and denial will be an important step toward addressing our common responsibility to the natural and human systems we depend on by protecting the air, water and land resources that we love.

Respectfully submitted,



Damon Motz-Storey
Oregon Chapter Director, Sierra Club



Mark Yeager
Valley Neighbors for Environmental Quality and Safety



Phill Carver
350 Salem



Mason Leavitt
Beyond Toxics

cc: Benton County Commissioners

Attachment A
Attachment B
Attachment C
Attachment D
Attachment E1
Attachment E2

The Elephant in the Room

ANNUAL CLIMATE DAMAGE

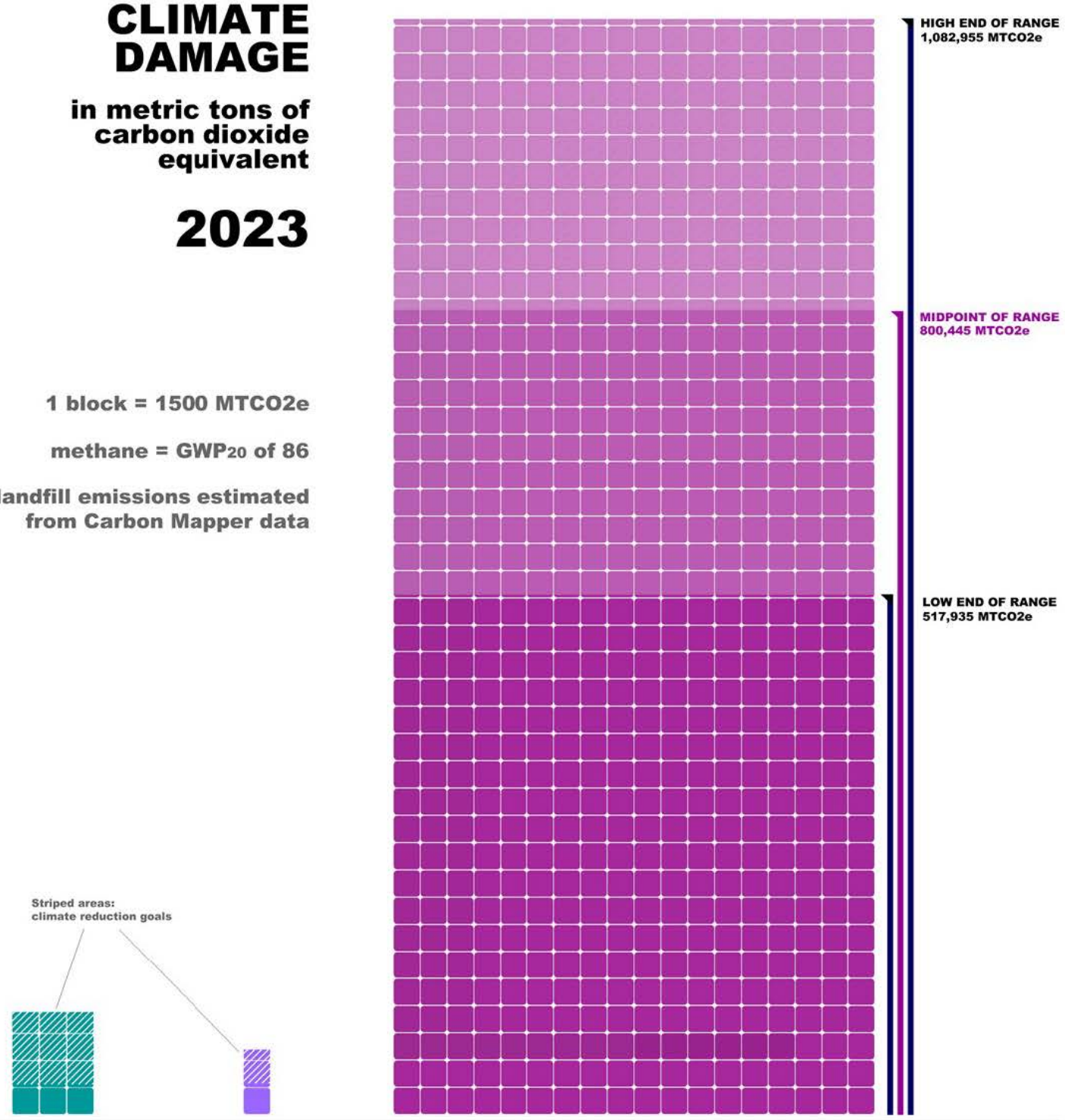
in metric tons of carbon dioxide equivalent

2023

1 block = 1500 MTCO2e

methane = GWP_{20} of 86

landfill emissions estimated from Carbon Mapper data



Corvallis City Government
17,004 MTCO2e (2022)

Benton County Government
3550 MTCO2e (2022)

Coffin Butte Landfill
800,445 MTCO2e, with confidence interval between 517,935 and 1,082,955 MTCO2e (2023)

All figures are approximations from most recent data available. Methane MTCO2e uses GWP_{20} = 86

Data sources: greenhouse gas inventories self-published by City of Corvallis (2022), Benton County (2022); striped areas show climate action reduction goals. Carbon Mapper data from aerial surveys (2023).

Carbon Mapper super-emissions from four point sources derived from six remote sensing surveys of 16 methane plumes over a ten-day period in June 2023. Methane quantification by Carbon Mapper: 1.7 metric tons of methane per hour, plus or minus 0.6 metric tons

For simplicity, scenario assigns equal share in output to each point source and varying durations to each: Point Source 1 = 3 months, PS2 = 6 months, PS3 = 9 months, PS4 = 12 months

ANNUAL CLIMATE DAMAGE

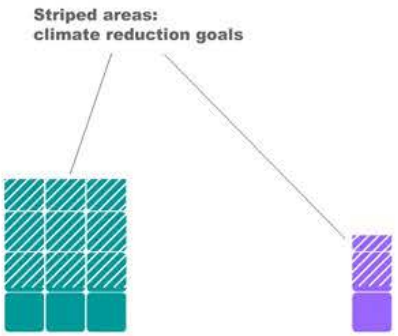
in metric tons of carbon dioxide equivalent

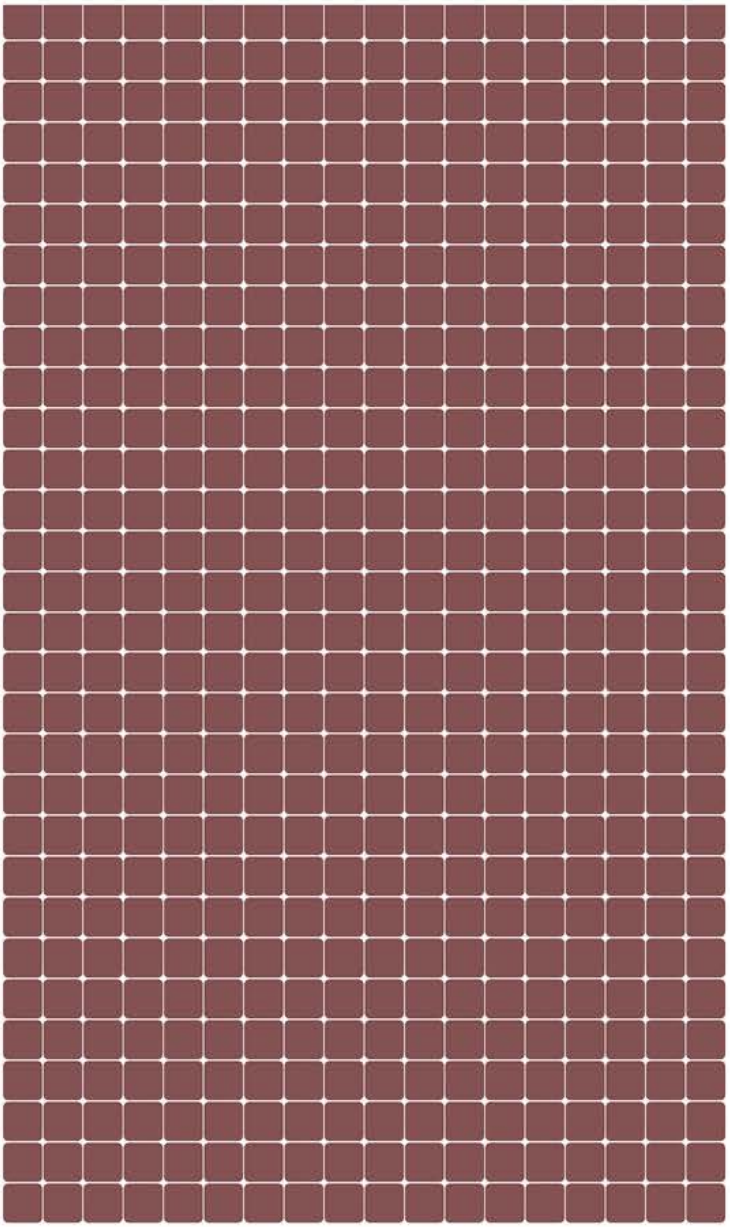
2024

based on Republic Services data

1 block = 1500 MTCO2e

methane = GWP_{20} of 86





Corvallis City Government
17,004 MTCO2e (2022)

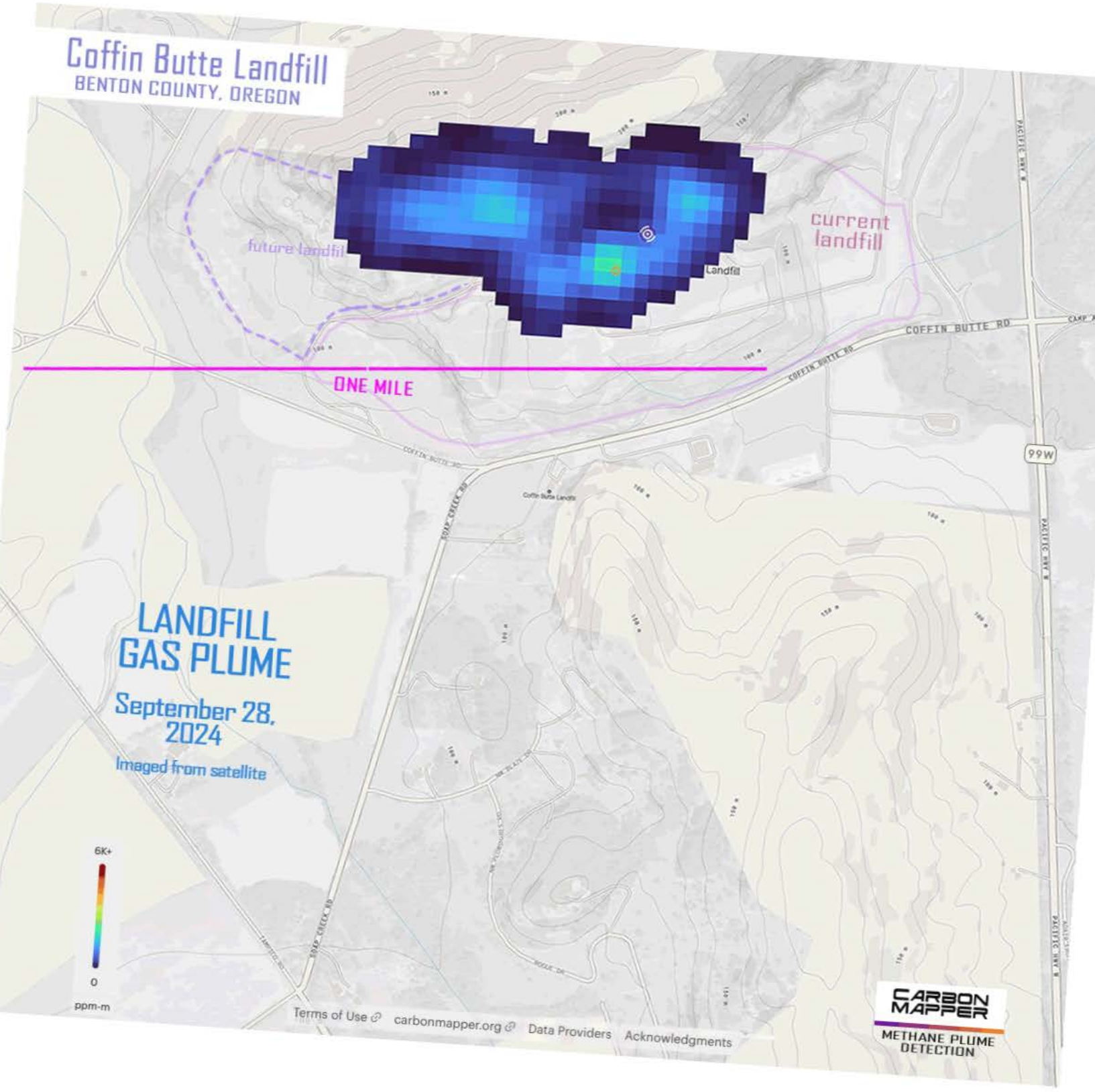
Benton County Government
3550 MTCO2e (2022)

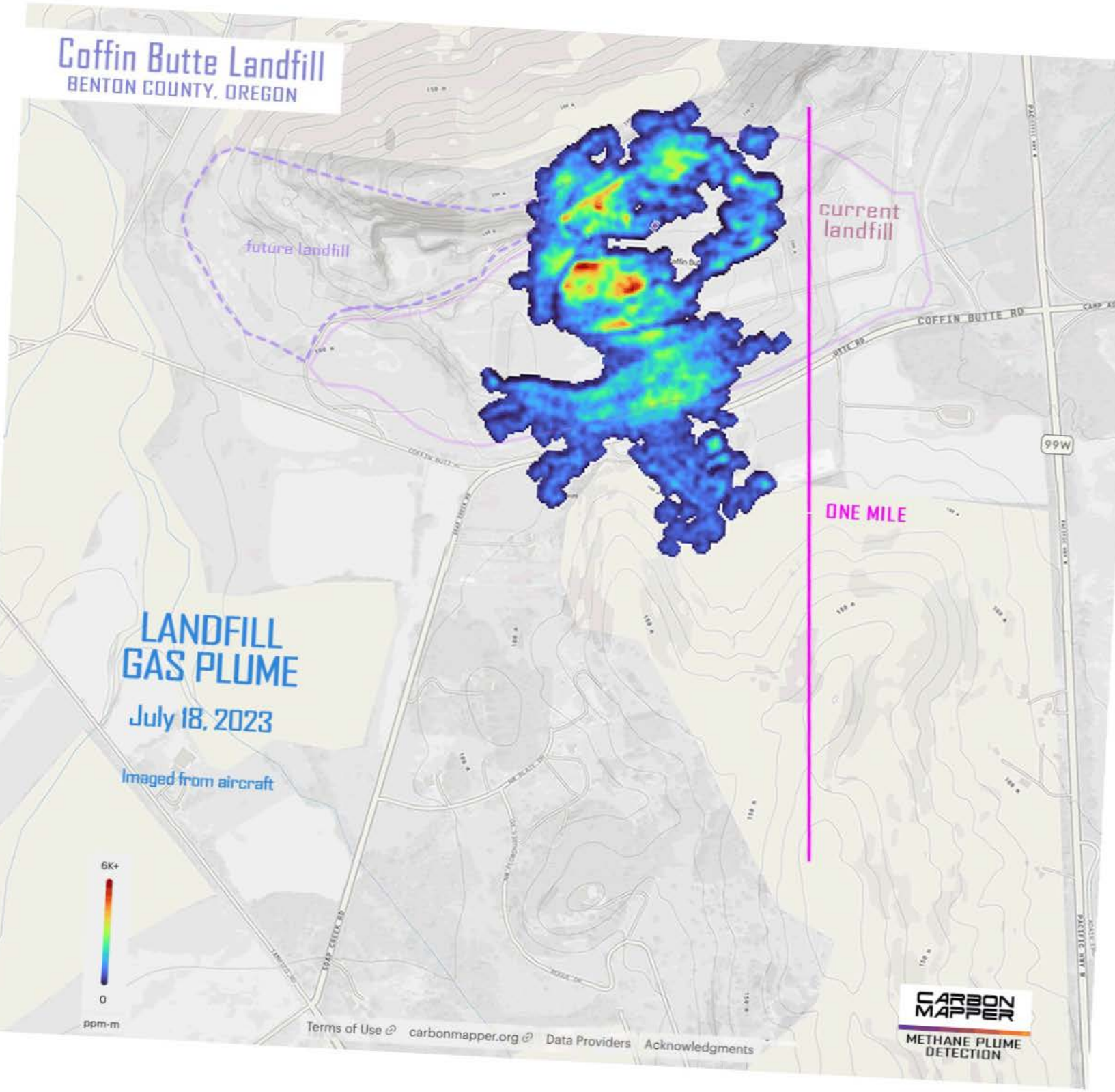
Coffin Butte Landfill
807,409 MTCO2e (2024)

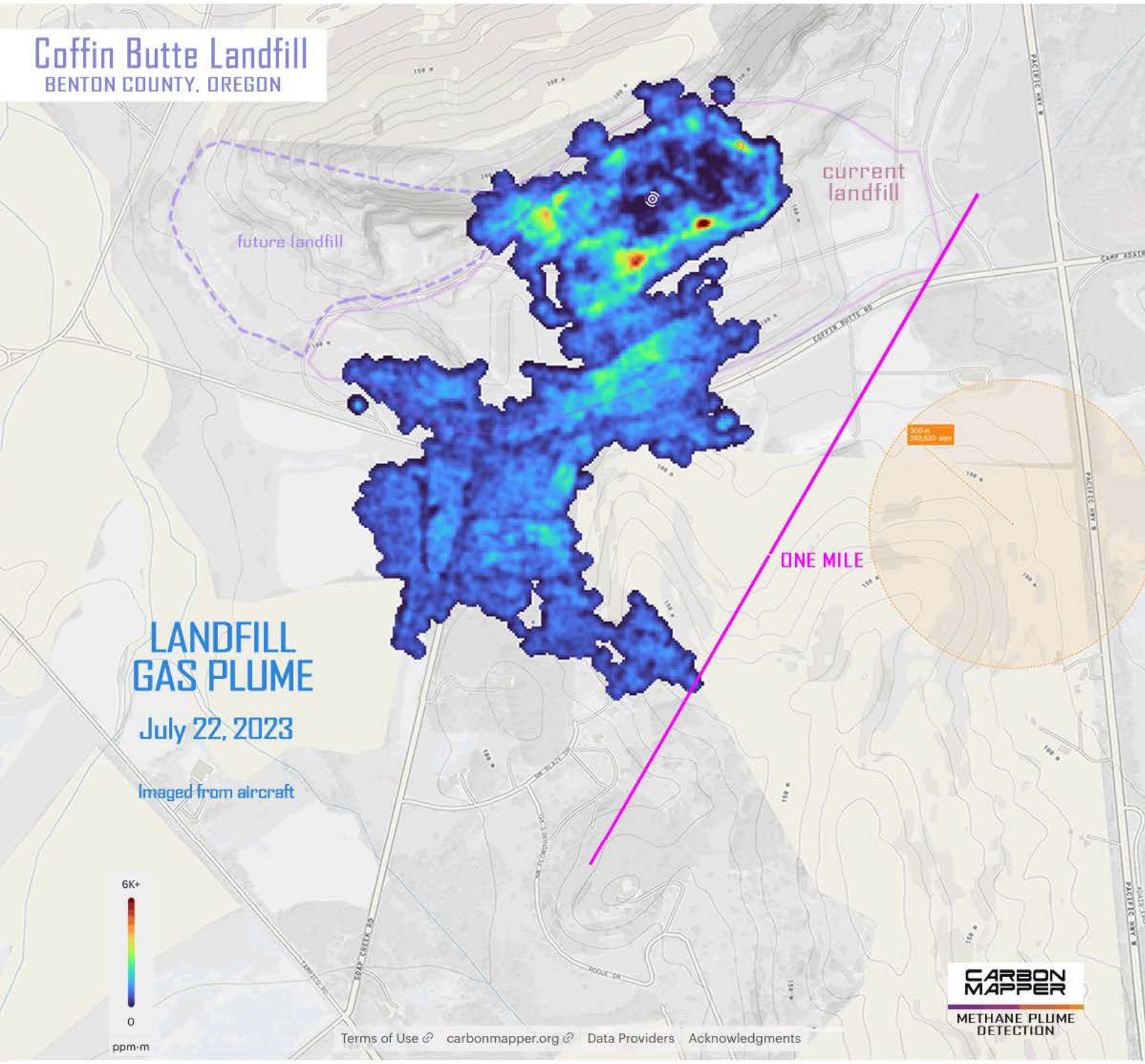
All figures are approximations from most recent data available. Data is self-reported. Methane MTCO2e uses IPCC standard GWP_{20} = 86

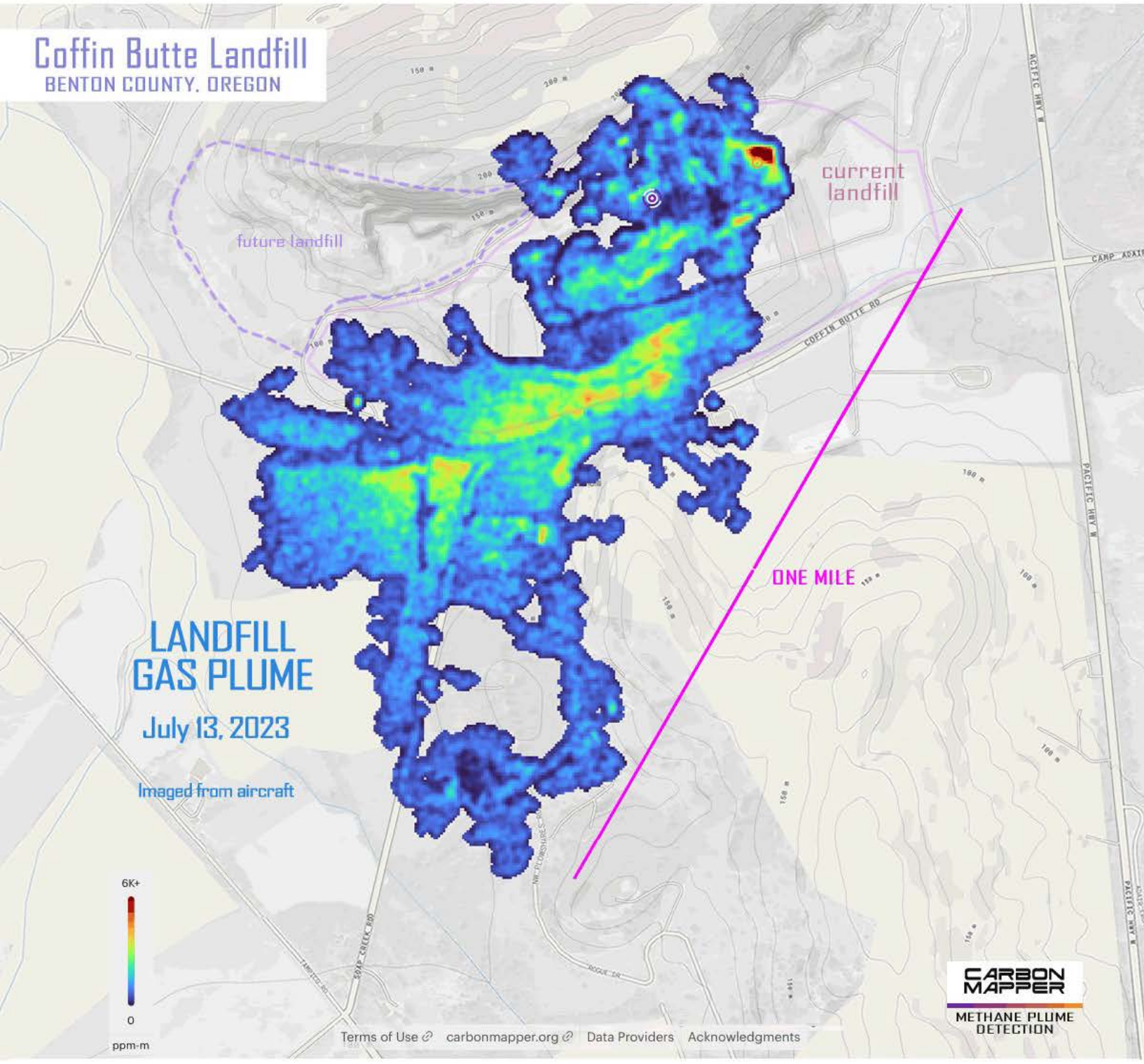
Data sources: greenhouse gas inventories self-published by City of Corvallis (2022) and Benton County (2022); striped areas show climate action reduction goals. Republic Services inventory by gas collection efficiency estimate (2024)

For simplicity, the Coffin Butte Landfill estimate assumes continuous optimal gas collection of 4100 scfm; actual gas collection ranged from 3923 to 4100 scfm, so actual emissions are likely higher.


Coffin Butte Landfill
BENTON COUNTY, OREGON
future landfill
current landfill
Landfill
ONE MILE
COFFIN BUTTE RD
99W
ROSS CREEK RD
LANDFILL GAS PLUME
September 28, 2024
Imaged from satellite
6K+
0
ppm-m
Terms of Use
carbonmapper.org
Data Providers
Acknowledgments
CARBON MAPPER
METHANE PLUME DETECTION


Coffin Butte Landfill
BENTON COUNTY, OREGON
future landfill
current landfill
COFFIN BUTTE RD
99W
ONE MILE
LANDFILL
GAS PLUME
July 18, 2023
Imaged from aircraft
6K+
0
ppm-m
Terms of Use
carbonmapper.org
Data Providers
Acknowledgments
CARBON MAPPER
METHANE PLUME DETECTION


Coffin Butte Landfill
BENTON COUNTY, OREGON
current landfill
future landfill
ONE MILE
LANDFILL GAS PLUME
July 22, 2023
Imaged from aircraft
6K+
0
ppm-m
Terms of Use
carbonmapper.org
Data Providers
Acknowledgments
CARBON MAPPER
METHANE PLUME DETECTION


Coffin Butte Landfill
BENTON COUNTY, OREGON
current landfill
future landfill
COFFIN BUTTE RD
ONE MILE
LANDFILL GAS PLUME
July 13, 2023
Imaged from aircraft
6K+
0
ppm-m
Terms of Use
carbonmapper.org
Data Providers
Acknowledgments
CARBON MAPPER
METHANE PLUME DETECTION

From: BARRY ALLEN
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Friday, April 18, 2025 10:56:53 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: publiccomment@bentoncountyor.gov
Subject: Oppose/Deny LU-24-027
Body: Dear Benton County Planning Commissioners,
My name is Barry J. Allen; my wife Jana and I live at 8512 Willings Way, Fair Oaks CA 95628.
I am writing because we strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. We urge the Planning Commission to deny this application.
The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2).
Specifically, this expansion raises major concerns about:

- **Air and water pollution** threaten our local ecosystems and community health
- **Traffic increases** that pose safety risks on nearby roads and pathways
- **Odor and noise issues** that degrade quality of life for residents and visitors
- **Negative impacts on wildlife, recreation, and property values**
- **Long-term climate and environmental consequences** for future generations

My stepdaughter Erin Bradley, her husband and their two daughters have lived on the west side of Hwy 99W for 15 plus years, less than a half mile south of (down-slope, and often down-wind, from) Coffin Butte Landfill. Her mother and I usually visit them a couple of times a year, staying on their property in our travel trailer for several days each visit.
Over the last few years, we have become very aware of noxious odors from the landfill when there is a north breeze. This is a significant concern, as both my wife and her daughter are highly allergic to environmental toxins which cause respiratory issues for both of them.
Over the years her family has lived on the property, our daughter (and both our granddaughters) have suffered increasing health issues, none of which have readily identifiable causes, but all of which have gradually increased in severity as the landfill has expanded.
Groundwater contamination is among their significant concerns – worry that that their well is affected has forced them to absorb the expense of using only bottled water for drinking and cooking. As they have horses and cattle on the property (the horses are assets of our daughter's equine therapy foundation, Bit By Bit) there's also concern for the health of their animals, as their well is the animals' only water supply.
In recent years, we've noticed a significant increase in the amount of debris blowing onto their property from the landfill. We have also been aware of an increasing number of trucks hauling trash to the landfill passing in front of their house, with a

concomitant increase in the amount of litter (paper, plastic bags and other lightweight debris) along 99W that has blown out of those trucks.

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.

I believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities!

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,

Barry & Jana Allen
8512 Willings Way
Fair Oaks CA 95628

From: doug.bilsland
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027 - Coffin Butte Landfill Expansion/extended operation
Date: Friday, April 18, 2025 10:11:01 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: publiccomment@bentoncountyor.gov

Subject: Oppose/Deny LU-24-027

Dear Benton County Planning Commissioners and all others concerned,

My name is Douglas Bilsland and I live at 37645 Govier Place, Corvallis, Oregon 97330.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would **seriously interfere and degrade the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns about:

- **Air and water pollution** threaten our local ecosystems and community health
- **Traffic increases** that pose safety risks on nearby roads and pathways
- **Odor and noise issues** that degrade quality of life for residents and visitors
- **Negative impacts on wildlife, recreation, and property values**
- **Long-term climate and environmental consequences** for future generations
- **Pose serious long and short term threats** to the health and well being of residents of Benton County
- **Reduce Benton County revenues** by lowering property values and resulting property tax revenue.

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.

Benton County should instead invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities.

Western Oregon is an exceedingly poor location for a regional landfill of this magnitude. Residents of Benton County and all of Western Oregon will be paying the price for Coffin Butte Landfill for decades to come. We should not make it worse by allowing its expansion and continued operation.

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,

Douglas Bilsland 37645 Govier Place Corvallis, Oregon 97330

RECEIVED
APR 18 2025
By

Nick Fowler, Chair
Benton County Commissioners
4500 SW Research Way
Corvallis

re: Butte Landfill

April 16, 2025



Benton County Planning Commission
Nick Fowler, Chair

Re: Coffin Butte Landfill

We urge the Benton County commissioners to reject the expansion of the Coffin Butte Landfill.

The landfill is a threat to the health and safety of Benton County residents and others in nearby areas. Methane leakage has been under -reported by Valley Landfills. The EPA has detected explosive levels of methane on more than one occasion. Other hazardous pollutants, including mercury, lead and PFA "forever chemicals" have leached into the Willamette River creating a threat to all of the downstream Willamette Valley. Wind drift of noxious chemicals is easily detectable miles from the landfill. An expansion of the landfill can only increase these environmental threats in direct opposition to Sustainable Materials Management criteria endorsed by Benton County and the State of Oregon.

The long-term impact of an expansion of the landfill will be costly to Benton County in terms of Public Health, Water Treatment, mitigating air pollution, and eventually clean-up. It will constrain the county's capacity to invest in more positive public improvements. The landfill has already proved detrimental to recreationist tourism in Benton County.

There is no good reason for Benton County to continue to be the dumping ground for one-third of Oregon's solid waste--and every reason not to allow that to expand. For our public health, for the safety of our drinking water and the purity of the air we breathe, for the fiscal ability to create an attractive future for Benton County, please do not allow this expansion to take place.

Ann Pemberton
Jonathan Lipman
29344 SE Carroll Drive
Corvallis

From: BECKY MERJA
To: Benton Public Comment
Subject: LU-24-027 Testimony - Merja
Date: Friday, April 18, 2025 9:25:29 AM
Attachments: 2025 Emerson Vineyard - Merja.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,
Attached is my written testimony in opposition of LU-24-027 CUP application to expand the dump.
Respectfully,
Becky Merja

From: BECKY MERJA
To: Benton Public Comment
Subject: LU-24-027 CUP to expand CBL -Merja
Date: Friday, April 18, 2025 9:36:59 AM
Attachments: 2025 LU-24-027 Merja.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Another submission for the record, LU -24-027.
Thanks,
Becky Merja

April 18, 2025
To: Planning Commission
Re: **LU-24-027, Conditional Use Permit application to expand Coffin Butte Landfill.**

AREA OF IMPACT:
This application proposes to expand an operation that **seriously impacts the character of the area as well as neighboring communities and counties (BCC 53.215(1)).**

ODOR-
(BCC 53.215(1))

- **Seriously Interferes with Uses on Adjacent Properties**
- **Seriously Impacts the Character of the Area**

Landfill emissions produce an unbearable odor that significantly impacts the lives of nearby residents, preventing them from going outside, working their farms, engaging in normal outdoor enjoyment and *even tanking a land sale*.

Emerson Vineyard land sale fell through because of dump stench.

Emerson Vineyard is 4 miles North of the landfill. Below is an excerpt from a March 2, 2023 article in the *Polk County Itemizer-Observer* titled:

Ill wind sours plans to sell Emerson Vineyards
by David Hayes

... the Johns [Emerson Vineyard owners Tom & Jane Johns] *put the entire property on the market as acreage and a vineyard, hoping to get a $1.5 million offer.*
Two weeks ago, they had their buyers. A couple offered to buy the property but not the winery. The Johns accepted, decided to shut down and let all their employees go. Then a literal ill wind scuttled the deal.
"The day they decided to quit was the day a south wind blew up from the dump. He was allergic to it and got violent migraines. They cried about it, just couldn't make it work," Tom said, totally understanding, not wanting the potential buyers to discover the ailment after he and Jane were gone. "So, we're back to square one." (Link to the full article at the end.)
"Dump Days" are in direct conflict with Benton County's 2040 Thriving Communities Core Values of:

- High Quality of Life
- High Environmental Quality
- Well-Being and Health
- Easy Access to the Outdoors
- Stimulating Local Business

This landfill was never planned or anticipated to grow to this scale. Please **deny LU-24-027**

Respectfully,

Rebecca Merja
27407 Writsman Creek Dr.
Corvallis, OR
97330

Emerson Article:

https://www.polkio.com/news/ill-wind-sours-plans-to-sell-emerson-vineyards/article_3224d8c4-b936-11ed-bb64-076dd08dd060.html

April 18, 2025
To: Planning Commission
Re: **LU-24-027, Conditional Use Permit application for:**
A BRAND-NEW LANDFILL ON TAMPICO RIDGE, South of Coffin Butte Rd.

I have been a resident of Soap Creek Valley since 1979, Coffin Butte Landfill lies 5 miles North. Please note that in most cases, the impact of new development to an area is uncertain, because the use does not yet exist. However, in this case the expected impacts of an expansion, which is really a NEW landfill, are relatively well-defined, mirroring those of the existing landfill facility.

AREA OF IMPACT:
Is much larger than the Benton County Code or the applicant defines.
The applicant has fallen WAY short of identifying the geographic area the current landfill, and proposed new landfill, impacts. This application proposes to create a new landfill on Tampico ridge, to expand an operation that **seriously impacts the character of the "immediate" area (BCC 53.215(1)),** *as well as a much broader swath of neighboring communities and counties.*

ODOR-
(BCC 53.215(1))

- **Seriously Interferes with Uses on Adjacent Properties**
- **Seriously Impacts the Character of the Area**

Each year, more and more, residents for miles around the landfill experience "dump days" – days when the odor from the landfill gasses prevents them from being outside their homes, working their farms, or otherwise enjoying the outdoors. To name a few locations; I have experienced "landfill gas stench" at my home (5 miles from landfill), in Airlie (Polk Co. 6mi.), at Good Samaritan Hospital (8 mi.), North Albany (7 mi.).

Whenever the weather creates an inversion over the area, the landfill gas generated by the 17 + million tons of garbage in the landfill is trapped, sometimes these inversions last for days.

"Dump Days" are in direct conflict with Benton County's *2040 Thriving Communities Core Values* of:

- High Quality of Life
- High Environmental Quality
- Well-Being and Health
- Easy Access to the Outdoors
- Stimulating Local Business

TRASH – ALONG ROADSIDES AND BEYOND
(BCC 53.215(1))

- **Seriously Impacts the Character of the Area - “And Beyond”.**

Approximately every 90 seconds, a truck arrives at Coffin Butte Landfill to dump trash, 256,000 round trips a year. Inevitably these vehicles spew trash into surrounding areas either on their way in or on their way out. Every road leading to the landfill has an accumulation of trash that migrates into waterways, front yards, natural areas and onto farmland; trash and farm equipment don’t play well together (BCC 53.215(1) **Interferes with the Purpose of the Zone EFU**.

LANDFILL TRUCK TRAFFIC
(BCC 53.215(2))

- **DOES Impose an Undue Burden on Public Improvements**

Traffic generated by the landfill creates congestion on roadways; dangerous intersection experiences, obstacles on roadway that have fallen off dump bound loads; physical damage to roadways from heavy use by garbage and leachate trucks. Coffin Butte Rd, Camp Adair Rd. and Independence Hwy are worse for wear.

In 1979 when I purchased my property the landfill was supposed to reach capacity and close in the year 2000. Never was this landfill intended to or expected to become an operation of this magnitude. **Please “just say NO” to LU-24-027**

Respectfully,
Rebecca Merja
27407 Writsman Creek Dr.
Corvallis, OR
97330

RECEIVED
APR 18 2025
By

April 16, 2025

To: Benton County Planning Commission

From: Steve Michaels

Re: LU-24-027

The application to expand Coffin Butte Landfill does not meet county code decision criteria and must be denied. Operational problems at Coffin Butte Landfill are known to include methane emissions, widespread odor complaints, air borne particulates and a toxic soup of leachate. Groundwater contamination cannot be ruled out as well. The applicant has submitted voluminous information intended to demonstrate that the landfill expansion will not repeat the existing problems. The applicants state that landfill environmental and related livability issues are subject to state jurisdiction.

The application does not meet BCC 53.215(1). Coffin Butte Landfill currently has an adverse effect on surrounding permitted uses. Methane leaks, odor & air borne particulates are known to effect surrounding permitted uses through numerous complaints to the County and governing governmental agencies. These issues remain unresolved. The applicant would have you believe that the landfill expansion will not replicate these adverse impacts. No amount of prospective research can prove there will be an absence of adverse impacts. In fact, it is well known that landfills age badly. Case in point, Chiquita Canyon Landfill in Castaic, California is smoldering deep inside the pile of trash evaporating toxic chemicals including benzene and compromising the stability of the nasty leachate stew. The best landfill engineering practices cannot be counted on to protect surrounding uses or the public from a deteriorating landfill. It is reasonable to expect that an expanded landfill will continue to have an adverse effect on surrounding permitted uses.

The application does not meet BCC 53.215(2). Trash needs a home, but a landfill is a hazardous land use. The existing landfill is more than problematic. And the reality is Coffin Butte could evolve into an even greater public health and land use problem. An expanded landfill adds to the potential hazard. At the present, the existing landfill may be functioning without imposing an undue burden on public improvements and services. In the future, that will not be the case. A failing, toxic landfill will impose an undue burden on public improvements, facilities and utilities. An expanded landfill will make it worse. The County cannot accept that risk.

I recognize the need for proper collection and disposal of trash. I have been a Republic Services customer for many years and appreciate the service they provide. However, the opportunity to establish a regional solution to a regional trash problem is now, before the landfill is expanded. LU-24-027 does not meet Benton County Code criteria and must be denied.

Steve Michaels

Steve Michaels
1215 NW Kainui Drive
Corvallis, Oregon

From: Janet Ohmann
To: Benton Public Comment
Subject: LU-24-027, CUP Application for Expansion of Coffin Butte Landfill
Date: Friday, April 18, 2025 11:27:49 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commission--

I strongly oppose the conditional use permit (CUP) application for expansion of Coffin Butte Landfill, and urge the Planning Commission to deny Application LU-24-027. The proposed use seriously interferes with uses on adjacent properties, with the character of the area, and with the purpose of the zone. These impacts are SIGNIFICANT, and I urge you to use your discretion in seeing them as such.

Oregon land use laws were an important reason I moved here. In the mid-1990s I settled in Soap Creek Valley, much of which is zoned as Rural Residential. Coffin Butte was a small, locally owned landfill at the time I bought my property. I certainly never expected my home to fall under the influence of a large nearby industrial development. My most immediate concern is with landfill odors that are being imposed on myself and other residents. Despite living several miles from the landfill, the odors can at times be so offensive as to cause me to retreat indoors, close windows, refrain from outdoor projects on my property, and deter me from hiking on nearby roads and trails. At times this has caused me to be depressed enough to consider moving away, but I love this beautiful place and community and have put down roots.

There has been nothing but denial from Republic Services that odors are a problem, despite repeated reporting by many residents to Republic Services, Benton County, and Oregon Dept. of Environmental Quality (DEQ). The landfill has had ongoing, documented releases of methane that have vastly exceeded permitted limits, and they are under active investigation by the U.S. Environmental Protection Agency (EPA).

Thus far, there has been NO ENFORCEMENT of ANY of the conditions of approval for the current landfill, nor of other environmental regulations, that would mitigate odors and other issues (noise, traffic, litter, etc.). There is no reason to expect there will be compliance in the future. Problems with this landfill cannot be 'fixed' using conditions of approval. Please DENY this request for expansion.

Janet L. Ohmann
37609 Soap Creek Rd.
Corvallis, OR 97330

RECEIVED
APR 18 2025
By

Nick Fowler, Chair
Benton County Commissioners
4500 SW Research Way
Corvallis

re: Butte Landfill

April 16, 2025



Benton County Planning Commission
Nick Fowler, Chair

Re: Coffin Butte Landfill

We urge the Benton County commissioners to reject the expansion of the Coffin Butte Landfill.

The landfill is a threat to the health and safety of Benton County residents and others in nearby areas. Methane leakage has been under -reported by Valley Landfills. The EPA has detected explosive levels of methane on more than one occasion. Other hazardous pollutants, including mercury, lead and PFA "forever chemicals" have leached into the Willamette River creating a threat to all of the downstream Willamette Valley. Wind drift of noxious chemicals is easily detectable miles from the landfill. An expansion of the landfill can only increase these environmental threats in direct opposition to Sustainable Materials Management criteria endorsed by Benton County and the State of Oregon.

The long-term impact of an expansion of the landfill will be costly to Benton County in terms of Public Health, Water Treatment, mitigating air pollution, and eventually clean-up. It will constrain the county's capacity to invest in more positive public improvements. The landfill has already proved detrimental to recreationist tourism in Benton County.

There is no good reason for Benton County to continue to be the dumping ground for one-third of Oregon's solid waste--and every reason not to allow that to expand. For our public health, for the safety of our drinking water and the purity of the air we breathe, for the fiscal ability to create an attractive future for Benton County, please do not allow this expansion to take place.

Ann Pemberton
Jonathan Lipman
29344 SE Carroll Drive
Corvallis

From: Marge
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Friday, April 18, 2025 10:06:09 AM

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An expansion's increased environmental harms would damage Corvallis' civic reputation

I strongly OPPOSE the approval of LU-24-027 expanding the Coffin Butte Landfill. The address of the Coffin Butte Landfill is Corvallis, OR. As such, we residents of Corvallis and Benton County are affected by the negative connotation of hosting a landfill. Particularly because our area is extremely unsuitable for a landfill. The high volume of rainfall and the porous soils induce greater volumes of the most lethal of landfill affects, methane and leachate. This is very bad, not just for our city and county, but for the entire population of our earth.

We see ourselves as good stewards of our beautiful area and, as such, we must protest this expansion which is diametrically opposed to our values.

Coffin Butte Landfill is already an eyesore and a particularly unappealing first impression of Corvallis when approaching from the north on Hwy 99. If this CUP is approved it will be a monumental tower of ugliness…this is not hyperbole. Republic's plans indicate a removal of soil on the south side of Coffin Butte Road equal to three Empire State Buildings. In this respect, the expansion request violates both BCC 53.215 (1) and BCC 53.215(2).

Marge Popp
1435 SW Birdie Dr.
Corvallis, OR 97333

From: Marge
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Friday, April 18, 2025 10:06:24 AM

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Landfill expansion would be contrary to Benton County's urgent need for housing

I strongly OPPOSE the approval of LU-24-027 expanding the Coffin Butte Landfill. The Coffin Butte dump interferes with the character of the area BCC 53.215(1) and imposes an undue burden on public improvements in the area BCC 53.215(2). Corvallis has an extremely tight housing market (most rent-burdened city in the state of Oregon with approximately 37.1% of renter households spending over 50% of their income on rent). Republic Services purchased property abutting the landfill that is zoned Rural Residential. This land could house a subdivision that would ease the housing shortage. Instead, it lies fallow. The northern part of Benton County is a prime housing development area. Yet, young families who have moved to recently built subdivisions report that the odor from the dump is so pervasive on some days that they question their decision to buy. This reputation of odor and loud truck traffic will limit the development in this area, will lower property values, and therefore further reduce tax revenue that we need for county services. Most importantly, it will hinder the construction of badly needed housing.

Marge Popp
1435 SW Birdie Dr.
Corvallis, OR 97333

From: Marge
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Friday, April 18, 2025 10:06:28 AM

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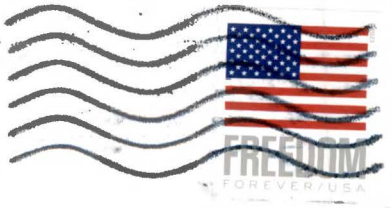
An expansion would be contrary to Benton County's own "Thriving Communities" values

I strongly OPPOSE the approval of LU-24-027 expanding the Coffin Butte Landfill. I have been a Benton County resident for the past 18 years. I moved here because its stated values closely aligned with my own…the values of environmental quality, vibrant and livable community, a diverse robust economy, and health and equity for all. These values are stated in the Benton County 2040 Thriving Communities Initiative. I expect my county commissioners and staff to respect those values which are held by the vast majority of Benton County residents. Expanding the dump would be detrimental to all those values that I hold dear and that drew me to purchase a home in southwest Corvallis. All these values strike a deep chord with many Corvallis residents. Therefore, expanding the dump violates BCC 53.215(1) by interfering with the character of the area by running counter to my values.

Marge Popp
1435 SW Birdie Dr.
Corvallis, OR 97333

Su
6065 SW Grand Oaks Dr
Corvallis, OR 97333

PORTLAND OR RPDC 972
16 APR 2025 PM 2 L





Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

Attn: Coffin Butte Landfill Comment.

97333 10900

April 14, 2025



Attn: Benton County Planning Commission

Re: Proposal to Expand the Coffin Butte Landfill

Dear Planning Commissioners:

I am writing to urge the Benton County Planning Commission (BCPC) to deny Republic Services' request to expand the Coffin Butte Landfill (CBL) located near Adair Village in northern Benton County.

As a PhD toxicologist, former EPA employee, former OSU faculty member, and cancer researcher for many years, I was greatly alarmed to learn of the unprecedented exceedance of methane concentrations from the CBL currently spreading throughout the Valley. Several studies have verified that methane levels are greatly exceeding allowable limits. Methane emission levels are tightly controlled for human health and safety reasons, and due to their adverse impacts on the environment.

The EPA has previously cited Republic Services for worker health safety violations. In January of this year the EPA issued a subpoena to Republic Services for a detailed record of the amount of trash the landfill is accepting, its gas collection and emission control systems, its surface monitoring of pollutants, etc. It is clear that the EPA considers these violations to be serious.

Given that Republic Services is currently under investigation for violations of the Clean Air Act and other environmental laws, it is EXTREMELY inappropriate and reckless at this time to grant an expansion of this operation. It is clear that Republic Services is either incapable of properly operating the landfill or, even more disturbing, is not concerned about the effects of toxic releases into our community. In addition, given that the expansion will only add a few more years of operation to this facility, it makes no sense to move forward with ANY future plans for the CBL until the current problems facing the CBL are addressed and corrected.

In the last 7-8 years it is also clear that Republic Services has not been complying with EPA regulations with respect to the proper handling of liquid toxic wastes generated by the landfill. In addition to the methane problem, there are profound concerns about the handling of leachate generated by the landfill. The leachate contains many chemicals that are extremely toxic to human health and the environment, including polyfluoroalkyl substances (PFAS) and other heavy metals. PFAS chemicals, which are being discharged into Oregon waterways, are

some of the most dangerous chemicals on earth. Referred to as "forever chemicals" because of their extreme longevity and consequent accumulation in the environment, PFAS chemicals cause a myriad of health effects, including cancers, reproductive effects, thyroid disease, liver disease, etc., in concentrations as low as parts per trillion. People and animals can be exposed by eating food grown or raised in PFAS-contaminated soil or water, including agricultural products, and wild fish and game.

Further, I would like the BCPC to also consider that, given the CBL is in close proximity to many homes in the area, as well as several national wildlife refuges and the Willamette River, these current emissions are not to be tolerated. Both the BCPC and the Benton County Commissioners (BCC), who hold the ultimate responsibility for the decision whether or not to expand the CBL, must prioritize the health of its citizens, as well as the dangers to wildlife and the environment, in making this decision. As a citizen who has lived in the Willamette Valley for over 50 years, it is my belief that allowing these emissions to continue, let alone to decide to increase the size of the CBL given the current state of its poor management, is not in keeping with the longstanding respect and stewardship of the Oregon people and their commitment to the environment. It is, in fact, willful misconduct and gross negligence.

In addition, the problem of Republic Services' long-term lack of attention to proper handling of the CBL is being felt, not just in the immediate vicinity of the dump, but in other counties miles from the site. As each year passes the impact of this mismanagement is being felt further and further away. This is unfair to the communities that surround Benton County, and they should not be required to suffer the consequences of poor decisions made by us. These people are our neighbors and our friends, and they deserve our/your respect and support.

I strongly urge you to vote NO on the Coffin Butte Expansion. Lastly, I want to point out that, as a representative of the citizens of this community, your responsibility lies in the PROTECTION of the citizens of Benton County and the state of Oregon. Our citizens do not want or deserve this toxic mess. We deserve better.

Respectfully,

Shelley A. Su, PhD
Oregon State University (ret.)

From: Jeff Uebel
To: Benton Public Comment
Subject: Testimony on Coffin Butte Landfill Expansion, LU-24-027
Date: Friday, April 18, 2025 9:00:17 PM
Attachments: Coffin Butte testimony_041823.docx

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We strongly oppose the application to expand the landfill, and urge the BC Planning Commission deny the application. Please refer to our enclosed letter of testimony for your consideration.

Jeff and Lesli Uebel

To: publiccomment@bentoncountyor.gov

Subject: Oppose/Deny LU-24-027

Dear Benton County Planning Commissioners,

My name is Jeff Uebel. My wife and I live in Corvallis. We are writing because we strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. We urge the Planning Commission to deny this application.

My wife and I regularly enjoy hiking, hunting and bird-watching with our extended family members at the EE Wilson Wildlife Area, as well as on the OSU MacDonald-Dunn Research Forests adjacent to the landfill. The noise and stench from the landfill, along with the traffic and escaped trash from haulers on the roadways approaching the landfill have greatly increased over the years we have visited there. These factors greatly impact our experience and our enjoyment of those areas, and they have begun to reduce both the time we spend in those areas as well as the number of visits we make each year. We feel that the proposed expansion will only exacerbate and extend these impacts. Expansion would **seriously interfere with the character of the surrounding area**, in violation of Benton County Code 53.215 (1). Increased heavy truck traffic hauling garbage to the landfill and leachate for treatment in wastewater plants impacts our local roads, increasing road maintenance needs, costs and negative effects to residents throughout Benton County. We feel this imposes **an undue burden on public resources**, in violation of Benton County Code 53.215 (2).

We are also deeply concerned about other environmental impacts that would result from the expansion of this operation. We are especially concerned about the community health impacts that could result from expansion. There has been ongoing, unaddressed air pollution (methane leakage) and groundwater pollution by leachate leakage from existing operations. Toxic materials in leachate treated at our wastewater treatment plant are metered out into the Willamette River. These effects will only increase with expansion of the landfill. This appears to violate Benton County Comprehensive Plan policy 6.5.5 *(BC will strive for the sate storage, collection, reduction, reuse, recovery and appropriate disposal of hazardous waste materials.)*

The proposed expansion does not align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.

We believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities! Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,
Jeff and Lesli Uebel
6225 SW Quietcreek Drive
Corvallis, OR 97333

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Saturday, April 19, 2025 8:41:42 AM

Subject of Testimony: Opposition to Expansion

Full Name: Sara Ash

Email: saralilash@gmail.com

Street Address: 990 NW Overlook Drive Corvallis OR 97330

Written Testimony:

The Benton County landfill pollution is absolutely out of control. I live five miles from the dump and I smell it daily, and I see it every time I drive the highways. I can't even go outside today because the rancid smell is so strong. The roads are covered in litter. Oregon used to be so pristine and beautiful and over the last five years it's definitely gone downhill quickly, and now it feels like I'm living in a wasteland. It's terrible for our physical health, mental health, the beauty of the land, the plants and animals, and our property values. Please STOP this greed driven expansion!

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 208.65.190.206

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Saturday, April 19, 2025 9:00:42 PM

Subject of Testimony: Coffin Butte Landfill

Full Name: Kyle Bernheim

Email: bernheim@gmail.com

Street Address: 28303 Stage Stop Ln, Corvallis, OR 97330

Written Testimony:

Vote no on the Coffin Butte Landfill expansion. Benton County should not be the dumping ground for the state. An expansion would directly negatively impact the local residents, nearby cities and the county as a whole. Additional waste brings additional risk of soil and water contamination, air pollution and an eyesore. An expansion would eliminate Coffin Butte Rd, further limiting access to residents in the Soap Creek valley and increasing traffic on remaining roads.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 208.79.249.220

From: Beverly Clark
To: Benton Public Comment
Subject: Personal Comment on Coffin Butte Expansion Proposal
Date: Saturday, April 19, 2025 5:29:05 PM
Attachments: Lanfill Expansion word.docx

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To: Nick Fowler, Chairman of the Planning Commission

Enclosed is my statement in OPPOSITION to the Proposed Coffin Butte Landfill Expansion.

Beverly Clark

From: Beverly Clark
To: Benton Public Comment
Subject: Personal Comment on Coffin Butte Expansion Proposal
Date: Saturday, April 19, 2025 5:29:05 PM
Attachments: Lanfill Expansion word.docx

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To: Nick Fowler, Chairman of the Planning Commission

Enclosed is my statement in OPPOSITION to the Proposed Coffin Butte Landfill Expansion.

Beverly Clark

April 13, 2025

Reference: LU-24-027, Coffin Butte Landfill Condition Use Permit Application

To: Benton County Planning Commission
Benton County Community Development
4500 Research Way
Corvallis, OR 97333-1139

My name is Beverly Clark. I live at 4925 SW Dresden Ave, Corvallis, OR 97333. **I strongly oppose the expansion of the Coffin Butte Landfill.**

The proposed expansion of Coffin Butte Landfill will place an undue burden on public facilities violating BBC 53.215 (2). There will be more truck traffic on local roads hauling garbage to the landfill and more trucks hauling leachate away to locations unspecified. Benton County already faces pressure from a growing population and the access into and out of the county are already at a maximum.

I have watched the landfill mountain grow very quickly in a very short period of time. Why is Benton County and Corvallis on the receiving end of the refuse from other communities. Approval of this expansion will only magnify the issues with methane pollution, leachate of hazardous pollutants like mercury, lead, industrial solvents, noxious gases causing air pollution that is intolerable. I see the present land fill use and an expansion as violating Benton County's 2040 Thriving Communities Initiative's Core Values 53.215 (2),

From: Joseph Crockett
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Saturday, April 19, 2025 6:26:11 PM

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Dear Benton County Planning Commissioners,

My name is Joe Crockett and I live at 37609 Soap Creek Road, Corvallis, 97330

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

I would like to point out to the Commission that on March 8, 1983*, forty two years ago, the Benton County Planning Commission, the Benton County Solid Waste Advisory Council, and the North Benton Citizens Advisory Committee all made an approval for the expansion of Coffin Butte on the condition that there be "No disposal of municipal solid waste on the 59.23 acre parcel south of Coffin Butte Road." They went on to state that the Staff has recommended …"The property south of Coffin Butte Road cannot be utilized for landfill unless approval is granted by the Planning Commission at a Public Hearing."

Also, in that document, it states that:
"The Coffin Butte site shall be designated as a regional landfill serving a geographic area including Linn, Polk and Benton Counties."
and…
"The Benton County Planning Commission and Board of Commissioners shall not allow any new expansion of the present Coffin Butte landfill service area."

Other important insights are part of the document:

- Valley Landfill, Inc., Corvallis Disposal Company and all waste related service providers should submit an annual plan or status report and continue to work toward a waste reduction and recovery system through education.
- A designated percentage of the annual County franchise fee should be used for educational and promotional programs on waste reduction and recycling emphasizing methods in which individuals and businesses can reduce, or utilize recoverable materials whose present destination is the landfill.
- Periodic public agency or private industry reports shall be made to the Board of Commissioners reviewing Coffin Butte and the Corvallis demolition landfill environmental conditions.

Since the previous expansion request, thousands of dollars have been spent trying to revisit the challenges of having a landfill in Benton County's backyard. But these challenges have been here for decades and solutions where addressed in writing years ago but never implemented. Those in power have never done the hard work of bringing the ideas that were written down to fruition. We had a solution to expanding the life of the landfill 40+ years ago. Because of our inaction, we are now left dealing with the threat that we're running out of room.

The expansion crises has been manufactured by profits and greed not sound waste management decisions. We have no one to blame but ourselves. We came up with solutions decades ago but kept kicking the can down the road. We've finally come to a dead end.

Forty two years ago, the Planning Commission made the expansion of the landfill south of Coffin Butte Road off limits. Their written recommendations for managing waste, funding education, and periodic reporting were only hollow words without action. The answer to these problems is not expansion. The answer is to deny expansion and to implement and enforce the actions that were identified 4 decades ago. Putting conditions on an expansion approval will be just more words on paper. Deny the expansion and move forward with actions that will protect the health and future of Benton County. Please reject LU-24-027.

Sincerely,

Joe Crockett
jcrockett@mac.com
Corvallis, OR, 97330

* Benton County Planning Department, Staff Report; File No. PC-83-7

From: redpath@proaxis.com
To: Benton Public Comment
Subject: Application LU-24-027, Conditional Use Permit Application for Coffin Butte Landfill
Date: Saturday, April 19, 2025 7:34:05 PM
Attachments: Landfill Letter.pdf

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Hello Benton County Planning Commission,
Attached as a pfd is my testimony towards the land use application.
I hope you will read my heart felt letter.
Sincerely, Dale Draeger

Public Comment
Application LU-24-027. ConditionalUse Permit
Application for Coffin Butte Landfill

I oppose the conditional use permit (CUP) application for the proposed use permit because it seriously interferes with the uses of adjacent properties. As I understand it, any approval of this land use application would have to come from yhour judgement that th4e expanded landfill would NOY seriously interfere with uses on adjacent property, with the character of the area or the the purpose of the zone.

The Benton County Comprehnsive Plan promoted a statewide goal to including, “to aintain and improve the quality of the air, water and land resoiurces of the state; to protet people and property from natural hazards; to maintain and improve the variety of economic and social activities that are vital to the health, welfaire, and prosperity of Oregon’s citizens.”

Our family moved down the road from the dump 26 years ago when the landfill wasn’tfairly small. We bought a house with acreage and put much love, care and effort into making it our home over the years!. We restored the property, which had been logged and over grazed and covered with black berry vines. The house and little cow shed were unattractive. With constant effort, love and money we changed our beloved property from an ugly, logged, overgrazed pasture with a run down cow shed,to a retored wetland, boardering Soap Creek, a vibrant pasture and a barn with a new roof. We replanted acres of trees and established a yard and garden.

26 years ago, the house was dated and unfinished. It now has all new windows, roof, deck, floors, carpets, paint, skylights, doors, and more. It isn’t a showplace. It is a HOME in the happiest sense of the word. Every change was lovingly thought out. Our daughter, who grew up here, would like to have her family grow up here when we move on.

But wait! The stench of the nearby landfill sometimes permeates the air! The leachate is poisonous to the air and land and water! Not only will our land be unsafe, and our ability to enjoy hiking, bicycling and horseback riding be unavailable, and also, the value of our house property will be much, much less! Our beautiful country home willmean very little.

The changes to the landfill are in violation to rules: BCC53.215 (1) Very little is monitored in it’s daily addition of poisonous and unnecessary waste.

Also, the statewide goals promoted in the Benton County Comprehensive Plan include “to maintain and improve the quality of the air, water and land resources of the state, to protect people and property from natural hazards, to maintain and improve the variety of economic and social activities that are vital to the health, welfare, and prosperity of Oregon’s citizens.”

Public Comment
Application LU-24-027. ConditionalUse Permit
Application for Coffin Butte Landfill

I realize that the city of Corvallis is given money from the Landfill, however, years from now, when that company has moved on and left Corvallis with the cost of cleaning up the garbage and toxic waste left behind, that money will be a fraction of the cleanup costs and the possible burden of lawsuits over the health hazards it creates.

I started out writing to you about our home. We are not the only family that could describe the love and care we have infused in our home and surrounding property. There are many of us with dreams of passing what we have created with hard work on to our children. We hope that this may still be a place they would want to live in the next few years. It is a place of profound beauty and sweet neighbors. I pray that it can stay that way.

I sometimes tell visitors staying overnight that the only sounds they will hear at night will be the hooting of the great horned owl. And in the morning, the call of so many birds and the screaming of the belted kingfisher as it flies down Soap Creek. However, now in the early hours of the morning we hear large trucks as they dump their loads at the landfill. The kingfisher hasn't been much of a presence lately.

Please help us change this.

Dale Draeger
37420 Moss Rock Dr.
Corvallis, Oregon 97330

From: KEN KENASTON
To: Benton Public Comment
Subject: testimony for LU-24-027
Date: Saturday, April 19, 2025 9:21:42 AM
Attachments: Kenaston testimony against the landfill application LU-24-027.docx

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Please find attached by testimony regarding LU-24-027 and I would like it included in the staff report. Thank you.

From: KEN KENASTON
To: Benton Public Comment
Subject: testimony regarding landfill expansion LU-24-027
Date: Saturday, April 19, 2025 9:34:19 AM
Attachments: Kenaston testimony regarding avoidance of irreversible negative consequences relative to landfill proposal LU-24-027.docx

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I am attaching my letter to the Benton County Planning Commission regarding LU-24-027

From: KEN KENASTON
To: Benton Public Comment
Subject: letter to BC Planning Commission regarding LU-24-027
Date: Saturday, April 19, 2025 9:51:40 AM
Attachments: testimony to the BC Planning Commisson regarding LU-24-027.docx

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Attached is a letter to BC Planning Commission regarding LU-24-027. Thank you for including it in the staff report.

From: KEN KENASTON
To: Benton Public Comment
Subject: comments regarding LU-24-027
Date: Saturday, April 19, 2025 10:13:34 AM
Attachments: testimony for LU-24-027 regarding including prior hearing testimony and screening problems.docx

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Attached is comments regarding LU-24-027. Please include in the staff report. Thank you.

My name is Ken Kenaston and I live at 2870 SW Morris Ave, Corvallis, OR 97333. I am opposed to the Landfill Expansion, LU-24-027.

This proposal fails to meet the criteria for conditional use 53.215 (1), 53.215 (2) and a number of important Benton County Comprehensive policies. The Benton County Planning Commission must deny this application.

I used to hike in Soap Creek Valley in the area of Poison Oak Hill. I've watched elk wandering in the fields below. Deer routinely traveled through that area towards EE Wilson game management area to the east. Building a landfill cell, as proposed, will keep the wildlife from that area and cause them to divert somewhere else. **This change in grazing habitat and migration corridor seems to be in violation of BCC 53.215 (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 FC zone.)* and the Benton County Comprehensive Plan policy 5.9.4 (*In making land use decisions, Benton County shall protect identified sensitive wildlife habitat types and wildlife corridors from adverse impacts*).**

I boat, fish, and swim on the Willamette River from Eugene down to Salem. This public resource has become a hazard to my health because of the leachate drained from Coffin Butte Landfill. It is currently transported to Corvallis and Salem's waste water treatment plants where is is released untreated into the Willamette River. The amount of leachate has continued and is expected to grow with this proposed expansion. It needs to stop immediately. **This operational activity violates BCC 53.215 (2) and Benton County comprehensive plan policies 5.1.2, 5.2.1, and 5.7.4**

The increased leachate from this new garbage cell is unacceptable. There is not a treatment for this alphabet soup of toxic materials and it is metered into the Willamette River to make it go away. That **is in violation of Benton County Comprehensive Plan policy 6.5.5 (*Benton County shall strive for the safe storage, collection, reduction, reuse, recovery, and appropriate disposal of hazardous waste materials.*)**

I visited EE Wilson the other day. I grew up around Adair and used to walk in the management area hunting pheasants, bird watching, and running the dogs. Boy has that changed! There is a mountain of trash dominating the view now. It is no longer the scenic natural area it once was. The sound of earth moving equipment, the big trucks grinding up the hill, the smell, all destroyed the once beautiful experience it once was. **That is a huge change in the character of the area. This landfill expansion proposal seems to violate BCC 53.215(1).**

Thank you for your consideration in this application. Please include these negative findings in your decision to deny the application. Explicit negative findings will become important when this decision is appealed to the Benton Board of Commissioners

Summary--Avoidance of risk of irreversible negative consequences with groundwater, noxious gas releases

My name is Ken Kenaston and I live at 2870 SW Morris Ave, Corvallis, OR 97333. I am opposed to the Landfill Expansion, LU-24-027.

There is an important concept in environmental decision making that is important in this discussion; the importance of **avoiding irreversible negative consequences** of your decision. There are several irreversible consequences in this decision you face.

Risk to groundwater contamination is very real, irreversible, and unacceptable. One of the below surface liners beneath the landfill has already ruptured and leachate was thankfully captured by the secondary liner. What prevents the backup liner from failing? Contamination in the groundwater cannot be fixed and is a forever problem.

Methane releases and other noxious gasses released from this operation are dooming our future. These gaseous releases have been documented already from the landfill and will continue despite the ineffective mitigating actions proposed with past and proposed conditions of approval. These gasses have already contributed and continue to contribute to the climate crisis we are in. The poor air quality from the landfill operation are a suspect in the high occurrence of cancers in the Soap Creek Valley reported by others. Have Republic Services proven the releases are safe and not responsible? The condition of approval proposed to control releases has been proposed before. Largely unmonitored, and when inspected by the jurisdictional agencies, failed miserably. If it didn't work before, why would it work now?

The Benton County Planning Commission must deny this expansion application to avoid these irreversible negative consequences. There are no mitigation strategies that can avoid this risk and those strategies that have been proposed earlier have not worked and won't work this time either.

Summary --Planning Commission is our community voice, this proposal doesn't meet Conditional Use crliteria to approve (same as last one), too much risk of irreversible negative consequences to air quality, groundwater contamination, and toxics in the environment violating Benton County policies.

My name is Ken Kenaston and I live at 2870 SW Morris Ave, Corvallis, OR 97333. I am opposed to the Landfill Expansion, LU-24-027. I was on the Benton County Planning Commission for many years and was serving when Republic Services floated an expansion proposal in 2021. We unanimously denied the expansion proposal then.

I write as a believer that the Planning Comission speaks for our community; helping to guide our community in the direction we want it to develop. We want the Planning Commission to help us achieve the vision we want for our community, not the vision of Republic Services has proposed in this first of many expansion proposals.

This proposal does not meet the criteria for approval in 53.215 (1) and (2), even with the weak or ineffective proposed Conditions of Approval and must be denied.

The previous expansion proposal (LU-21-047) was unanimously denied by the Planning Commission. That was a different proposal that was larger in scope and involved a controversial road closure. The road closure is not in this proposal but the 2021 denial was based on numerous testimony with other violations of the conditional use criteria. Those impacts have not changed with this proposal and you cannot make those concerns go away with the proposed conditions of approval. If the conditions of approvals don't solve the problem, you must make findings to deny this application.

Enough is enough Nearby neighbors have been living through the nuisance concerns of odor and noise. These nuisances have become **serious interference** with their use of their property as it has expanded operations over the many years, The **character of the area has certainly changed** as the rural countryside has become an industrial site of noise,

odors, visually impacts, and traffic. This proposal is only the first of many more to come. This proposal must be denied.

The Risk is too Great The risk of groundwater contamination is too great and we have barely avoided catastrophe up to this point. A leak from a tear in the liner under one garbage cell was captured by a backup liner. When and where will the next leak happen?

The gaseous releases of noxious fumes and particulates with their potential for human harm, has become unacceptable and will only continue to increase. The public airshed is impacted by operations at the dump. Those toxic releases may already be responsible for the high frequency of cancers documented in area residents.

The concentration and volume of toxic leachate released untreated threatens people enjoying our public waterways and impacts our public fish and wildlife resources. **Our community desires for the protection of these public services are laid out in Benton County Comprensive Plan policies 5.1.2, 5.2.1,5.7.4, 5.9.4, and 6.5.5. This proposal must be denied as this operation threatens those protections.**

There is adequate evidence that the proposal cannot meet the criteria for approval and I ask the Planning Comission to deny the application. **I strongly suggest the PC summarize the findings for the decision with sufficient detail to convey to the Board of Commissioners the rationale for the denial.**

Summary --request to include record from previous expansion proposal, screening site is impossible.

My name is Ken Kenaston and I live at 2870 SW Morris Ave, Corvallis, OR 97333. I am opposed to the Landfill Expansion, LU-24-027

I request the public testimony from LU-21-047 be included in the record for this proposal. Several hundred letters and days of oral testimony was presented in 2021. Most of the testimony was from concerned citizens testifying about the impact the dump has on their homes and surrounding community. Although the controversial road closure is not included in this proposal, the impacts of the dump on their use of their property and their neighbors land, and the character of the area are still germaine and should be included.

Criteria for conditional use in the Landfill Zone BCC 77.310 Conditional Use Review. (1) (c) Provisions for screening of the site from public roads and adjacent property; cannot be met. The staff discussion in the staff memorandum in the previous hearing (LU-21-047) concluded that screening is appropriate for this application (and I concur here) and proposed screening mitigation activities (tree planting), but even those would not be adequate to address screening of the site from public roads or adjacent property. It will be impossible to adequately screen the view of this mountain of garbage. Since no mitigation is possible, this concern cannot be met, and you must deny the application.

From: LaChance, Robert William
To: Benton Public Comment
Subject: LU-24-027
Date: Saturday, April 19, 2025 6:26:41 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,
My name is Will and I am a student and resident of Corvallis, OR. I am opposed to the Coffin Butte Landfill expansion because it endangers the way of life here. I have enjoyed swimming in the river, drinking fresh water, breathing fresh air, and eating the fruit of the land. Most of these simple pleasures are threatened by increasing an already heaping pile of garbage.
I know that a landfill is also a form of protection or insurance. And yet, it encourages us to continue throwing things into the heap. Many of these things would be re-used, repaired, or composted without the comfort of a landfill. I don't understand why we, in all our wisdom, cannot choose a new and better way of dealing with waste. There are other paths, and I hope we take them.
-Will

From: Joe Majeski
To: Benton Public Comment
Subject: Stop the Landfill Expansion
Date: Saturday, April 19, 2025 8:57:30 AM

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Benton County Commissioners April 19, 2025

4500 SW Research Way, Corvallis, OR 97333

Re: Landfill Issues and Expansion.

Dear Commissioners,

I am writing to you to express my serious and urgent concerns about Coffin Butte Landfill. We live only a few miles from this public hazard, and we have several concerns.

Air quality

Water Quality

Truck Traffic

Pollution

Air Quality: We smell the stench of this rotting mass quite regularly. The methane smell and the smell of rotting garbage cannot be good for our health, our neighbors, visitors or the community. As we all know, Republic Services has violations of air quality now that they cannot deal with effectively. How would we expect them to do so in an expansion?

Water Quality: I am very concerned about our water quality. With all the leachates being generated from the landfill, it is only a matter of time before our and other wells are contaminated. This will make many square miles of areas unlivable for your community members.

Truck Traffic: It is one thing to have the truck traffic required to serve the needs of our own community, but the number of trucks coming from all over the state, bring a level of congestion, pollution and added danger to our local roads and Highway 99. On my way to amd from work I see litter flying out of the back of so many trucks. Worse, it is rarely picked up. Republic Services takes no initiative to do so either.

Pollution: The amount of litter that spills out of the trucks heading to the landfill is mind boggling. Highway 99 is of course the worst, but so our other roads of approach, Granger Road, Arnold, and other roads in and around Adair Village. The litter is rarely picked up. It is a blight on our neighborhoods and our community at large. Nothing like saying welcome to

Corvallis or Welcome to Benton County than a litter strewn Highway, truck traffic and a large pile of stinky garbage.

I implore you to please not expand the Landfill. There is no amount of money Benton County could make on this endeavor that will not be eaten up by the lawsuits associated with well water and surface water contamination, excess methane emissions, and loss of property value. These lawsuits will be aimed at Republic and Benton County. Wiping out the ability of our local government to effectively operate and likely increasing property taxes. Inviting other counties to utilize this dump is inviting environmental disaster. Landfills are better suited for dry climates, not our extremely wet one. The Coffin Butte Landfill is like the County owning a ticking timebomb of pollution, well contamination, degradation, and lawsuits. Please put people ahead of corporate profits. Please show that you care for your constituents. Please care for human life and health. Stop the Expansion!

Sincerely

Joseph Majeski

990 NW Overlook Dr

Corvallis OR 97330

From: Paul McDermott
To: Benton Public Comment
Subject: opposed to expansion Coffin Butte Landfill
Date: Saturday, April 19, 2025 3:53:04 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Planning Commision,

I am writing to state my opposition to the application file number: LU-24-027, the expansion of Coffin Butte Landfill. Thank you for taking the time to consider this difficult conversation.

In addition to sharing the many voiced concerns about the environmental impacts of the expansion, I am directly impacted by the expansion by way of Bit by Bit Stables, which is located adjacent to the proposed growth boundaries.

Bit by Bit is a stable that offers Adaptive Riding Instruction and Equine Therapy. They work with many clients who have sensory and nervous system sensitivities. The noise, smell, and discharged debris (which has fallen on the barn), creates an undue stress to the riders and interferes with the benefits gained from their therapeutic ride, and in some cases they are unable to ride because of the unpredictability of the impact.

While working with clients who have vulnerable needs, the horses need to be relaxed themselves; and again, the added unpredictability of the noise, smell, and debris, interferes with the horses own predictability, putting the barn in a tough spot. Thus, with both of these in context, the expansion would seriously interfere with the use on an adjacent property [Benton County Code 53.215 (1)].

I have personally witnessed and experienced the tremendous work and result of this barn; my daughter rides with them, and so do dozens of other young people. This expansion has great potential to negatively impact her, and their, experience while riding, as well as the barn's ability to offer a gentle, sensory supportive, therapeutic ride. So at this time, until more proactive clarity and planning is outlined to the community, as a community member, I oppose the expansion of Coffin Butte Landfill.

with regard,
Paul McDermott
840 Laurel Place NW
Albany, OR 97321

--



www.regenerativerootscommunity.org

From: Kate McGee
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Saturday, April 19, 2025 4:04:30 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Commissioners,

Please vote NO and STOP THE EXPANSION of the Coffin Butte landfill.

Republic Services has a history of doing as little as possible to ensure that their operations do not contribute to the degradation of air and water quality in our community. They have shown time and time again that their overriding motivation is profit. They have demonstrated that they will circumvent, rather than comply with, regulatory statutes regarding the environmental impact of their operations at Coffin Butte.

Why should they be rewarded for being a bad neighbor? The answer is that they shouldn't.

Don't trust that the DEQ or EPA will make Republic meet regulations. They haven't in the past and are unlikely to in the future. Don't expand a situation that is bad for our community's basic air and water resources.

Thank you for your consideration.

Sincerely,

Kate McGee

24669 Hidden Valley Road

Philomath, OR

From: Morrell, Jeffrey
To: Benton Public Comment
Subject: LU 24-027 Proposed Landfill Expansion
Date: Saturday, April 19, 2025 7:30:25 PM
Attachments: Morrell Coffin Butte Expansion Comments 19 April.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached you will find my comments regarding the proposed expansion of the Coffin Butte Landfill. We strongly urge the Planning Commission to deny this application.

I am writing this comment in regard to Republic's proposed expansion of the Coffin Butte Landfill.

By way of background, we have owned our house at 38464 Highway 99W for over 40 years. Our property is approximately 1 km south of the landfill and the proposed expansion will be just over the hill from our house. I have also served on the Solid Waste Advisory Committee (SWAC) and the Disposal Site Advisory Committee (DSAC) for over 16 years and am very familiar with the current operation as well as how it has changed. Most recently, I served briefly on the revived DSAC but had to resign as I took a five year position in South Australia; however, our son now lives in our house, and we continue to be registered voters in Benton County.

At the start, I will state that I have no problem with the position of the current landfill site. It was there before we purchased our house and will be there in one form or another long after we pass from the earth. However, for the entire time I served on the SWAC and DSAC, we were continually told that the landfill had decades of capacity and had no intention to cross the road. We were also told that the land to the south was purchased as buffer, not destined to be active landfill.

When the landfill was owned by Valley Landfills, we were impressed with their forward thinking in terms of methane generation through the co-generation facility and, temporarily, through their attempt at reverse osmosis to treat their leachate water. These illustrated a company that while working to be profitable, was embedded in the community. Although many of the people who worked with Valley remain, the approach has changed dramatically since Republic has assumed ownership with markedly increased fill rates and, as we notice it, more odor issues. We have never reported these because we have accepted the reality of our location.

I have read through the documents provided by Republic in their application and have

the following comments

Traffic: This proposal differs from the previous plan in that it no longer proposes immediately closing Coffin Butte Road to markedly increase landfill capacity; however, it would be disingenuous for the Planning Commission and the County Commissioners to consider this proposal in isolation and ignore the previous proposal for a much larger expansion with the associated closure of Coffin Butte Road.

This proposal really sets the stage for the inevitable increasing landfill footprint, leading to the eventual road closure that Republic desires. Closure of Coffin Butte Road will eliminate the one well-constructed access to Highway 99W from the Soap Creek Valley. This is critical in inclement weather because residents will be forced to use either Sulphur Springs Road or Tampico Road, both of which are narrow and difficult to drive under winter conditions. This will slow emergency response time, potentially creating life threatening situations.

Alternatively, drivers could take Tampico Road heading north around Coffin Butte to exit on either Robison or Airlie Roads. All of this is currently on unimproved dirt track. Multiple tests driving from the junction of Tampico and Sulphur Springs Roads showed that this detour resulted in an increased driving time of 15 minutes to reach Highway 99W.

The current proposal only offers to improve Coffin Butte Road in the areas directly impacted by the expansion but makes no provision for further improvements, leaving these costs to the county and local residents.

It is hard to examine this proposal as a single submission without considering how it will support continued expansion to the south of Coffin Butte Road nor is it hard to imagine that County would not want to continue receiving the millions of dollars in unencumbered funds it receives annually from landfill activities.

Odor Issues: Odors are a reality at any landfill, although we do appreciate Republic's attempts to minimise this issue through landfill gas collection, tarping and daily cover. However, moving the landfill further south will inevitably result in increased odor complaints. As noted earlier, we have noted many more days when we can detect the landfill, but normally do not complain as we see little purpose, especially when we learned that most of these complaints go to the State who then talks to the landfill operators and dismisses them. Residents will be forced to deal with increasing odors. The smell alone is an issue, the recent reports from flyovers suggest that methane levels are often far in excess of minimum effects levels. Expansion will further increase local methane exposure regardless of attempts to capture some of the releases. This has the

potential to impact the health of local residents.

Future Capacity: It is a reality that all landfills eventually reach their designed capacity and close. We have already seen this in several other Willamette Valley facilities. Furthermore, most regions are seeking alternative disposal strategies that place landfills as the last option for dealing with municipal solid waste. Alternatively, landfills are being sited in more remote areas with lower rainfall to reduce some of the environmental impacts (e.g Arlington, Oregon).

Many of the emerging technologies are less financially attractive, but they create opportunities for reuse in the circular economy. Corvallis and Benton County have both been leaders in identifying local, environmentally appropriate strategies for dealing with waste. Expanding the landfill to permit continued decades of disposal goes against this overall strategy.

In summary, the proposed expansion of the Coffin Butte facility will result in increased traffic, more odor issues, potential health issues and a general approach that will readily facilitate continued expansion at the expense of the adjoining properties. We respectively ask that the Planning Commission carefully consider and deny this proposal as it does little to benefit the local community and has the potential to do greater harm to the surrounding area.

To: Benton County Planning Commission
From: Jeffrey Morrell
38464 Highway 99W
Corvallis, OR 97330
Re: LU24-027 Coffin Butte Landfill Expansion Proposal

I am writing this comment in regard to Republic's proposed expansion of the Coffin Butte Landfill.

By way of background, we have owned our house at 38464 Highway 99W for over 40 years. Our property is approximately 1 km south of the landfill and the proposed expansion will be just over the hill from our house. I have also served on the Solid Waste Advisory Committee (SWAC) and the Disposal Site Advisory Committee (DSAC) for over 16 years and am very familiar with the current operation as well as how it has changed. Most recently, I served briefly on the revived DSAC but had to resign as I took a five year position in South Australia; however, our son now lives in our house, and we continue to be registered voters in Benton County.

At the start, I will state that I have no problem with the position of the current landfill site. It was there before we purchased our house and will be there in one form or another long after we pass from the earth. However, for the entire time I served on the SWAC and DSAC, we were continually told that the landfill had decades of capacity and had no intention to cross the road. We were also told that the land to the south was purchased as buffer, not destined to be active landfill.

When the landfill was owned by Valley Landfills, we were impressed with their forward thinking in terms of methane generation through the co-generation facility and, temporarily, through their attempt at reverse osmosis to treat their leachate water to keep all of the leachate on site. These illustrated a company that while working to be profitable, was embedded in the community. Although many of the people who worked with Valley remain, the approach has changed dramatically since Republic has assumed ownership with markedly increased fill rates and, as we notice it, more odor issues. We have never reported these because we have accepted the reality of our location.

I have read through the documents provided by Republic in their application and have the following comments

Traffic: This proposal differs from the previous plan in that it no longer proposes immediately closing Coffin Butte Road to markedly increase landfill capacity; however, it would be disingenuous for the Planning Commission and the County Commissioners to consider this proposal in isolation and ignore the previous proposal for a much larger expansion with the associated closure of Coffin Butte Road.

The logistics of having a public highway running between landfill cells will be daunting and will ultimately lead to a request to close the road to the public. This proposal really sets the stage for the inevitable increasing landfill footprint, leading to the eventual road closure that Republic desires.

Closure of Coffin Butte Road will eliminate the one well-constructed access to Highway 99W from the Soap Creek Valley. This is critical in inclement weather because residents will be forced to use either Sulphur Springs Road or Tampico Road, both of which are narrow and difficult to drive under winter conditions. This will slow emergency response time, potentially creating life threatening situations.

Alternatively, drivers could take Tampico Road heading north around Coffin Butte to exit on either Robison or Airlie Roads. All of this is currently on unimproved dirt track. Multiple tests driving from the junction of Tampico and Sulphur Springs Roads showed that this detour resulted in an increased driving time of 15 minutes to reach Highway 99W. This delay could be lethal for emergency responses.

The current proposal only offers to improve Coffin Butte Road in the areas directly impacted by the expansion but makes no provision for further improvements, leaving these costs to the county and local residents.

It is hard to examine this proposal as a single submission without considering how it will support continued expansion to the south of Coffin Butte Road nor is it hard to imagine that County would not want to continue receiving the millions of dollars in unencumbered funds it receives annually from dramatically increased landfill activities.

Odor Issues: Odors are a reality at any landfill, although we do appreciate Republic's attempts to minimise this issue through landfill gas collection, tarping and daily cover. However, moving the landfill further south will inevitably result in increased odor complaints. As noted earlier, we have noted many more days when we can detect the landfill, but normally do not complain as we see little purpose, especially when we learned that most of these complaints go to the State who then talks to the landfill operators and dismisses them. Residents will be forced to deal with increasing odors. The smell alone is an issue, but recent reports from flyovers suggest that methane levels are often far in excess of minimum effects levels. Expansion will further increase local methane exposure regardless of attempts to capture some of the releases. This has the potential to impact the health of local residents.

Future Capacity: It is a reality that all landfills eventually reach their designed capacity and close. We have already seen this in several other Willamette Valley facilities. Furthermore, most regions are seeking alternative disposal strategies that place landfills as the last option for dealing with municipal solid waste. Alternatively, landfills are being sited in more remote areas with lower rainfall to reduce some of the environmental impacts (e.g Arlington, Oregon).

Many of the emerging technologies are less financially attractive, but they create opportunities for reuse in the circular economy. Corvallis and Benton County have both been leaders in identifying local, environmentally appropriate strategies for dealing with waste. Expanding the landfill to permit continued decades of disposal goes against this overall strategy.

In summary, the proposed expansion of the Coffin Butte facility will result in increased traffic, more odor issues, potential health issues and a general approach that will readily facilitate continued expansion at the expense of the adjoining properties. We respectively ask that the Planning Commission carefully consider and deny this proposal as it does little to benefit the local community and has the potential to do greater harm to the surrounding area.

Sincerely

Jeffrey Morrell

38464 Highway 99W

From: Morrell, Tisha
To: Benton Public Comment
Subject: Comment on Republic application for Coffin Butte Expansion
Date: Saturday, April 19, 2025 9:17:04 PM
Attachments: Landfill response.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:
Attached please find my comments on the application by Republic to expand Coffin Butte Landfill,
Thank you,
Patricia Morrell

Patricia D. Morrell
Professor Emeritus, University of Portland, School of Education
Professor Emeritus, The University of Queensland, School of Education

19 April 2025

I am submitting these comments in response to the Republic Services proposed landfill expansion. With my husband, I own a home and property south of the landfill and close to the proposed expansion site: (38464 Highway 99W).

I am hoping that the expansion proposal will be denied for a variety of reasons. Some of the more pressing concerns are bulleted below:

- Current methane emission levels are unsafe. Methane levels have been linked to health concerns as well as adding to exacerbating conditions for climate change, increased concern with landfill fires, among others. While Republic is "working on" the issue, they have not yet remedied the current methane emissions and Increasing the size of the landfill will only add to the problems. Additionally, emission of other landfill gases, along with dirt and particulate matter (e.g., fiberglass dust) raises other health concerns.
- Odors from the landfill have obviously increased as the amount of waste they receive has increased. Unfortunately, since reporting the odors doesn't result in any real action by the State and certainly not the landfill. As a result, we don't bother to complain. I can't imagine how many more days I'll need to keep my house windows closed if the size of the landfill increases.
- Reports of unsafe practices (e.g, truck washing, questions of proper ash disposal, proper maintenance of equipment, malfunctioning systems, to name a few) have been witnessed and reported.
- Currently less than 10% (perhaps closer to 6%) of the waste in the landfill originates in Benton County, yet it is Benton County, its population, and its community that are being impacted negatively by the increased waste acceptance.
- Questions about ground water leachate without proper state and federal regulating capabilities make it unwise to risk the problems that would likely arise with an expansion into another groundwater system (i.e. different hill).
- There have been concerns raised with what would happen to the intake cap if the expansion is approved. We have already been told that the current cap has been ignored.
- The "meteorological, geologic, and population density are not conducive to a larger landfill tonnage" as described in a Benton County government issued document dating back two years prior to these latest two requests (see https://cd.bentoncountyor.gov/wp-content/uploads/2023/12/history_doc_-_updated_3-27-23.pdf)

The landfill is a for-profit operation, is not a good neighbor, and has dragged its feet in addressing issues, doing as little as possible to maximise profits. It does, however, provide the County with a financial incentive to keep it growing, but at what cost to our community? Remember, the landfill needs to be managed long after it reaches capacity. And the landfill was originally approved with a set capacity in mind. Given past behavior, it is also of concern that Republic will be emboldened by an approved expansion and continue to ask to expand further.

The current landfill would not have been built where it is given our present-day knowledge of appropriate sites. Coffin Butte landfill should be permitted to reach its current preset life span and then be closed. It is time to move to better ways of managing our waste.

Respectfully submitted,
Patricia D. Morrell
morrell@up.edu

From: Rich Muller
To: Benton Public Comment
Subject: Opposed Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill.
Date: Saturday, April 19, 2025 2:32:03 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

My name is RichardT. Muller and I live at 821 12th Avenue Albany Oregon 97321.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns about:

- **Air and water pollution** threaten our local ecosystems and community health
- **Traffic increases** that pose safety risks on nearby roads and pathways
- **Odor and noise issues** that degrade quality of life for residents and visitors
- **Negative impacts on wildlife, recreation, and property values**
- **Long-term climate and environmental consequences** for future generations

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.

I believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities!

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,

Richard T. Muller

821 12th Avenue SW

Albany, Oregon 97321

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Saturday, April 19, 2025 6:49:52 AM

Subject of Testimony: Coffin Bute expansion

Full Name: Barbara Poulsen

Email: barbarapoulsen@earthlink.net

Street Address: Q258 SE Seaport Circle Corvallis OR 97333

Written Testimony:

There is an EPA review going on..wait for the results. We don't need this expansion. It is only so Republic can make a huge profit. Keep your hands off our soil, air and water. Deny this expansion

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.37.160

From: Martha Truninger
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027".
Date: Saturday, April 19, 2025 10:08:23 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application
To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

From: Martha Truninger
1130 NW Overlook Dr
Corvallis, OR 97330

I oppose the expansion of the landfill because of the pollution it is causing and the deleterious health effects it is having on the environment and the people who live in this area. It is the responsibility of our appointed officials to make sure that the decisions they make are in the best interests of our community. Approving the landfill expansion would not be in our best interest. All ready the EPA has found significant methane emissions, which are continuing to pollute our environment. ENRAC (Environment and Natural Resource Advisory Committee has recommended to deny the CUP. I worry about the future of this valley and my and my families exposure to the pollutants emitted by the landfill which will only increase if the CUP is not denied.

Sincerely,
Martha Truninger

From: sy895 twinfern.net
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Saturday, April 19, 2025 11:45:43 AM
Attachments: SignedCBLetter.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Commissioners,

Attached is my letter opposing Republic Services' Conditional Use Permit application LU-24-027.

Sunia Yang
Corvallis, Oregon

To: publiccomment@bentoncountyor.gov

Subject: Oppose/Deny LU-24-027

Body:

Dear Benton County Planning Commissioners,

My name is Sunia Yang and I live at 3505 NW Marshall Drive, Corvallis OR 97330.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns about:

- **Air and water pollution** threaten our local ecosystems and community health
- **Traffic increases** that pose safety risks on nearby roads and pathways
- **Odor and noise issues** that degrade quality of life for residents and visitors
- **Negative impacts on wildlife, recreation, and property values**
- **Long-term climate and environmental consequences** for future generations

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.

Any consideration of expansion should be postponed until Republic Services resolves the issues with the current landfill which include methane leaks, potential ground water pollution, and emissions both caustic and odorous.

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,
Sunia Yang

Corvallis OR 97330



From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Sunday, April 20, 2025 8:44:39 PM

Subject of Testimony: Coffin Butte Landfill Expansion

Full Name: Kathleen Bartee

Email: kmbartee@yahoo.com

Street Address: 5695 NW Fair Oaks Dr, Corvallis, OR, 97330

Written Testimony:

I am writing to strongly oppose the proposed landfill expansion operated by Republic services. I have lived in Corvallis for over 40 years. I have seen the odor and trash scattered along the roadways become continual and offensive. I have seen it blowing off Republic's trucks as I follow them. Republic has not been honest. We were told that methane leaks were few and small – but that's simply not true. Two fires broke out last year. That's a public safety issue and absolutely not acceptable. The cover does not contain airborne toxic particles. There are photos available.
An upsetting thing for me personally is knowing that my granddaughter swam in a river where leachate from a landfill was being disposed. I had no idea until concerned citizens made me aware of this practice. Unacceptable.
We should not allow Republic to make huge profits as it degrades our land and leaves all the long term consequences of toxic waste for our children.
I urge you not to allow this landfill expansion to proceed. Our community deserves your no vote.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 71.59.190.236

From: M. E. Braun
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 12:24:15 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

I am writing to strongly urge the Planning Commission to deny Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. This dump is already polluting air and water, and violating environmental laws. It's not even owned, operated, or controlled by Benton County, and no "Conditions of Approval" attached to previous landfill expansions have ever been enforced (See the Benton County Trash Talks final report).

The proposed expansion would further negatively affect the character of the surrounding area and place an undue burden on public resources, in violation of Benton County Code 53.215(1) and (2). Specifically, I have serious concerns about the following:
— Air, soil, and water pollution, e.g. methane emissions, leachate, etc.
— Increased vehicular traffic, obstructed public rights-of-way
— Offensive, noxious odors and noise
—- Harmful impacts on wildlife, recreation, and property values
— Long-term environmental and climate consequences

I urge you to heed the advice of Benton County's own Environment and Natural Resources Advisory Committee (ENRAC), who voted 5-1 to recommend denial of the proposed landfill expansion. Take seriously the League of Women Voters of Corvallis, strongly urging you to deny the proposed expansion because of grave concerns about the health of Benton County residents. Read carefully the thoughtful, detailed testimony from the Mid-Willamette Bird Alliance, which unequivocally opposes any further expansion of the Coffin Butte Landfill and urges you all to reject this application.

Please, please reject LU-24-027. Thank you for your consideration of these comments, and for protecting the health and future of Benton County residents.

Sincerely,
Mary Elizabeth Braun
Corvallis, Oregon. 97330

From: JB Corbett
To: Benton Public Comment
Subject: comments attached - Coffin Butte
Date: Sunday, April 20, 2025 1:31:27 PM
Attachments: Coffin Butte comments - Corbett.pdf

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Please find my comments on the landfill expansion attached.

Julia Corbett

--
Look deep into nature, then you will understand everything better.
Albert Einstein



April 19, 2025

Nick Fowler
Chair, Benton County Planning Commission

Dear Mr. Fowler & Commissioners:
I strongly urge the Benton County commissioners to reject the expansion of the Coffin Butte Landfill (application file number LU-24-027). Expanding this already toxic site puts an enormous burden and great financial risk on our county for the long-term in so many ways.

If Benton County approves the landfill expansion, the county is liable for what happens to this land far, far into the future. If (when!) Republic Services closes or abandons the site, Benton County faces the cleanup of Coffin Butte and the surrounding land at enormous financial cost and unlimited long-term risk and liability. That greatly constrains the ability of my County to use its monies to instead make future public improvements, upgrades or repairs to facilities and public utilities, and the number of services available to residents like me. As a taxpayer, I don't want to support making this landfill even larger and more noxious than it already is.

I was appalled to learn that Coffin Butte is not just a landfill for Benton and a few surrounding counties – no, Republic's site accepts one-third of all of Oregon's garbage! How unfair that my county uses its land as a dumping ground for the entire state! Let all those far-flung counties and communities deal with reducing their garbage volume and sorting and removing both recyclables and toxics from their own solid waste. Expansion simply supports the status quo way we treat "garbage" and goes against the Sustainable Materials Management criteria that Benton County has endorsed. (Criteria 3)

I was also appalled to learn a whopping 31 million gallons of leachate – a stew of industrial solvents, PFAS chemicals, lead, mercury, etc. – were pumped out of the landfill and sent to Corvallis' (and Salem's) wastewater treatment plants. This isn't "wastewater" in the typical municipal sense and it's disgusting to think that this "treated" leachate is then dumped in the Willamette River, an important source of drinking water for the valley. Maybe Benton County makes a lot of money treating this leachate, but the county is knowingly releasing "forever chemicals" into that beautiful river. More and more municipalities are facing expensive solutions to keep PFAS out of drinking water supplies; it makes no sense that Benton would head in the opposite direction. It's a foolish environmental liability to expand the landfill and thereby expand the amount of deadly chemicals that Corvallis dumps into that river and sends to its residents as drinking water. (Criteria 2)

I enjoying hiking in forests just south of Coffin Butte and also walking and birding in EE Wilson. If the wind is right, the smells drifts right to me, and so do the noxious chemicals. It's disgusting that Coffin Butte emits some of the largest methane plumes in the entire Pacific Northwest. Despite what Republic/Valley Landfills claims, methane levels are high enough to be explosive and contribute powerfully to greenhouse gas emissions and climate change. Coffin Butte profoundly degrades the character of our area and should never be allowed to expand. (Criteria 1)

I am proud that Benton County supports so many positive and healthy endeavors for its citizens. But I absolutely do not support expanding a landfill that has made Benton County a literal dumping ground for the entire state – not just for garbage but for truly dangerous chemicals and gases. Citizens like me are bearing the very real health costs of having this facility in Benton. Approving its expansion makes all those problems worse and exposes the County to significant financial and environmental liability.

Sincerely,
Julia Corbett

915 NW Elizabeth Dr
Corvallis, OR 97330

From: Joseph Crockett
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 2:11:56 PM

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Dear Benton County Planning Commissioners,

My name is Joe Crockett and I live at 37609 Soap Creek Road, Corvallis, 97330

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

As written in the Valley Landfill CUP 53.210 (Permit Required). This sections states:
"The decision to issue a conditional use permit is discretionary."

As defined by the Merriam-Webster dictionary:
discretionary: left to individual choice or judgement: exercised at one's own discretion.

Words to consider as discretionary: Area, off-site impacts, significant, extensive, effective, short lived, seriously interfere, comprehensive, occasional, undue burden, character, adjacent

On behalf of the citizens of Benton County, please use your discretion to reject LU-24-027.

Sincerely,

Joe Crockett
jcrockett@mac.com
Corvallis, OR, 97330

From: Joseph Crockett
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 2:12:01 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

My name is Joe Crockett and I live at 37609 Soap Creek Road, Corvallis, 97330

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

Please note that in the applicant's response to BCC 77.010:
"The Landfill Site Zone recognizes the existing site in the Coffin Butte area…"

The applicant's response:
"…LS zone was expressly created to accommodate and permit the continued use of the landfill that had existed in this area since the 1940s."

In 1983, when the LS zoning was created, one of the conditions of approval for the zoning included that land south of Coffin Butte Road would not be used as part of the landfill ("No disposal of municipal solid waste on the 59.23 acre parcel south of Coffin Butte Road."*)

This is the main point of this CUP: to get rid of the restrictions that do not allow the area south of Coffin Butte Road to be used as a landfill. The applicant's response is misleading at best and should be called out for misrepresenting the facts.

On behalf of the citizens of Benton County, please reject LU-24-027.

* Benton County Planning Department, Staff Report; File No. PC-83-7

Sincerely,

Joe Crockett
jcrockett@mac.com
Corvallis, OR, 97330

From: james.dashiell@linnbentongreens.org
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 4:46:31 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

RE: Republic Services Coffin Butte Landfill Expansion Proposal - LU-24-027

RESOLUTION Passed by Linn-Benton Pacific Green Party on 12/10/2024:

WHEREAS, climate change is a pre-eminent issue facing the planet, the United States, and Benton County; and

WHEREAS,there is nothing more important than addressing the climate crisis; and

WHEREAS, we have no time to waste in taking action to protect Americans' lives and futures; and

WHEREAS, methane is the most potent greenhouse gas, trapping 86 times more heat in the atmosphere than carbon dioxide over 20 years; and

WHEREAS, the time to reduce carbon emissions is time-limited to 10-20 years if catastrophic temperature rise is to be prevented; and

WHEREAS, Republic Services' Coffin Butte Landfill in Benton County is a methane superemitter because of numerous irremediable factors, including precipitation, waste intake volume type and quantity, and inadequate regulation, it is in the best interest of Benton County, and the planet, that the landfill reduce methane-producing waste-in-place; and

WHEREAS, by definition expanding the landfill will increase volumes of waste-in-place, not reduce those volumes; and

WHEREAS, Benton County has ceded control over waste intake volumes if the landfill is expanded; and

WHEREAS, any landfill expansion will increase methane output even without a removal of the existing waste intake volume cap; and

WHEREAS, methane-monitoring regulatory agencies such as the EPA are likely to be
constrained in their abilities to effectively regulate emissions for the next near-, medium-, and long-term;

NOW, THEREFORE, BE IT RESOLVED, that in order to protect the earth's climate, the Linn-Benton Pacific Green Party endorses the denial of any expansion request of the existing landfill, and any new landfill in Benton County.

Sincerely,

The Linn-Benton Pacific Green Party

From: Susan Deemer
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 1:38:24 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

My name is Susan Deemer and I live at 1638 SW Country Club Pl, Corvallis.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

My husband and I did extensive research before deciding to relocate to Corvallis. We wanted to move somewhere that had cleaner air and water and a better quality of life than where we previously lived. Had we known that the landfill expansion was being planned, we may have crossed Corvallis off our list of acceptable locations.

The EPA has documented many severe methane leaks at Coffin Butte Landfill, and emissions are already 100x higher than the legal limit. I have no confidence in legal limits being enforced any better in the future.

An expansion would mean an increase in traffic, odor and noise which will have negative impacts on community health, wildlife, recreation, and property values. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.

I believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities!

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,
Susan Deemer
Corvallis, OR 97333

From: Bethany Dengler-Germain
To: Benton Public Comment
Subject: Time sensitive testimony for LU – 24–027
Date: Sunday, April 20, 2025 10:35:10 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission,

Sorry for the delay but I am submitting testimony regarding LU – 24–027, the application to expand the landfill. I want to be upfront and make it clear that I OPPOSE this application. Understand that I believe that this application should be urgently denied.

I understand that any approval of this land use application has to come from your judgment that the expanded landfill will not seriously interfere with the use on adjacent property, or with the character or the area, or with the purpose of the zone, and that the expanded landfill would not impose on an undue burden on any public improvements, facilities, utilities, or services available to the area.

And that further you must judge that an expanded landfill will not force a significant change in, or increase to the cost of, accepted farm or forest practices on any surrounding lands, devoted to farm or for use; and that further still, you must judge that the expanded landfill will not significantly increase fire hazards or significantly increase fire suppression costs or significantly increase risks to people, engaged in fire suppression. And finally that our testimony may refer to relevant provisions in the Benton County comprehensive plan or development code that the land fill expansion would not comply with any of those plans.

As a concerned citizen, I want to emphasize that this hazardous expansion should NOT be in our backyards. I have children here and I want them to have a safe and healthy future in Corvallis. This landfill expansion is hazardous in many ways, especially increased fire danger with the known methane leaks that already exist coming out of Coffin Butte Landfill. Scientific data shows that the metering leaks can expand way past the landfill and the Lewisburg area during certain wind conditions. We already have issues with air pollution and air issues from agricultural dust, woodburning stoves, and smog from Portland. I have asthma and chronic breathing issues from long-haul Covid and so any issue with air quality greatly negatively affects me to the point where I need my regular inhalers, a rescue inhaler, and often nebulizer treatments.

The goals promoted in the Benton County comprehensive plan include “to maintain and improve the quality of the air, water, and land resources of the state; to protect people and property from natural hazards; to maintain and improve the variety of economic and social activities that are vital to the health, welfare, and prosperity of Oregon citizens.“ Clearly the expansion of this landfill is contradictory to all of these plans. I grew up in the Lewisburg area and my dad still lives there and it’s our family heritage land. I can smell the landfill from there as well as all the way into town on 9th Street near market of choice. Many neighbors have expressed their frustration with the landfill smell, and there’s no place for an expansion let alone a good reason to in that area.

Please do not let this landfill expansion happen. It is absolutely the antithesis of what Corvallis

and the Benton County comprehensive plan is all about. Thank you for your time and consideration on this important topic. I hope that my input has been valuable to your decision-making process.

Sincerely,

Bethany Dengler-Germain

From:	John Deuel
To:	Benton Public Comment
Subject:	Testimony related to the Coffin Butte landfill expansion applicaiton LU-24-027
Date:	Sunday, April 20, 2025 5:49:46 PM
Attachments:	Submitted Testimony- John Deuel.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find attached my testimony to be submitted as part of the public comment period.

John Deuel
Philomath Oregon
757-284-7041
Facebook
Instagram

Our home in Philomath, Oregon is located within the traditional homelands of the Mary's River or Ampinefu Band of Kalapuya. Following the Willamette Valley Treaty of 1855 (Kalapuya etc. Treaty), Kalapuya people were forcibly removed to reservations in Western Oregon. Today, living descendants of these people are a part of the Confederated Tribes of Grand Ronde Community of Oregon and the Confederated Tribes of the Siletz Indians.

Submitted Testimony online on 4/20/25 opposing Coffin Butte Landfill Expansion application, LU-24-027

Email: johnispedaling1@gmail.com
Residence Address: 23541 Greasy Creek Rd, Philomath, OR 97370

This testimony is on my sole behalf and does not represent any organization.
John Deuel, Resident of Benton County

I am a relative newcomer as a resident here. I moved here in 2016 after living in Norfolk and Virginia Beach, Virginia, for over 30 years. I have devoted much of my career to achieving sustainable materials management and continue to do so after my retirement in 2023. I participated in the Benton County Talks Trash (BCCT) project in 2022-2023 and am now a member of the Regional Sustainable Materials Management Plan Task Force.

My intent in developing my own position on the proposed conditional use to expand the Coffin Butte Landfill is to be objective and consider multiple concerns within a very complex problem. I acknowledge my own bias toward preventing waste, recycling, and viewing landfills as the last resort. I believe that even with significant improvements in our recycling systems and the advancement of more sustainable systems for managing our material resources, landfills are still necessary.

The two areas of concern that I have are:

1. How well the application demonstrates that the land use requirements and the operator's plans for compliance will be monitored and shared by the County.

We learned through the BCCT shared understandings consensus process that the record for environmental monitoring of the landfill has been mixed. While serving on the Benton County Solid Waste Advisory Council, I observed consistent annual reporting from the landfill operator. However, gaps in oversight by the County and other state and federal agencies have emerged through the BCCT report.

The application states that the "hauling of leachate will continue to be disposed of per DEQ/EPA regulations." While this appears adequate on the part of the Landfill operator, concerns were raised during the BCCT regarding the capacity of the Corvallis Wastewater Treatment facilities to accommodate the leachate that will continue to be brought to these facilities. I am not aware of any research or further analysis about these concerns.

Last year, the EPA identified 41 locations at Coffin Butte where methane emissions exceeded the legal limit of 500 parts per million, including one area that was releasing over 100,000 parts per million. Methane emissions into the atmosphere have a significantly negative impact on climate change.

I have concerns about how well the County can meet these oversight and monitoring requirements, given the level of staffing and funding historically allocated for this purpose. This challenge is exacerbated by general economic conditions and federal funding and staffing cuts, which have a trickle-down effect on State funding. In response to this current uncertainty, Benton County has frozen all hiring. Given the political confusion at the federal level, this trend could continue for some time and hinder the proper monitoring and transparency needed if this conditional use is approved.

2. My assessment of how the proposed land use is viewed within the lens of the sustainability values of Benton County's 2040 Thriving Communities Initiative.

I support the extensive work done in 2017-18 and the resulting "Core Values" presented as part of Benton County's "2040 Thriving Communities Initiative. " These values include "High Quality Environment & Access" and "Diverse Economy that Fits. "

I applaud the County for initiating the community engagement process to address historic and current concerns about the Coffin Butte Landfill. More importantly, they are proactively shifting the focus of the Sustainable Materials Management Plan toward upstream parts of the materials management chain, such as waste prevention and reuse.

This effort to concentrate its resources and public focus on the shift to a circular economy will be more sustainable and consistent with Oregon's 2050 Vision for Sustainable Materials Management. This shift has the potential to delay the closure of the existing landfill, buying more time for the ongoing transformation to more sustainable materials systems.

Landfilling will continue to be necessary, but it is the least desirable, relatively expensive, and environmentally risky option for managing solid waste. Well-managed and carefully monitored landfills serve a public need; however, in my view, they have become a crutch for maintaining the status quo of an unsustainable linear process: resource extraction, transportation, production, consumption, and finally, the permanent disposal of our limited resources. We have also over-relied on a recycling system that has generally been ineffective. Filling up our recycling cart may give us a sense of satisfaction, but that is not the goal.

We have learned over the past decade that this "make-take-throw away" status quo is not sustainable and needs to change. I question whether expanding landfill space at the proposed location addresses this problem or merely "kicks the can down the road, " thus obscuring or delaying the changes needed to manage our waste sustainably.

Due to the need to urgently change our materials management systems and address monitoring uncertainties, I oppose the approval of the pending Conditional Use Permit to expand Coffin Butte Landfill. I urge the County to continue its leadership in developing the Regional Sustainable Materials Management Plan with the utmost urgency and to implement its recommendations in collaboration with neighboring governments and the State of Oregon.

From: Fay Ellis
To: Benton Public Comment
Subject: Coffin Butte Landfill
Date: Sunday, April 20, 2025 4:48:03 PM

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I am Fay Ellis, 2785 NW Romancier Drive, Corvallis 97330. I'm writing regarding application number LU-24-027 to expand the Coffin Butte landfill which is already an eyesore, and has a detrimental impact on air, land and water quality. To consider expanding it is completely irresponsible. I have 3 generations living here in Corvallis and I am committed to working to assure the future of Corvallis' clean water, clean air and non-toxic land for my children and grandchildren. Mitigation efforts to manage the stench from the landfill and possibly the contamination of the water table are not effective currently, so how can we trust that an expansion will be appropriately managed? Don't let us become one of the terrible stories of towns around the country subjected to contaminated water, soil and air quality. This is preventable now.

Thank you,
Fay Ellis

From: alexgenriquez@yahoo.com
To: Benton Public Comment
Subject: Oppose LU-24-027
Date: Sunday, April 20, 2025 5:53:02 PM

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I oppose LU-24-027, the application to expand the Coffin Butte Landfill.

Alexander Enriquez
750 SW C Ave
Corvallis

From:	Karan Fairchild
To:	Benton Public Comment
Subject:	Coffin Butte Landfill CUP Application LU-24-027 Comment
Date:	Sunday, April 20, 2025 7:40:03 PM
Attachments:	MWBA comment on Coffin Butte Landfill CUP application.docx Scanned MWBA Comment on CBL CUP application.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners and Development Staff,

Please accept the attached document, submitted by Mid-Willamette Bird Alliance, in both .pdf and .docx file types, for inclusion in the public record for your consideration. Thank you,

Karan Fairchild, Co-President
Mid-Willamette Bird Alliance

From: Karan Fairchild
To: Benton Public Comment
Subject: Landfill expansion comment
Date: Sunday, April 20, 2025 8:28:32 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello-

I very much OPPOSE the approval of LU-24-027, expanding the Coffin Butte Landfill. I have lived in Benton County my entire life, and have watched the landfill growing slowly over the years, as our local population increases. It has now grown to mammoth proportions, with the importing of trash from all over the state and some counties in Washington! The wet west side of the Cascades is NOT the place for a huge and expanding landfill.

I believe the proposal to expand the landfill is completely contrary to BCC 53.215(1) and Benton County Comprehensive Plan policies 5.9.4, 5.1.2, 5.2.1, and 5.7.4, especially for its impacts on the EE Wilson Wildlife Management Area. This wildlife management area is a premier spot in Benton county to observe and enjoy birds and other wildlife and attracts visitors from around the region. The sights, sounds and smells of the landfill are impacting the enjoyment of such visits, and also the birds and wildlife. The Great Blue Heron rookery that is near to the landfill is very sensitive to disturbance, and the elk that live in EE Wilson and surrounding areas are facing more and more traffic on the roads, as well as being blocked from their movements for feeding and resting. No one knows the effects of polluted air and water on the wildlife and birds in the wildlife management area, not to mention human visitors and residents.

Please vote NO on the proposed landfill expansion- send that garbage somewhere else!!

Thank you.

Karan Fairchild
31540 Homestead Rd
Philomath, OR 97370

MID-WILLAMETTE BIRD ALLIANCE

Date: April 14, 2025

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

We appreciate the opportunity to comment on the future of the Coffin Butte Landfill, a county planning decision of great concern to our human community, and to the wildlife communities dependent on habitats that lie within and proximate to the parcels of this Conditional Use Permit (CUP) application. Since our inception in 1972 as Audubon Society of Corvallis, our more than 300 members support conservation of birds, other native wildlife, and natural habitats through science, education, and recreational activities made available freely to all.

We oppose any further expansion of the Coffin Butte Landfill and urge the Planning Commission to reject this application. We believe the Planning Commission will find that the Applicant, Republic Services, does not provide evidence to conclude that conditional use permit issuance would not violate County Development Code criteria and Comprehensive Plan policies. Further, based on its current performance, Republic Services cannot be expected to demonstrate that it can assure the County of its future compliance with any conditions that the county might issue.

We assert that any approval of Application LU-24-027 would directly violate Benton County Code criteria 53.215(1) and 53.215(2). We further assert that such a decision would violate or otherwise evade County Comprehensive Plan policies 5.1.2, 5.1.5, 5.2.1, 5.3.1, 5.4.1, 5.4.2, 5.4.3, 5.6.7, 5.7.4, 5.8.2, 5.9.1, 5.9.4, 5.9.5, 5.9.7, 6.1.2, 6.5.7 and 6.5.8. In addition, as Benton County has committed to a Prairie Species Habitat Conservation Plan (HCP) under Section 10 of the U.S. Endangered Species Act, covered species protections and long-term actions committed to by Benton County under the accompanying Prairie Conservation Strategy must not be further compromised by permitting further expansion of the Coffin Butte Landfill. Such approval would also directly counter state-wide goals for species and county-identified priority habitats under the E.E. Wilson Wildlife Management Plan and the Oregon Conservation Strategy.

Audubon Society of Corvallis, dba Mid-Willamette Bird Alliance
P. O. Box 148, Corvallis, Oregon 97339-0148
https://audubooncorvallis.org • audubon.corvallis@gmail.com

Rationale

We have come to this position through careful study of guiding documents relevant to the decision process before you. Over-arching guidance is supplied through Oregon State Land Use Laws, particularly in the promulgation of State and County Land Use Goals. Tiered to statewide land use planning goals, current Benton County Comprehensive Plan Implementation states: "The policies of the Comprehensive Plan serve as the basis for the implementing regulations of the Development Code." Its purpose from the Introduction Guide #2 is, "To guide public decisions on land use changes as reviewed through implementing regulations such as zoning and land division ordinances, such as the Development Code." (pg. Intro-11)

Benton County Comprehensive Plan Goal 5 Overview: Natural Resources, Scenic & Historic Areas, Open Spaces

"Protection of these diverse natural resources calls for a variety of approaches….
Natural areas, scenic areas and open space are to be managed to preserve their essential character, through Benton County's direct management of its lands and by encouraging private landowners to manage appropriately.
Ecosystem components such as wetlands and riparian areas provide multiple utility functions benefiting humans and the environment, and require cooperation among landowners in order to maintain healthy systems. Inventory, analysis and development of protection plans and landowner education programs guide the management of these important resources….
Protection of groundwater resources and wildlife habitat requires the cooperation and participation of local, state and federal agencies. Benton County's policies support the work of those agencies through collaboration on land use decisions and promotion of conservation efforts."
"The statewide planning program directs counties to inventory natural resources and identify significant sites for which protection plans are to be developed. In some cases, significant sites have been identified by state or federal agencies. Interagency coordination and cooperation with local, state and federal programs is particularly important in the implementation of the Goal 5 policies."[i]

Goal 5.9 Wildlife Habitat*: To conserve and protect wildlife habitats and to promote habitat management that maintains wildlife diversity.*

Policies

5.1.2 *Benton County shall work to maintain and enhance ecological health of valued natural areas throughout the county by preserving and restoring natural habitats and maintaining the integrity and stability of these areas.*

Our Finding:
The continuance and expansion of the Coffin Butte Landfill disrupts Oregon's recovery efforts at the E.E. Wilson Wildlife Area, by directly attracting avian predators (such as common raven) to the area with nests of imperiled species of concern (streaked horned lark, Oregon vesper sparrow, western meadowlark), by

attracting invasive Eurasian starlings that displace cavity nesting species of concern (western bluebird, purple martin), and by further compromising wetland, riparian and open water habitats for multiple fish and wildlife species with air and waterborne contaminants. The great blue heron heronry on landfill property may have been abandoned due to bald eagle nest predation or to human cause, but now appears to be established on E.E. Wilson lands immediately adjacent to Highway 99W, where newly fledged herons will experience a far higher risk to road-killed losses. Counter to 5.1.2, Benton County has not worked to preserve the recognized heronry on the applicant's land, nor if by approving this application will it be able to work to preserve and restore the natural habitat of E.E. Wilson or maintain its integrity and stability.

5.1.5 *Benton County shall work with watershed councils, land managers, property owners, and others to protect, maintain, and/or enhance healthy functioning ecosystems and watersheds through conservation incentive programs including property tax benefits, income tax credits, regulatory streamlining, direct funding, voluntary agreements, and technical assistance.*

5.3.1 *Benton County shall work with public and private organizations, landowners, and the general public to identify, record, and protect valued scenic and open space resources.*

5.4.1 *Benton County shall recognize the need for protection of open spaces, especially along natural drainage courses.*

5.4.2 *Benton County shall promote private land stewardship of farm and forest lands, respect private property rights, and work with non-profit groups and others to maintain a comprehensive system of connected open spaces that will protect the most valued natural, scenic, and recreational areas of the county.*

5.4.3 *Benton County shall work to protect ecological and hydrological functions of open space, promoting best management practices and green infrastructure.*

5.4.4 *To protect valued open spaces, Benton County shall use a variety of methods such as land purchase, conservation easements, riparian protection ordinance, open space tax deferrals, gifts and donations, and density transfers.*

5.6.7 *Benton County's riparian planning process shall place particular emphasis on identifying and protecting headwater areas from adverse impacts of development.*

5.7.4 *Benton County shall work with others to conserve and protect natural functions of the county's most important wetland habitats.*

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Conservation Priorities: in-stream habitat, native prairie grasslands, oak woodlands and savannas, riparian floodplains and wetlands.

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5.8.2 *Benton County shall require developers to provide sufficient information to enable Benton County to evaluate whether a proposed use could adversely affect the sustainability of aquifer production when reviewing land use applications.*

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County government cannot assure anyone of a safe, accessible and environmentally sound disposal of solid waste in the absence of transparency in its Coffin Butte Landfill policy planning and implementation.

E.E. Wilson Wildlife Area Management Plan[ii]
As a wildlife and habitat conservation organization with deep roots in the community, MWBA is also aware of the establishment, purposes, and management of E.E. Wilson Wildlife Area, immediately adjacent to, east of, and downslope of Coffin Butte Landfill and its proposed expansion. Our members recreate there regularly and assist in its volunteer efforts and citizen science projects. Benton County recognizes all its eastern portion with Open Space zoning, identifies it as key expansion habitat for two HCP covered species, and lists all of the management area habitats as priorities. The full text of the E.E. Wilson Wildlife Area Management Plan may be viewed or downloaded here: https://www.dfw.state.or.us/wildlife/management_plans/wildlife_areas/docs/ee_wilson.pdf

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In Benton County, E.E. Wilson Wildlife Area manages one-half of all Strategy Components, manages four of Oregon's eleven key Strategy Habitats, harbors dozens of Oregon Strategy Species, and falls within an important Conservation Opportunity Area (Corvallis Area Forests and Balds). Meanwhile the adjacent Coffin Butte Landfill and its proposed expansion carry all of statewide landscape threats to conservation that Benton County can by choice work to improve: Barriers to Animal Movement, Invasive Species, Water Quality and Quantity, and Land Use Changes. https://oregonconservationstrategy.org/

The Benton County Prairie Species Habitat Conservation Plan (HCP) and its Appendix E Prairie Conservation Strategy (PCS) provides our concluding reference. [iv] HCPs offer non-federal landowners an incidental take permit over a multi-decade period in exchange for a commitment to ensure HCP-covered species are provided sufficient habitat for their

persistence, even with an expected level of individual losses. Seven imperiled species are covered under this HCP agreement, and three are relevant for consideration in this CUP application: Fender's blue butterfly, Kincaid's lupine, and Nelson's checkermallow. E.E. Wilson management has worked to establish both these plant species with the expectation that Fender's blue butterflies may populate this area.

Covered Species; Fender's Blue butterfly (PCS pg. 22)

> *"USFWS has identified Finley National Wildlife Refuge as a potential Fender's blue butterfly network. Additionally, E.E. Wilson has the potential to support Fender's blue butterfly and could form a network with Kincaid's lupine patches currently existing along the Soap Creek drainage and along the Benton/Polk county border. Creating stepping stone patches less than 1 km apart in north Benton County will require coordination and cooperation between USFWS, ODFW, Oregon National Guard, Oregon State University, Luckiamute Watershed Council, additional NGOs[v], and private landowners."*

Priority Long Term Actions, Connect (PCS pg. 46)

> *"C5: Connect Fender's blue butterfly habitat in the Soap Creek watershed from Oregon State University's property to E.E. Wilson by protecting stepping stone habitat patches less than 1 km apart. Work with interested private landowners who are willing to plant nectar species and provide information on conservation easements and incentive programs*."

Our Finding:
It is self-evident that any butterfly flight corridor between Soap Creek Valley and E.E. Wilson will be further obstructed by any enlargement of the landfill between Tampico Ridge and Coffin Butte, all the more so by the host of avian scavengers and insectivorous passerines that amass at the open face of the Coffin Butte landfill.

Conclusion

Development Code Chapter 53: Conditional Uses; Administrative Procedures, General Review[vi]

> *BCC 53.215 (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;*
> *BCC 53.215(2): The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area;*

Based on our findings, the proposed use seriously interferes with uses on adjacent public and private property, significantly alters and disrupts the ecological, visual, and rural character of both the zoned area and all other surrounding zoned uses, and thereby greatly exceeds the purpose of the zone.
It has been clearly established that the current landfill use already imposes an undue burden on public rights-of-way, transportation routes, esthetic and scenic values, as well as conservation and restoration efforts and recreational opportunities at state

facilities, along with greatly increased traffic, incidental refuse, incompatible noise, noxious odor, combustible vapor, and contaminated air, soil and water.[vii] Such grievous current offense cannot justify its furtherance or any proposed increase in its size or use.

We again appreciate the opportunity to provide comment to inform your Planning Commission consideration.

Respectfully,

Karan Fairchild, Co-President

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Cc: Oregon State Representatives for Benton County:
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[vii] Benton County Planning Commission Record and Testimony (2021). *CUP Application #LU-21-047*, Benton County, Oregon

MID-WILLAMETTE BIRD ALLIANCE

Date: April 14, 2025

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

We appreciate the opportunity to comment on the future of the Coffin Butte Landfill, a county planning decision of great concern to our human community, and to the wildlife communities dependent on habitats that lie within and proximate to the parcels of this Conditional Use Permit (CUP) application. Since our inception in 1972 as Audubon Society of Corvallis, our more than 300 members support conservation of birds, other native wildlife, and natural habitats through science, education, and recreational activities made available freely to all.

We oppose any further expansion of the Coffin Butte Landfill and urge the Planning Commission to reject this application. We believe the Planning Commission will find that the Applicant, Republic Services, does not provide evidence to conclude that conditional use permit issuance would not violate County Development Code criteria and Comprehensive Plan policies. Further, based on its current performance, Republic Services cannot be expected to demonstrate that it can assure the County of its future compliance with any conditions that the county might issue.

We assert that any approval of Application LU-24-027 would directly violate Benton County Code criteria 53.215(1) and 53.215(2). We further assert that such a decision would violate or otherwise evade County Comprehensive Plan policies 5.1.2, 5.1.5, 5.2.1, 5.3.1, 5.4.1, 5.4.2, 5.4.3, 5.6.7, 5.7.4, 5.8.2, 5.9.1, 5.9.4, 5.9.5, 5.9.7, 6.1.2, 6.5.7 and 6.5.8. In addition, as Benton County has committed to a Prairie Species Habitat Conservation Plan (HCP) under Section 10 of the U.S. Endangered Species Act, covered species protections and long-term actions committed to by Benton County under the accompanying Prairie Conservation Strategy must not be further compromised by permitting further expansion of the Coffin Butte Landfill. Such approval would also directly counter state-wide goals for species and county-identified priority habitats under the E.E. Wilson Wildlife Management Plan and the Oregon Conservation Strategy.

Audubon Society of Corvallis, dba Mid-Willamette Bird Alliance
P. O. Box 148, Corvallis, Oregon 97339-0148
https://audubooncorvallis.org • audubon.corvallis@gmail.com

Rationale

We have come to this position through careful study of guiding documents relevant to the decision process before you. Over-arching guidance is supplied through Oregon State Land Use Laws, particularly in the promulgation of State and County Land Use Goals. Tiered to statewide land use planning goals, current Benton County Comprehensive Plan Implementation states: "The policies of the Comprehensive Plan serve as the basis for the implementing regulations of the Development Code." Its purpose from the Introduction Guide #2 is, "To guide public decisions on land use changes as reviewed through implementing regulations such as zoning and land division ordinances, such as the Development Code." (pg. Intro-11)

Benton County Comprehensive Plan Goal 5 Overview: Natural Resources, Scenic & Historic Areas, Open Spaces

"Protection of these diverse natural resources calls for a variety of approaches....
Natural areas, scenic areas and open space are to be managed to preserve their essential character, through Benton County's direct management of its lands and by encouraging private landowners to manage appropriately.
Ecosystem components such as wetlands and riparian areas provide multiple utility functions benefiting humans and the environment, and require cooperation among landowners in order to maintain healthy systems. Inventory, analysis and development of protection plans and landowner education programs guide the management of these important resources....
Protection of groundwater resources and wildlife habitat requires the cooperation and participation of local, state and federal agencies. Benton County's policies support the work of those agencies through collaboration on land use decisions and promotion of conservation efforts."
"The statewide planning program directs counties to inventory natural resources and identify significant sites for which protection plans are to be developed. In some cases, significant sites have been identified by state or federal agencies. Interagency coordination and cooperation with local, state and federal programs is particularly important in the implementation of the Goal 5 policies."[i]

***Goal 5.9 Wildlife Habitat**: To conserve and protect wildlife habitats and to promote habitat management that maintains wildlife diversity.*

Policies

5.1.2 *Benton County shall work to maintain and enhance ecological health of valued natural areas throughout the county by preserving and restoring natural habitats and maintaining the integrity and stability of these areas.*

Our Finding:
The continuance and expansion of the Coffin Butte Landfill disrupts Oregon's recovery efforts at the E.E. Wilson Wildlife Area, by directly attracting avian predators (such as common raven) to the area with nests of imperiled species of concern (streaked horned lark, Oregon vesper sparrow, western meadowlark), by

attracting invasive Eurasian starlings that displace cavity nesting species of concern (western bluebird, purple martin), and by further compromising wetland, riparian and open water habitats for multiple fish and wildlife species with air and waterborne contaminants. The great blue heron heronry on landfill property may have been abandoned due to bald eagle nest predation or to human cause, but now appears to be established on E.E. Wilson lands immediately adjacent to Highway 99W, where newly fledged herons will experience a far higher risk to road-killed losses. Counter to 5.1.2, Benton County has not worked to preserve the recognized heronry on the applicant's land, nor if by approving this application will it be able to work to preserve and restore the natural habitat of E.E. Wilson or maintain its integrity and stability.

5.1.5 *Benton County shall work with watershed councils, land managers, property owners, and others to protect, maintain, and/or enhance healthy functioning ecosystems and watersheds through conservation incentive programs including property tax benefits, income tax credits, regulatory streamlining, direct funding, voluntary agreements, and technical assistance.*

5.3.1 *Benton County shall work with public and private organizations, landowners, and the general public to identify, record, and protect valued scenic and open space resources.*

5.4.1 *Benton County shall recognize the need for protection of open spaces, especially along natural drainage courses.*

5.4.2 *Benton County shall promote private land stewardship of farm and forest lands, respect private property rights, and work with non-profit groups and others to maintain a comprehensive system of connected open spaces that will protect the most valued natural, scenic, and recreational areas of the county.*

5.4.3 *Benton County shall work to protect ecological and hydrological functions of open space, promoting best management practices and green infrastructure.*

5.4.4 *To protect valued open spaces, Benton County shall use a variety of methods such as land purchase, conservation easements, riparian protection ordinance, open space tax deferrals, gifts and donations, and density transfers.*

5.6.7 *Benton County's riparian planning process shall place particular emphasis on identifying and protecting headwater areas from adverse impacts of development.*

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<u>Conclusion</u>

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Cc: Oregon State Representatives for Benton County:
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[vii] Benton County Planning Commission Record and Testimony (2021). *CUP Application #LU-21-047*, Benton County, Oregon

From: Maia Fischler
To: Benton Public Comment
Subject: Opposition to LU-24-027
Date: Sunday, April 20, 2025 12:34:42 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

DATE: April 20, 2025

TO: Benton County Planning Commission

FROM: Maia Fischler, 37269 Helm Drive, Corvallis
45-year Benton County resident

RE: Opposition to Application #LU-24-027

Respected members of the Benton County Planning Commission:

What a difficult position you are in! You are being asked to approve a land-use application that will permanently impact our beautiful county – not only in terms of the health and environmental quality of life here, but also the perception of Benton County as a pleasant place to live and do business.

You have to weigh, on the one hand, the implications of degrading air and water quality for not just today's children but generations hundreds of years beyond ours. You must consider the potential lawsuits, and also the moral burden that Benton County and those associated with this decision will face in the decades to come. You have to be willing to defend the economic impact of Corvallis becoming "Trash Town," a place that people drive through as quickly as possible, joke about, and dismiss as a place to settle their families and businesses.

On the other hand, you have … money? Not much money, in reality. A couple million a year? Is that really worth the true cost of approving this application?

To me, it's clear that the proposed dump expansion would significantly interfere with the character of the Highway 99W approach to Corvallis (in violation of BCC 53.215(1).) The existing dump is unsightly and smelly, yes, but if it's allowed to expand across the road and up the other side of the valley, it will look and stink like doomsday. "Conditions of Approval" will not mitigate this nightmare; history shows that Benton County does not have the resources or will to enforce conditions, and Republic Services does not and will not comply.

Before you make your decision, I hope you will have driven around the Soap Creek area, a historic and stunningly beautiful part of our county. Your decision will have long-lasting impacts. Please don't opt for short-term gains and cynical corporate promises. Vote no.

From: Shaen Germain
To: Benton Public Comment
Subject: Important time sensitive testimony for LU – 24–027
Date: Sunday, April 20, 2025 10:39:18 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Planning Commission,

Sorry for the delay but I am submitting testimony regarding LU – 24–027, the application to expand the landfill. I want to be upfront and make it clear that I OPPOSE this application. Understand that I believe that this application should be urgently denied.

I understand that any approval of this land use application has to come from your judgment that the expanded landfill will not seriously interfere with the use on adjacent property, or with the character or the area, or with the purpose of the zone, and that the expanded landfill would not impose on an undue burden on any public improvements, facilities, utilities, or services available to the area.

And that further you must judge that an expanded landfill will not force a significant change in, or increase to the cost of, accepted farm or forest practices on any surrounding lands, devoted to farm or for use; and that further still, you must judge that the expanded landfill will not significantly increase fire hazards or significantly increase fire suppression costs or significantly increase risks to people, engaged in fire suppression. And finally that our testimony may refer to relevant provisions in the Benton County comprehensive plan or development code that the land fill expansion would not comply with any of those plans.

As a concerned citizen, I want to emphasize that this hazardous expansion should NOT be in our backyards. I have children here and I want them to have a safe and healthy future in Corvallis. This landfill expansion is hazardous in many ways, especially increased fire danger with the known methane leaks that already exist coming out of Coffin Butte Landfill.

The goals promoted in the Benton County comprehensive plan include “to maintain and improve the quality of the air, water, and land resources of the state; to protect people and property from natural hazards; to maintain and improve the variety of economic and social activities that are vital to the health, welfare, and prosperity of Oregon citizens.“ Clearly the expansion of this landfill is contradictory to all of these plans.

Please do not let this landfill expansion happen. It is extremely the antithesis of what Corvallis and the Benton County comprehensive plan is all about. Thank you for your time and consideration on this important topic. I hope that my input has been helpful and is considered in your decision-making process.

Sincerely,

Shaen Germain

From: Abigail Haberman
To: Benton Public Comment
Subject: Testimony opposing Coffin Butte landfill expansion
Date: Sunday, April 20, 2025 9:15:15 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please confirm receipt of the following testimony. Thank you.

Date: 4/13/2025

To: Benton County Commissioners

From: Abigail Haberman, M.D.
690 NW Calloway Drive
Corvallis, OR 97330

I live on one acre that is about 2.75 miles, as the crow flies, from Coffin Butte Landfill. There are days I cannot be outside because the stench from the landfill is too strong. Despite going back inside, I am being exposed inside my home and I can smell and even taste it inside some days. It is impossible to open the windows for "fresh air" at times and I cannot leave the windows open at night in case there is a temperature inversion or fog that creates the worst of "stench days." I mistakenly took the dogs for a walk one "stench day" and my lungs burned afterwards.

I moved my office to my home a number of years ago for several reasons, one of which was to reduce my exposure to toxins in the building I was working in. But the ever-increasing emissions from the landfill have increasingly affected my health.

Republic Services has been dumping the leachate from the landfill into the Corvallis treatment plant, which empties into the Willamette. 7 miles downriver at Hyak Park, the water supply for Adair Village is pulled from the Willamette. I have many fruit trees and a large vegetable garden that I have maintained organic and chemical-free for the almost 20 years I have lived here. The leachate-contaminated water is what I have to use to water my garden. This water is used for drinking, cooking, showering, and watering gardens for the residents of Adair Village, the surrounding area, and everyone else downstream. I go to significant effort to obtain clean water from another source for drinking and cooking.

The Mid-Willamette Bird Alliance testimony, which has already been submitted to you and I will not repeat here, clearly outlines all of the code and legal violations that Benton County and Republic Services are already engaging in. Expansion of the landfill would just increase the already negative impact to human, animal, plant, and environmental health.

Albany, Oregon, was long known as the "armpit of Oregon" because of the stench emitted by the paper mills there. That stench was sulfur-based compounds, hydrogen sulfide in particular. It took community pressure and environmental regulations to get the mills closed. Benton County is already becoming the next "armpit of Oregon," and would be increasingly so if county commissioners approve expansion of the landfill.

Hydrogen sulfide is one of the many gases that the landfill is producing. When hydrogen sulfide is combined with oxygen, it produces sulfur dioxide. When it is combined with water, it produces hydrosulfuric acid.

It has taken agencies, organizations, and news reports (Beyond Toxics, Carbon Mapper, the Statesman Journal, to name a few) outside of Benton County and Republic Services to identify all that the landfill is emitting and leaching and to a much greater extent than Republic Services was reporting. In addition to hydrogen sulfide, methane, carbon dioxide, heavy metals, forever chemicals, vinyl chloride, benzene, dioxins, nitrogen dioxide, fiberglass, and plastic particles are some of the known compounds. We don't want to be drinking or breathing any of this. They are toxic to the health of humans, wildlife, plants, waterways, air quality, and the environment.

A few years ago, there was a thriving heron rookery with many birds and nests on the south side of Coffin Butte Road. According to the Mid-Willamette Bird Alliance, this has been abandoned. I wonder why? Did Benton County leaders ever abide by the code of the county and have this area protected? Did they engage the state and federal fish and wildlife departments to protect this area?

The fire hazard of a methane-producing landfill speaks for itself. And expansion of the landfill would close Coffin Butte Road, one of the evacuation routes for residents in the Soap Creek area in the event of wildfire.

Benton County's motto on the website is, "At your service, *every day*." By approving expansion of the landfill, Benton County would only be serving the pocketbooks of Republic Services and not the residents of the county. If revenue produced from the landfill and paid by Republic Services to Benton County was that significant, why haven't residents of the county seen a decrease in property taxes? I've only seen ongoing and significant increases to my property tax bill. The leaders of Benton County would not be serving the residents of Benton County, particularly in the matters of health, environment, or finances, by approving the expansion of the landfill.

Benton County's website has the following, which appear contrary to the landfill expansion:
1. The Sustainable Material Management Plan was to look at environmental impacts of the landfill, including on climate change, air quality, and water quality. Where is this information? The non-profit organization Beyond Toxics has done air quality studies but nothing has been forthcoming from the county.
2. "Benton County strives to *reduce pollutants* entering our ground and surface waters to ensure our water is drinkable, fishable, and swimmable. The county has established programs, control measures, and permit processes that help protect water quality so everyone can safely enjoy this critical natural resource." Why is this not being applied to the landfill?
3. "By cutting down on food waste, buying and using less, or purchasing second-hand items, we can help keep Benton County cleaner, healthier and more sustainable." County residents can make and many are making all of those efforts and still suffer the health effects of an ever-burgeoning landfill because Republic Services is taking waste from *many* areas *outside* the county.
4. Benton County Trash Talks "spent countless hours" on an over 1,000 page report but, interestingly and despite all the public information collected, "did NOT opine on Republic Services' expected Coffin Butte expansion application." Then what was the point?
5. "Benton County is protecting and enhancing natural habitat for future generations of people

and wildlife." Why is this not being applied to the landfill?
6. "Benton County's goal is to reduce emissions from County operations by 50% of 2010 levels by the year 2030, and to be net-zero by 2050." Again, why is this not being applied to the landfill? The county and its residents can make astounding efforts to be more environmentally friendly, only to have that be a drop in the bucket compared to the extraordinary amounts of greenhouse gases being emitted by the landfill.
7. "Benton County monitors the greenhouse gases (GHGs) emitted by County operations." Why is the county not monitoring the GHGs emitted by the landfill?
8. Under the Climate Action Plan accomplishments, "Benton County has made progress on these Climate Action Plan (CAP) objectives," which includes "reducing landfilled waste." The county is not reducing landfilled waste. The county is enabling the significant increase of landfilled waste by allowing the landfill to take waste from multiple surrounding areas. The county is enabling the irresponsible behavior of others by allowing them to create all the garbage they want and conveniently dump it in our county's "back yard" and allowing Republic Services to profit from it.

Instead, we should be doing the following:
1. Setting healthy boundaries, requiring surrounding areas to become responsible for their own waste. This would incentivize their reduction of waste because they would have no place to dump it.
2. Setting the trend for reducing waste in our own county, creating a "circular economy" like Finland, where no waste is created, rather than supporting a large corporation to profit from garbage created.
3. Holding corporations accountable to make everything recyclable, repairable, or compostable.
4. Leading the younger generation in these efforts rather than the younger generation leading us.
5. Creating a healthy community for the following generations to live in rather than creating a second "armpit of Oregon" in Corvallis instead of Albany.
6. Taking responsibility for the garbage we create rather than creating more superfund sites for the following generations to deal with.

Republic Services needs to be held accountable for the climate, health, and environmental impact and the air, land, and water pollution they are already creating and be prevented from causing further damage by expanding the landfill. Benton County commissioners are the leaders in the position to enforce this accountability.

The questions beg to be asked. Are Benton County leaders going to hold Republic Services accountable? Why would you approve the expansion of Coffin Butte Landfill despite all the opposition occurring, the issues being raised, and county codes being violated? Makes one wonder.

From: Stacy Hampton
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 8:01:32 PM

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In Regard to the proposed Coffin Butte expansion:

My name is Stacy Hampton and I am a homeowner in Corvallis. I have never written a public testimony regarding a pending government decision. However, I am highly concerned that Benton County officials would choose to poison their air, water, and soil with increasing amounts of chemicals and microplastics. The impact of toxic chemicals, microplastics, and pollution on health has been established in enough studies. Additional studies in the future will likely further quantify this effect. Unfortunately, the technology to create these chemicals and toxic byproducts far exceeds the ability to fully detect and remediate toxic exposures in the air, water, and soil.

The Coffin Butte landfill is an area of high population density as compared to desolate alternatives such as eastern Oregon. Although Republic Services has a vested interest in disposing of garbage in ways that minimize their transportation costs and this is their main site for disposing of garbage in Oregon, the impact of this extra exposure on the health and welfare of Benton County residents far outweighs their corporate interests.

In case of fire or other natural disasters affecting the Coffin Butte landfill, the ability to inhabit Benton County could be seriously compromised in terms of the chemical compounds released into the air/water/soil. Additionally, the ability to remove and even identify the various chemicals that are released into the water supply is insufficient when considering the number of people affected.

It is one thing for Coffin Butte to serve as a landfill for Benton County residents. It is entirely a different concept when only a small percentage of the garbage is derived from Benton County. The expense in terms of environmental harm, environmental remediation, and possible lawsuits related to the harms caused by the Coffin Butte Landfill cannot be understated. There is enough research to date to quantify and extrapolate the health impacts of Coffin Butte on Benton County residents if the landfill leads to future harm.

I am highly opposed to LU-24-027. Approving any expansion of this toxic and under-regulated site, primarily at the expense of Benton County residents, is highly concerning and not consistent with various statutes and initiatives already passed with Benton County. In addition to the health impacts, it poses significant financial risks for Benton County just to benefit Republic Services.

Sincerely,
Stacy Hampton

From: Mark Henkels
To: Benton Public Comment
Subject: Coffin Butte Landfill expansion variance: Application file number: LU-24-027
Date: Sunday, April 20, 2025 4:18:18 PM

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To: Benton County Planning Commission

Regarding: Coffin Butte Landfill expansion variance: **Application file number: LU-24-027**

From: Mark Henkels, Ph.D. 7540 NE Pettibone Drive, Corvallis, OR 97330
mphcorvallis@gmail.com

Date: March 25, 2025

Please do not approve the Coffin Butte Landfill expansion waiver. Here I present some evidence that the proposed use will seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.

I hope that the Planning Commission exerts its proper authority to judge the submitted information and chooses, as the law allows, to not grant the conditional use waiver.

The expansion would seriously interfere with uses on adjacent property and the character of the area in at least two ways. First, no matter how Republic Services says things will be different, the expansion will inevitably operate and have a similar appearance as the existing operation. The operation will be seen for many miles, particularly from anywhere to the east, west or north even if Tampico Ridge blocks the visibility from Soap Creek to some extent. Landfills that accept over one million tons of refuse per year are major industrial facility. The Coffin Butte facility stands out as an ugly imposition on an otherwise bucolic rural setting. The expansion will bring many more acres of plastic, heavy truck traffic, dust, and extensive lighting and noise that do not fit well here and will degrade the views, environmental quality, and transportation in the area.

A second consideration regarding the expansion and its impact on the adjacent area is odor. I have reviewed the section on odor in Republic Services application. Although the applicant's information indicates the current odors fit legal guidelines, my personal direct experience and that of others I know is that smells from the existing operation do impact life in the area. I live seven miles aways to the south and I have smelled odor from the dump so bothersome that I reported it to the state. This has happened increasingly in recent years as the amount of garbage going into the dump has doubled to over 1 million tons per year. It is logical to assume that if the 1.1 million ton limit should be lifted, as the expansion agreement allows, incidences of unacceptable stench will get even more frequent and worse.

Republic Services's application does not capture the real experience people have with dump odors. While the reporting system appears to be open and easy, in practice it is not so effective. When I last reported the odor, and I only have done it when it was particularly rank at my home, the Oregon DEQ's response was that Republic's

monitoring at the landfill indicated that there was not excessive odor that date. My experience with the worsening odors from the dump were confirmed when a random conversation with another person, who has no real interest in this issue, told me that they smelled the dump the same day. Another incidental conversation with an Adair Village resident also independently confirmed the increase in odor in recent years, and around that same date. I no longer bother reporting the smells, which I think is very common. Why report things when nothing will happen? The system of monitoring does not work and grossly underrepresents the impact of the landfill's smells. Even if there are promises and agreements regarding improving the odor reporting system, it is a fantasy to think that these would be implemented and effective over the life of the expanded dump.

Further evidence of how the landfill negatively affects our air quality and how there is little hope for better regulation can be found in recent studies of accidental methane releases from the site. An inspection of only a portion of the landfill by the federal EPA on June 23, 2022 found 61 points where methane exceeded the 500 parts per million (ppm) threshold, with at least 21 spots exceeded 10,000 ppm. The 2022 report noted that Republic Service's own reports found no more than six violations of the 500 ppm threshold of concern, and some found no violations. A follow-up inspection on June 21, 2024 found emissions exceeding 500 parts per million (ppm) at approximately 40 holes in the covering materials, that a flange at the flare station (where they purposely burn methane) had methane emissions over 500 ppm, and that one of the wellheads was open to the atmosphere and had emissions over 500 ppm. This information comes from the Region 10 Office of the Environmental Protection Agency, based in Seattle.

Neither the state or federal regulators have done anything yet about this, and the county denies having responsibility for these issues. Most of these releases will not be corrected by improving the "capture technology" since these come from the cover process itself. Beyond the implications to climate change, methane emissions also pose a fire hazard. Fires any larger than the two reported in the Summer of 2024 would certainly affect the surrounding area and in the worst case alter life in the whole region.

To conclude, the Planning Commission must apply its independent judgement of how a major expansion of Coffin Butte facility would harm the adjacent area, and beyond. Benton County made a strong commitment to environmental quality and public health in its *2040 Thriving Communities Initiative*. The information provided here and in other submissions explaining how the expansion would harm the local environment and citizens justifies a rejection of the waiver request.

From: Stewart Holmes
To: Benton Public Comment
Cc: Stewart Holmes
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 5:02:19 PM

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My name is Stewart Holmes. I live at 5888 SW Englewood Ave Corvallis.

My wife and I have lived, worked, hiked and ridden my bike in and around Corvallis since 1985. In the 1980s and early 1990s, many of those rides were out near or past the landfill. Not any more and never again. The noise, smells, and extreme amounts of heavy truck traffic make it physically hazardous to go near the area except in an automobile and never to linger. Even going out to the wildlife preserve has become a hazardous activity.

My wife and I used to ride our bikes on Independence Highway north towards Salem. I think it was back in the early 1990s when that became no longer an option given the truck traffic along the road from the landfill hauling gravel from the landfill to I-5. Trash trucks going the other way to the landfill created another huge safety hazard. We stopped riding that road years ago because of that. Too many close calls with trucks. **That seriously interferes with one of the healthy lifestyle choices hundreds or perhaps thousands of residents partake in daily.**

Now the hazard is located primarily at the landfill. The amount of pollution of the air, soil and eventually groundwater that will impact people all the way to the Willamette River and eventually all the way to the Columbia, has reached untenable proportions.

I just read yet one more article (this one in The Economist) about the manner and location in which humans are dealing with their waste. This article talked about how, decades ago, the US would be able to ship mostly its plastic and electronic and similar waste to China, other countries in SE Asia and the poorest African countries where the inhabitants of those countries would have to live with the pollution of their air, soil and drinking water. Nowadays, however, most of those third-world developing countries have developed enough that they are no longer accepting OUR waste. They are telling us in the US to deal with it ourselves. We are struggling to do that. By not allowing others to foist more of their waste on us by allowing an

expansion of the landfill, we can do the same to others elsewhere who are treating us residents of Benton County like a third-world dumping site. We can start to deal with this issue by not allowing an expansion of the landfill at this time, and perhaps ever.

My understanding is that about 93% of the waste going into the landfill – especially the plastics and electronics and other toxic materials being dumped legally or not in the landfill – is from people who don't live here, the image that comes to my mind is of we tax-paying residents of Benton County being in the same situation as the poorest people in the most underdeveloped countries of the world years ago.

The situation in the landfill is already untenable for these reasons and many more that the members of the Planning Commission are well aware.

IF THE PLANNING COMMISSION ALLOWS AN EXPANSION OF THE LANDFILL, you will be allowing a harm to our community that will never be able to be remedied, EVER!

It seems to me that no amount of money would be worth that especially for those of us (you?) who won't have to live with the consequences of YOUR actions. By allowing any, let alone MORE, trash into the landfill, you will be imposing a HUGE UNDUE BURDEN on the community that will last not just for 7 generations, but forever.

PLEASE DON'T!

Thank you for all us residents and for those who will come after us FOREVER!

From: Lucy L
To: Benton Public Comment
Subject: Oppose/Deny CUP LU-24-027
Date: Sunday, April 20, 2025 10:23:41 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear County Commissioners,

I'm writing to you to let you know that I oppose the conditional use permit LU-24-027 for Republic Services to expand their Coffin Butte landfill. Please do not allow this expansion to be permitted.

My home address is 27477 Writsman Creek Drive which is about 2 1/2 miles south of the landfill. On occasions, I can smell the acrid stuff they emit at my house. This is a lot of gas emitted if I can smell it this far away. If the expansion is allowed, I can only assume the smell will get worse. What is in the gas that I smell? I don't really know, but I'll bet it's not good for me and my neighbors as sometimes I'm forced to stay indoors to tolerate the smell. I'm sure you don't want a wide swath of people in your county to be bathed in toxic gases.

I have read that the landfill runoff can seep into the soil even with the preventive measures Republic has taken. Because of all the rain we get in this area, it is almost impossible to prevent 100% of the toxic runoff. This means that this toxicity gets into our soil and from there it must get into our water. This not only ends up in our wells, but in our bodies. Do the people around the landfill get sick more often than in other parts of the county? Before you allow an expansion you must answer this question.

If the landfill is allowed to expand, it will increase truck traffic, which creates its own pollution in the air around the landfill. This landfill is surrounded by homes and farms. All this pollution from the air, water and traffic will get worse with an expansion. I'm sure the expected growth of Adair Village will be affected. The county will lose tax money if this growth is dampened.

I also worry about the long-term impacts from an expansion. Benton County contributes less than 10% of the waste that goes into the landfill, but we feel the effects more than counties that contribute the other 90%. Our county will degrade while theirs will prosper if Coffin Butte continues to expand. That's not good for Benton County. I love living here -- please don't allow it to degrade. It will lower living quality for the county, the people who live here and the tax base if people are forced to move or the land value decreases.

I urge you to deny CUP LU-24-027, the expansion of Coffin Butte.

Lucille L. Honig
27477 Writsman Creek Drive
Corvallis OR 97330

Thank you for reading my testimony.

From: Roxana Kaferly
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027 - resubmit
Date: Sunday, April 20, 2025 2:51:30 PM
Attachments: Roxana Kaferly CB Expansion Oposition Testimony.PDF

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am resubmitting my email with my testimony on Oppose/Deny LU-24-027 because I checked the prior email and could not open the attachment which said it was corrupted. Sorry for the inconvenience. Thank you.

Dear Benton County Planning Commissioners:

Please accept my testimony regarding Coffin Butte Landfill Expansion. Thank you for this opportunity to submit my testimony.

Roxana Kaferly
8811 NE Cori Court
Adair Village, OR. 97330
roxanakaf@gmail.com
Cell: 847-209-8173

Testimony of Roxana Kaferly
Strongly Opposing Coffin Butte Landfill Expansion
File Number LU-24-027

I strongly oppose any expansion of the Coffin Butte Landfill and urge the Planning Commission to reject this application.

I came to Adair Village/Corvallis area 3 years ago from a Chicago suburb to retire in this beautiful area. I was drawn to the bountiful nature, Willamette River, open green fields, the ridges of conifers, the forward-thinking conservation and recreational areas as well as the unique and trendy downtown shops and restaurants.

Last year I bought a home in Adair Village which is my biggest investment for retirement. I worry about plummeting property values due to the negative effects of the Coffin Butte Landfill and if I will be able to sell my home once I need to cover the cost of my long-term care.

The mountain of trash dominates the view north of me rather than the scenic natural areas of Adair Village, Corvallis and surrounding cities and counties. Instead, there is the sound of earth moving equipment, the big trucks grinding up the hill, and the clouds of dust and ash floating through the air carrying pollutants created by the Coffin Butte Landfill.

Frequently rotten odors from Coffin Butte Landfill permeate both cities and the entire surrounding areas. It hangs over the areas like a deep dense fog. There is no way to avoid it on some days which forces me to stay inside in violation of BCC 53.215(1).

In violation of BCC 53.215(1) and (2), 25-30 million gallons of leachate liquid from Coffin Butte Landfill per year is dumped into the Corvallis wastewater treatment plant. This means every day 15-20 large tanker trucks go to and from the landfill to the water treatment plant. This leachate from the landfill contains heavy metals - arsenic, lead, mercury, cadmium, etc., pesticides, personal care products, pharmaceuticals, and high concentrations of PFAS (forever chemicals). The Corvallis wastewater treatment plant is not designed for, nor do they have the technology to remove this complex suite of chemical pollutants in the leachate. These chemicals are dumped in the Willamette River and are in the water we drink. This is also in violation of Benton County Comprehensive Plan policy 6.5.5 (*Benton County shall strive for the safe storage, collection, reduction, reuse, recover and appropriate disposal of hazardous waste materials.)*.

The proposed expansion of Coffin Butte Landfill will place an undue burden on public facilities violating BCC 53.215(2). There will be more truck traffic on local roads hauling garbage and more trucks hauling leachate away to locations unspecified. Already I have several small round dents on the front of my car that have come from having heavy Republic Services trucks on the roads in front of me traveling at high speeds with debris falling from their trucks and shooting up rocks from the road.

I am greatly concerned about the risk of wildfires from the Coffin Butte Landfill from the methane release levels and frequent landfill fires being in these moderate wildfire risk lands adjacent to residential homes. There is no one monitoring the flames from methane after 5:00pm. To introduce

Roxana Kaferly, 8811 Cori Ct., Adair Village, OR 97330
roxanakaf@gmail.com 847-209-8173

the accelerant of high methane levels, flames can easily ignite wildfires in this area. In 2022, the EPA documented a massive number of methane leak violations with some measured methane levels higher than their equipment would register – explosive levels in some cases. See attached EPA Report signed 9/19/2022 p. 8 Daniel Heins, Environmental Scientist Air Toxics Enforcement Section of the EPA expressed his concerns "with the areas of tarp that were inflated with and leaking out landfill gas, as detected during the SEM, noting that in addition to compliance concerns with the surface methane standard that such an accumulation of flammable gas creates a potential safety concern." See also attached EPA Report Appendix B: Field Measurement Data pp 12-14 yellow highlighted readings. "F/O" refers to instrument flame out which is a safety feature of the methane detector which has a tiny flame in it which gets snuffed out when it senses the methane concentration is getting high enough that the flame might ignite it. This concentration is called the "lower explosive limit," indicating readings above 5% that have exceeded the TVA measurement range.

Expanding the Coffin Butte Landfill could only exacerbate these issues and create further detrimental damage and risks to the area and the health of the residents living in the surrounding cities and counties. Expanding the Coffin Butte landfill will be detrimental to the statewide goals promoted in the Benton County Comprehensive Plan such as "maintaining and improving the quality of the air, water and land resources of the state," "[v]ibrant, livable communities," "health considerations in all actions," Expansion will also be detrimental to the County's Core Values adopted in its 2040 Thriving Communities Initiative. Any attempt to increase a current harm is a significant and dismaying departure from the County's core value of protecting all its residents. The applicant has not proved by their current operation that the expansion will be any different.

This expansion would be creating a *de facto* "sacrifice zone" in Benton County: a piece of land and the areas around it that the County is allowing to be ruined for the gain of other areas. This is directly contrary to my values and the character and values of Benton County.

In January, EPA Enforcement initiated an action against Coffin Butte Landfill. This action has significant implications: it indicates the EPA has cause to believe the applicant is misrepresenting their environmental compliance. Given the serious nature of this action, I feel the Planning Commission must reject the applicant's Burden of Proof, which relies on the same representations of the applicant's environmental record that the EPA is investigating.

I thank you for the opportunity to submit my testimony and greatly appreciate your great care in deciding these issues.

Roxana Kaferly

Roxana Kaferly, 8811 Cori Ct., Adair Village, OR 97330
roxanakaf@gmail.com 847-209-8173

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 6TH AVENUE
SEATTLE, WASHINGTON 98101

DATE: See date of Section Chief signature

SUBJECT: CLEAN AIR ACT INSPECTION REPORT
Republic Services Coffin Butte Landfill, Corvallis, OR

FROM: Daniel Heins, Environmental Scientist
Air Toxics Enforcement Section, EPA Region 10

THRU: Derrick Terada, Acting Section Chief
Air Toxics Enforcement Section, EPA Region 10

TO: File

BASIC INFORMATION

Facility Name: Republic Services Coffin Butte Landfill

Facility Location: 28972 Coffin Butte Road, Corvallis, OR 97330

Date of Inspection: On Site Inspection: June 23, 2022
Virtual Conference: July 11, 2022

EPA Inspector(s):
1. Daniel Heins, Environmental Scientist [a,b]

Other Attendees:
1. Ian MacNab, Environmental Manager – Republic Services [a,c]
2. Phil Caruso, Environmental Specialist – Republic Services [a,b]
3. Brock Kienholz, Operations Manager – Republic Services [c]
4. Nikki Wuestenberg, Operations Support (Nationwide) – Republic Services [a]
5. Melissa Green, Environmental Consultant – Weaver Consultants [a]
6. Yuki Puram, Air Inspector & Permit Engineer – Oregon Department of Environmental Quality [a,b]

[a] Attended virtual conference
[b] Present for all of on-site, including SEM
[c] Present during on site conferences but not during SEM

Contact Email Address: imacnab@republicservices.com

Facility Type: Muncipal solid waste (MSW) landfill

Purpose of Inspection: Surface emissions monitoring (SEM) and evaluating compliance with landfill air rules.

Regulations Central to Inspection: 40 C.F.R. Part 60, Subpart WWW; Oregon State Plan for 40 C.F.R. Part 60, Subpart Cf; 40 C.F.R. Part 63, Subpart AAAA

On Site (6/23) Arrival Time: 09:00
On Site (6/23) Departure Time: 17:50
Virtual Conference (7/11) Start Time: 13:00
Virtual Conference (7/11) End Time: 15:00

Inspection Type:
☐ Unannounced Inspection
☒ Announced Inspection

SITE OVERVIEW

The following information was obtained verbally from Republic Services representatives, including their consultants, during the virtual conference, unless otherwise stated.

Operations Overview:
The Coffin Butte Landfill (the "Landfill") is owned and operated by Republic Services ("Republic"). Republic acquired the Landfill in 2008. Republic representatives were uncertain of exactly how old the Landfill is, stating that they believed it began as a military dump site in the 1940s. Daniel Heins confirmed this via information online from DEQ, which stated that landfilling began in the 1940s in association with Camp Adair. The areas that predate the Resource Conservation and Recovery Act of 1976 (RCRA) have a clay foundation. Some historic waste that predates the 1970s has been re-located from these unlined sections to the post-RCRA lined areas to facilitate construction of future lined cells in those areas.

The Landfill is permitted for 178 acres and has a permitted capacity of 35,514,471 according to the Landfill's 2020 Part 98 Greenhouse Gas Report. The Facility receives approximately 3,500 to 4,500 tons per day of waste. Wastes received include MSW, petroleum contaminated soils, construction and demolition (C&D) waste, C&D material recovery facility (MRF) residuals, and other industrial wastes. Based on current waste acceptance rate, the Landfill has approximately 20 years left under its current permit. Republic has room to expand the site on its property beyond the current permitted footprint.

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.

Leachate flows by gravity to sumps and is pumped to covered storage ponds. Leachate collected varies by year based on the weather but typically is around 25 to 30 million gallons. Condensate is routed to the leachate system. Leachate is trucked to local publicly owned treatment works (POTWs). 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 energy plant has five Caterpillar gas engines – three 3516s and two 3520s. Excess gas not routed to the energy plant is controlled via flares at the Landfill. The landfill has two open flares, with capacities of 1000 standard cubic feet per minute (scfm) and 2000 scfm. Recently the Landfill has been collecting 2600 scfm for the full site, with 1600 scfm going to the energy plant and 1000 scfm to the flares.

SITE TOUR — JUNE 23, 2022

- ☒ Presented Credentials
- ☒ Stated authority and purpose of inspection
- ☐ Provided Small Business Resource Information Sheet
- ☒ Small Business Resource Information Sheet not provided. Reason: Not a small business
- ☒ Provided CBI warning to facility

Data Collected and Observations:
Daniel Heins arrived on site and met with the site staff for introductions and a brief site orientation/safety briefing at the Landfill's office. During this meeting, Ian MacNab stated that while there was a Method 21 instrument available and that Phil Caruso is their monitoring technician, that he would not take the opportunity to check EPA readings / provide confirmation readings, as a matter of Republic Services corporate policy. Daniel Heins explained that facilities typically prefer to check and confirm EPA readings and he gave advance notice to provide Republic the opportunity to confirm his TVA readings. Ian MacNab re-iterated that as a corporate policy that they would not provide confirmation readings.

After that brief meeting, Daniel Heins began the SEM. Phil Caruso accompanied EPA for the Surface Emission Monitoring (SEM). EPA showed all readings to Phil Caruso for visual confirmation of the readings and instructed him to state if he had any concerns with EPA's monitoring methods at any point. EPA used a ThermoFisher Toxic Vapor Analyzer 2020 (TVA) to perform EPA Reference Method 21 for the SEM.

In the morning (9:50 - 12:45), Daniel Heins conducted the monitoring with the TVA, covering a loop on the western portion of the Landfill. In the afternoon (13:30 - 17:15), he continued monitoring with the TVA, covering a loop on the eastern portion of the Landfill. 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 (flag #26, 46, and 51).

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.

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.

Photos and/or Videos: were taken during the inspection. See Appendix A.
Field Measurements: were taken during this inspection. See Appendix B.

INSPECTION CONFERENCE — JULY 11, 2022

☒ Provided U.S. EPA point of contact to the facility
☒ Provided CBI warning to facility

Staff Interview:
The Landfill is subject to the Oregon State Plan implementing the Part 60 Subpart Cf Emission Guidelines, having previously been subject to Part 60 Subpart WWW. The Landfill is also subject to Part 63, Subpart AAAA, and has opted-in to demonstrating compliance with the Oregon State Plan through the Subpart AAAA requirements where allowed.

Republic stated that they were unsure if they were excluding non-degradable waste from their maximum gas generation rate calculations in their Design Plan or any other gas modeling runs they have done to size their GCCS. Republic stated that as the operations personnel were not present, they were unable to speak to what types of industrial wastes are received in any further detail. The Landfill does not accept refrigerants. The Landfill receives asbestos. It packages asbestos waste and deposits it in a dedicated asbestos mono-fill that is the only area excluded from the GCCS.

Leachate system components are connected for LFG collection on a case-by-case basis per recommendations of the engineer(s) involved in designing the GCCS.

Republic is aware of a one-off test of the sulfur content of the LFG requested by DEQ and stated that it read at non-detectable levels.

The Landfill has an alternative monitoring plan (AMP) approved by DEQ dating to when the Landfill operated under Subpart WWW. The AMP has allowances for positive pressure, temperatures above 145 degrees Fahrenheit, and elevated oxygen readings. No wells currently are above 145 degrees Fahrenheit. Republic does make use of the positive pressure allowances for wells with high oxygen levels.

Republic stated that they do not consistently check water levels in wells but has done so in the past. All new (at least since 10 years ago) wells are constructed with dewatering pumps, as a best

practice for a landfill in a wet climate. Republic does not typically add pumps to old wells. As wells are typically constructed with steel casings at the Landfill, redrills are rarely needed.

The Landfill has gas migration probes placed outside the area without synthetic liner but has typically seen readings at gas non-detect levels.

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.

For surface emissions monitoring, Republic only excludes active filling areas and other areas with active heavy equipment as "dangerous." When Daniel Heins noted that the drawn paths in the submitted SEM reports went straight through the drawn "dangerous areas," Republic stated that the paths on the maps are general and do not reflect the actual walked paths. Republic monitors penetration points during its serpentine path. Phil Caruso stated that in addition to penetrations, he would go off the serpentine path if he saw distressed vegetation or cracks in the cover, and that those were the only examples of places where visual observations indicate elevated concentrations of landfill gas that he considered. Republic was unable to speak to the what the historic SEM exceedance rate had been in past surveys.

Daniel Heins asked if the GCCS was operational on the day of the SEM inspection or if there was anything different from standard operations that could have impacted the results of the monitoring. Republic stated that nothing was operating differently than normal, with all wells in operation and collection running. Republic did note that construction above exceedance flags #48 through 58 would have impacted the cover in the construction area.

Daniel Heins asked if Republic viewed the inflated tarps as a concern or something to acted on. Republic disputed that the tarps were inflated with landfill gas, claiming that the wind has blown them up. Daniel Heins noted the extremely elevated methane concentrations detected by the inflated tarps and that the tarps appeared to be in a static inflated state without any steady wind or apparent way for the wind to lift the tarps.

Republic noted that construction of additional gas collection on the top of the Landfill is in progress and will be completed this summer.

Requested documents:
The following documents were requested and supplied ahead of the inspection:

- Two most recent semi-annual NSPS reports
- Results of any cover integrity reports and quarterly SEM monitoring events that have been occurred since the most recent semi-annual
- GCCS map
- Map of cover by type in place (final vs intermediate vs daily cover)

The following documents were requested during the conference and confirmed via subsequent email:

- Constructed acres and acreages by cover type
- Past 5 years of flare monitoring data
- Flare/blower design specs and any performance tests on file for it
- Past year of migration probe data and a map of the probe locations
- Current GCCS Design Plan, along with any versions that have been active in the past 5 years and them most recent LandGEM run used for GCCS sizing (if not in the Design Plan)
- A map of the GCCS showing extent of any horizontal collectors if these are utilized to demonstrate a sufficient density of gas collection
- Landfill cell map and year of first waste placement for each cell
- 2021 Part 98 Greenhouse Gas Report
- Annual waste deposited tonnages by type from 2016 to present
    - Include a list of the primary sources of industrial wastes and a description for any special wastes listed
    - Outline of what wastes (if any) are classified as non-degradable for LandGEM maximum expected gas generation (Design Plan) along with the basis for this classification
    - Outline of what wastes are classified as "inert" for Part 98 reporting along with the basis for this classification
- Rest of the past 5 years of Annual/Semi-Annual Reports
    - Include all NSPS/NESHAP/EG reports, SSM reports, and air permit reports as applicable
    - If the full SEM reports are not included in the above, please include those for the past 5 years
    - Include the most recent SEM reports, or at least as much of it as has been completed by the end of July, even if they are not a part of any final semi-annual
- Any versions of the SSM plan that have been in place in the past 5 years
- Past 5 years of wellhead parameter monitoring
- Past 5 years of gas flow to the energy plant
- Any H2S or sulfur gas testing results from the past 5 years, or most recent if not within the past 5 years
- Map of wells being added this summer since the inspection
- The Alternative Monitoring Plan and approval letter
- Identification of which wells have dewatering pumps
- General description of final cover construction

Concerns:

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.

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.

DIGITAL SIGNATURES

DANIEL HEINS

Digitally signed by DANIEL HEINS
Date: 2022.09.19 14:26:56 -07'00'

Daniel Heins, Report Author

DERRICK TERADA

Digitally signed by DERRICK TERADA
Date: 2022.09.19 14:51:00 -07'00'

Derrick Terada, Acting Section Chief

APPENDICES AND ATTACHMENTS

Appendix A: Digital Image Log
Appendix B: Field Measurement

APPENDIX A: DIGITAL IMAGE LOG

Inspector Name: Daniel Heins
Archival Record Location: US EPA SharePoint

2022-06-23 Images

Image #	File Name	Time (PDT)	Flag #	Description
1	20220623_100838.jpg	10:08:38	1	Animal burrow by cleanout
2	20220623_101327.jpg	10:13:27	2	Overlapping tarps
3	20220623_101816.jpg	10:18:16	3	Discolored soil/distressed vegetation by INE9, multiple decommissioned wells
4	20220623_102219.jpg	10:22:19	3	Discolored soil/distressed vegetation by INE9, multiple decommissioned wells
5	20220623_102231.jpg	10:22:31	3	Discolored soil/distressed vegetation by INE9, multiple decommissioned wells
6	20220623_102717.jpg	10:27:17	4	Cleanout
7	20220623_103235.jpg	10:32:35	5	Decommissioned well and surrounding wells by RE8 manifold
8	20220623_103515.jpg	10:35:15	5	Decommissioned well and surrounding wells by RE8 manifold
9	20220623_104050.jpg	10:40:50	6	Decommissioned PVC well (W9?)
10	20220623_105243.jpg	10:52:43	7	Hole in liner
11	20220623_110338.jpg	11:03:38	8	cleanout with gap in liner
12	20220623_111123.jpg	11:11:23	9	Unmarked well with gap in liner and gap between well and dirt, plus nearby holes
13	20220623_111129.jpg	11:11:29	9	Close up on gap on liner and in dirt
14	20220623_111216.jpg	11:12:16	9	Hole in liner near unmarked well
15	20220623_111452.jpg	11:14:52	10	Liner tear and adjacent hole
16	20220623_112408.jpg	11:24:08	11	3V91 Manifold, both at tarp edge and at multiple penetrations
17	20220623_113216.jpg	11:32:16	12	Hole in liner
18	20220623_113733.jpg	11:37:33	13	3V92 wells with tarp gap
19	20220623_114521.jpg	11:45:21	14	3B0V0351 bad liner seal at base
20	20220623_115250.jpg	11:52:50	15	Decommissioned well with tarp tear/gap
21	20220623_115912.jpg	11:59:12	16	3H94 where horizontal intersects tarp
22	20220623_120314.jpg	12:03:14	16	3H94 penetration cluster
23	20220623_120746.jpg	12:07:46	17	Cleanout by unknown well out of liner
24	20220623_121307.jpg	12:13:07	18	Liner that had been pulled back from unknown well by chopped off pipe segment on ground
25	20220623_122009.jpg	12:20:09	19	Unknown well at liner seam

2022-06-23 Images, continued

Image #	File Name	Time (PDT)	Flag #	Description
26	20220623_122332.jpg	12:23:32	20	Riser with bad liner seal
27	20220623_123220.jpg	12:32:20	21	Well 3COV3 with liner gap
28	20220623_140422.jpg	14:04:22	22	Cell 5 leachate riser complex
29	20220623_140538.jpg	14:05:38	22	Cell 5 leachate riser complex
30	20220623_140921.jpg	14:09:21	22	Cell 5 leachate riser complex - pipe connector
31	20220623_140924.jpg	14:09:24	22	Cell 5 leachate riser complex - pipe connector
32	20220623_140927.jpg	14:09:27	22	Cell 5 leachate riser complex
33	20220623_141045.jpg	14:10:45	22	Cell 5 leachate riser complex
34	20220623_142020.jpg	14:20:20	23	Well 5V40 in liner
35	20220623_143317.jpg	14:33:17	24	Tarp anchor
36	20220623_143735.jpg	14:37:35	25	Tarp anchor
37	20220623_144405.jpg	14:44:05	26	4B55 well cluster
38	20220623_144407.jpg	14:44:07	26	Mystery pipe with improvised cap with folded plastic wrap
39	20220623_144923.jpg	14:49:23	27	2V114 at base in dirt
40	20220623_145332.jpg	14:53:32	28	Hole near edge of liner, and in neighboring hole
41	20220623_145705.jpg	14:57:05	29	Tarp edge
42	20220623_150256.jpg	15:02:56	30	Tarp hole and neighboring holes
43	20220623_150616.jpg	15:06:16	31	Hole at tarp anchor
44	20220623_150954.jpg	15:09:54	32	Abandoned well
45	20220623_150957.jpg	15:09:57	32	Liner hole near abandoned well
46	20220623_151520.jpg	15:15:20	33	4V53 - well surrounded by sandbags in lined area
47	20220623_151822.jpg	15:18:22	34	Anchor and nearby liner hole
48	20220623_154015.jpg	15:40:15	35	Cleanout coming out of dirt
49	20220623_154916.jpg	15:49:16	36	Vertical cleanout in dirt
50	20220623_155053.jpg	15:50:53	37	Circular valve box
51	20220623_155522.jpg	15:55:22	38	Hole in liner
52	20220623_160008.jpg	16:00:08	39	Cleanout / hole in liner
53	20220623_160336.jpg	16:03:36	40	Tarp hole and neighboring holes
54	20220623_160711.jpg	16:07:11	41	PH2101, 2H101 - whole cluster of wells (some tarp gaps)
55	20220623_160900.jpg	16:09:00	41	PH2101, 2H101 - whole cluster of wells (some tarp gaps)
56	20220623_161111.jpg	16:11:11	42	3AV68 and nearby hole in liner
57	20220623_161551.jpg	16:15:51	43	2V100 well in tarp area
58	20220623_161847.jpg	16:18:47	44	3V73 well in tarp gap
59	20220623_162101.jpg	16:21:01	45	Tarp stake
60	20220623_162525.jpg	16:25:25	46	Hole in tarp
61	20220623_162743.jpg	16:27:43	47	Tarp edge
62	20220623_163203.jpg	16:32:03	49	tarp edge
63	20220623_163313.jpg	16:33:13	50	2H86 cluster in tarp
64	20220623_163646.jpg	16:36:45	51	Series of tarp tears near inflated tarp area
65	20220623_163710.jpg	16:37:10	-	Tarped slope showing buildup of gas inflating tarps over slope
66	20220623_163718.jpg	16:37:18	-	Tarped slope showing buildup of gas inflating tarps over slope

2022-06-23 Images, continued

Image #	File Name	Time (PDT)	Flag #	Description
67	20220623_163934.jpg	16:39:34	52	Tarp stake
68	20220623_164213.jpg	16:42:13	53	Tarp stake in area of continuously elevated readings
69	20220623_164217.jpg	16:42:17	-	Tarped slope showing buildup of gas inflating tarps over slope
70	20220623_164219.jpg	16:42:19	-	Tarped slope showing buildup of gas inflating tarps over slope
71	20220623_164221.jpg	16:42:21	-	Tarped slope showing buildup of gas inflating tarps over slope
72	20220623_164521.jpg	16:45:21	54	Tarp stake in area of continuously elevated readings
73	20220623_164718.jpg	16:47:18	55	Tarp edge, inflated tarps visible
74	20220623_164914.jpg	16:49:14	56	Broad area of dirt/waste uphill of tarp area
75	20220623_164917.jpg	16:49:17	56	Broad area of dirt/waste uphill of tarp area
76	20220623_165102.jpg	16:51:02	57	2H94 well cluster - all
77	20220623_165319.jpg	16:53:19	58	Tarp edge
78	20220623_165637.jpg	16:56:37	59	3V89 well cluster in dirt
81	20220623_170040.jpg	17:00:40	60	2V113 - well with some tarp wrapped in dirt area
82	20220623_170947.jpg	17:09:47	61	Valve with well at haul road above cell 5

APPENDIX B: FIELD MEASUREMENT DATA

Measured Exceedances

Flag #	Reading	Description	Latitude	Longitude
1	1%	Animal burrow by cleanout	44.69737457	-123.2356198
2	1000 F/O	Overlapping tarps	44.69745665	-123.2357082
3	1000	Discolored soil/distressed vegetation by INE9, multiple exceedances including multiple decommissioned wells	44.69766687	-123.2360485
4	2000	Cleanout	44.69775127	-123.2362152
5	1%	Decommissioned well and surrounding wells by RE8 manifold	44.69786105	-123.236267
6	700	Decommissioned PVC well (W9?)	44.69782839	-123.2365858
7	1500	Hole in liner	44.69865701	-123.2365257
8	1.20%	cleanout with gap in liner	44.69790548	-123.2358232
9	1.20%	Unmarked well with gap in liner weld and gap between well and dirt, plus nearby holes	44.69829911	-123.2354937
10	2.70%	Liner tear and adjacent hole	44.69842096	-123.23558
11	3700	3V91 Manifold, both at tarp edge and at multiple penetrations	44.69885999	-123.2350488
12	2.20%	Hole in liner	44.69830399	-123.2350079
13	5000	3V92 wells with tarp gap	44.69837287	-123.2347328
14	1200	3B0V0351 bad liner seal at base	44.69822886	-123.2340741
15	1200	Decommissioned well with tarp tear/gap	44.69836899	-123.2337448
16	9000	3H94 where horizontal intersects tarp, and multiple penetrations in cluster	44.698248	-123.2334448
17	4700	Cleanout by unknown well out of liner	44.69812972	-123.2337702
18	5500	Liner that had been pulled back from unknown well by chopped off pipe segment on ground	44.69811411	-123.2338379
19	2000	Unknown well at liner seam	44.69804442	-123.2344811
20	8000	Riser with bad liner seal	44.69804447	-123.2345951
21	1220	Well 3COV3 with liner gap	44.69784857	-123.2333245
22	2400	Cell 5 leachate riser complex - multiple risers and at pipe connection	44.70181118	-123.2257475
23	800	Well 5V40 in liner	44.70167582	-123.2273125
24	3000	Tarp anchor	44.70101596	-123.2273626
25	600	Tarp anchor	44.70114084	-123.2274474
26	1%	4B55 at base of cluster as well as top of mystery pipe with improvised cap with folded plastic wrap	44.70115072	-123.2275846
27	4000	2V114 at base in dirt	44.70111214	-123.2278246
28	1% F/O, 3%	Hole near edge of liner, and in neighboring hole	44.70103128	-123.2276965
29	4500	Tarp edge	44.70082423	-123.2275253
30	1%	Tarp hole and neighboring holes	44.70072043	-123.2273274
31	1500	Hole at tarp anchor	44.70068672	-123.227044

Measured Exceedances

Flag #	Reading	Description	Latitude	Longitude
32	3200	At abandoned well and nearby hole in liner	44.70068362	-123.2267606
33	1200	4V53 - well surrounded by sandbags in lined area	44.70057706	-123.2263945
34	1100	Anchor and nearby liner hole	44.7005098	-123.2261782
35	1%	Cleanout coming out of dirt	44.69962827	-123.2287076
36	1200	Vertical cleanout in dirt	44.69926032	-123.2301237
37	4%	Circular valve box	44.69922726	-123.2302603
38	1500	Hole in liner	44.69923732	-123.2303614
39	1200	Cleanout / hole in liner	44.69906809	-123.2308424
40	1600	Tarp hole and neighboring holes	44.69912191	-123.2309496
41	1%	PH2101, 2H101 - whole cluster of wells (some tarp gaps)	44.69926451	-123.230824
42	2%	3AV68 and nearby hole in liner	44.69929347	-123.2310994
43	3% F/O	2V100 well in tarp area	44.69920828	-123.2314229
44	1200	3V73 well in tarp gap	44.69913826	-123.2316593
45	2%	Tarp stake	44.6990841	-123.2318812
46	2%	Hole in tarp	44.69927783	-123.2319267
47	2500	Tarp edge	44.69937083	-123.2319
48	6000	3V74 - whole well cluster	44.69942123	-123.2320147
49	5000	tarp edge	44.69944725	-123.2316747
50	7000	2H86 cluster in tarp	44.69950461	-123.2315035
51	2%	Series of tarp tears near inflated tarp area	44.69964525	-123.2311715
52	2000	Tarp stake	44.69970317	-123.2309795
53	2%	Tarp stake (and every tarp stake between 52 and 53)	44.69985738	-123.2307325
54	7%	Tarp stake (and every tarp stake between 53 and 54)	44.69994174	-123.2304609
55	3%	Tarp edge	44.70001207	-123.2302193
56	800	Broad area of dirt/waste uphill of tarp area	44.70011566	-123.2300539
57	8000	2H94 well cluster - all	44.7001631	-123.2301332
58	2000	Tarp edge	44.70021131	-123.2296507
59	4000	3V89 well cluster in dirt	44.7005688	-123.2284677
60	4000	2V113 - well with some tarp wrapped in dirt area	44.70062987	-123.2276513
61	800	Valve with well at haul road above cell 5	44.70159276	-123.2253808

All readings are given as methane parts per million, except for readings above 10,000 ppm which are given as percent methane. "F/O" refers to instrument flame out, indicating readings above 5% that have exceeded the TVA measurement range.

Calibration and Instrument Information

Daniel Heins used a ThermoFisher Toxic Vapor Analyzer 2020 (TVA2020), designated as TVA A95732. The EPA TVA2020 response time is approximately 4.5 seconds.

	Calibration gas ppm	A95732 ppm
9:15 calibration check	500	500
13:30 drift check	500	464
17:50 drift check	500	462

EPA calibration gases

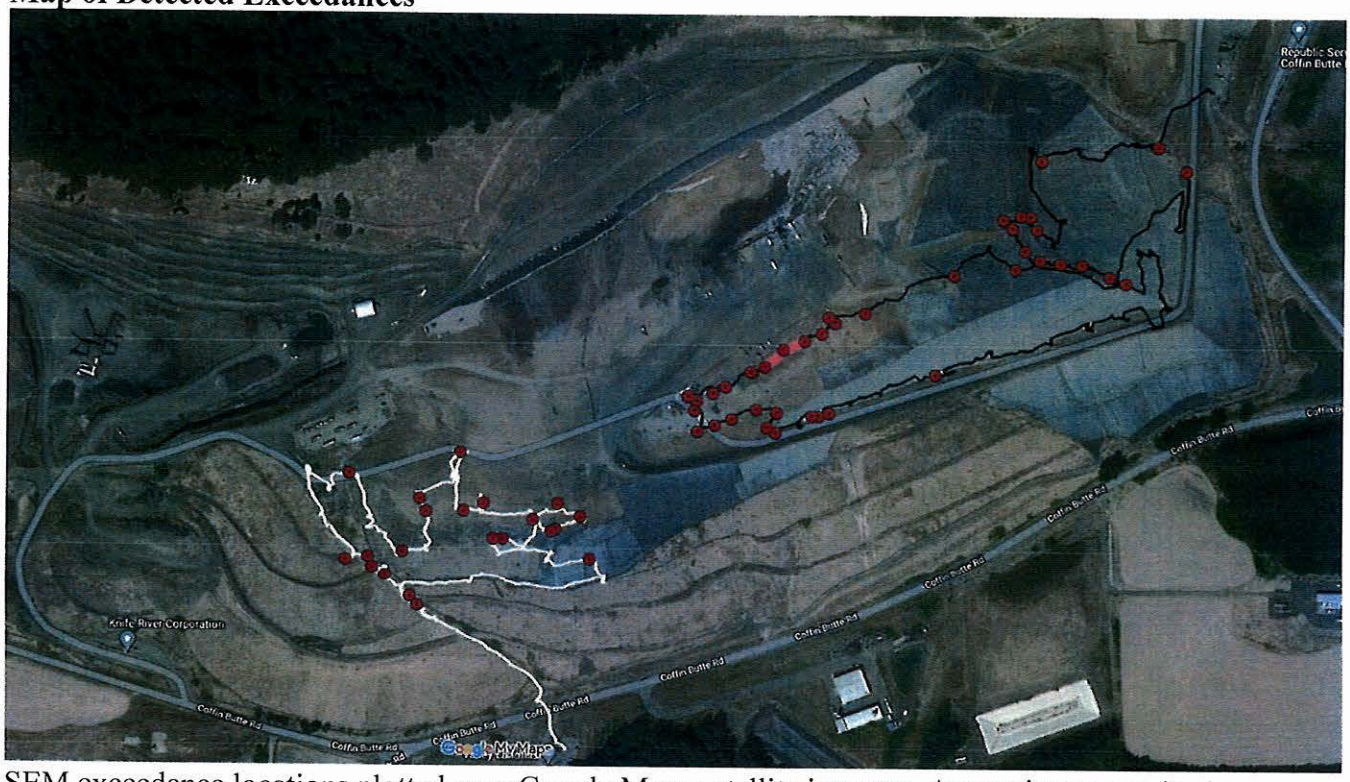
Composition	Lot #	Expiration
Air zero grade THC <1 ppm	DBJ-1-24	March 2023
Methane in air 500 ppm	1-167-64	June 2024

Background readings:

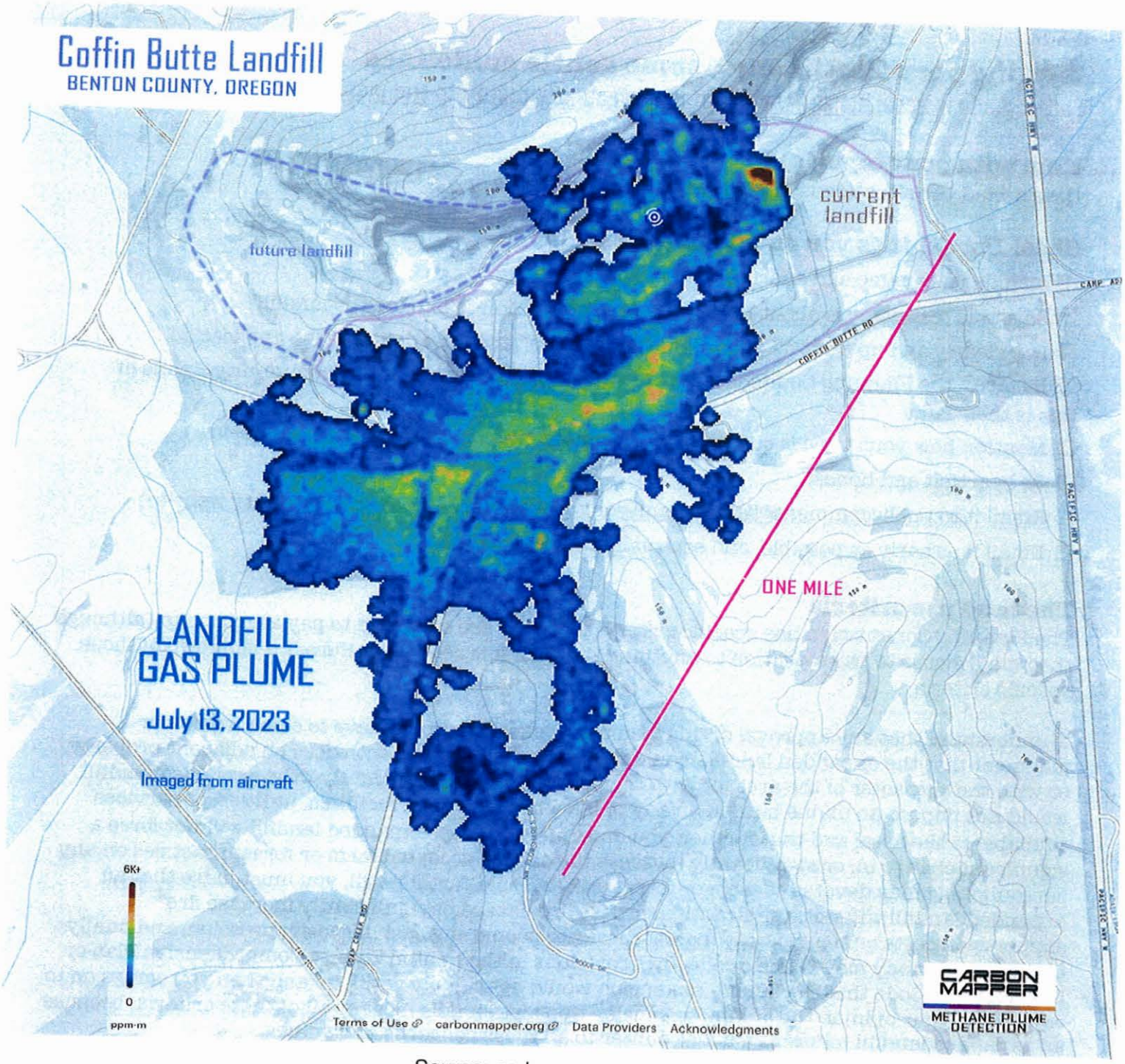
Upwind: 0 ppm

Downwind: 3 ppm

Map of Detected Exceedances



SEM exceedance locations plotted over Google Maps satellite imagery. Approximate monitoring paths included, derived from GPS data. Morning path shown in white, afternoon in black. Line of continuous exceedance at every tarp hole between flags 52 and 54 is highlighted in red.



Source: carbonmapper.org

From: Lee, Janet
To: Lee, Janet; Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 3:06:42 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commission,
My name is Janet Lee and I write in opposition to Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

Although there are so many reasons to oppose this application (health and safety violations; long term liability issues; environmental pollution; impacts on wildlife; loss of recreation opportunities, etc. to name just a few), I would like to comment on the issue of community image and liveability and the ways an expansion would seriously interfere with the character of the area I call home. My understanding is that Republic Services have to prove that their proposed expansion does not (again among many other things) interfere with the character of an area (Benton Co. Code 53.215 (1) and that any proposed mitigation measures are effective. Obviously, this is laughable (if it weren't so serious) given the consequences of a potential expansion, and especially because this company has a very poor track record of effective mitigation measures. This expansion will drastically transform this once beautiful area that is home to a thriving Adair and northwest Corvallis community, farming, forest and wildlife into a gigantic dump that accepts trash and toxic waste from far beyond its borders.

In addition, I have recently read about the core values articulated in BC 2040 Thriving Communities Initiative and, again, it is obvious that this expansion is absolutely contrary to this. Please vote against this proposal and help sustain this community. Thank you for your service

on this commission.

Janet Lee
27612 S Boundary Road, Corvallis
OR 97330

From: Lee, Janet
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 9:08:54 PM

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Dear Benton County Planning Commission,

I am writing in opposition to Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I strongly urge the Planning Commission to deny this application.

I live in northwest Corvallis within 3 miles of the landfill. We can smell the facility on a regular basis and have concerns about the high levels of methane emitted. Sometimes we have to stay indoors because the smell is so bad. The health, safety, and environmental consequences of the landfill currently places an undue burden on my community and interferes with uses on adjacent properties (Benton Co. code 53.215 -1). If the facility is expanded I cannot imagine what it will be like living here.

Alongside health and environmental concerns for myself, my family, and my neighbours, we are all tired of dealing with the trash that blows off the trucks that are constantly entering and leaving the facility, which combined with the increased traffic, noise, and dust, is changing the character of this area. I know of several neighbours who have had problems selling their property upon hearing about a potential landfill expansion, and we know it is affecting our property values.

I know that landfills are necessary and that no one wants them in their backyard. However, there are two points I want to make about this. One, Coffin Butte is not a landfill that only serves a local community or county, but it is bringing in waste

from all over the region. In this sense it exists completely for corporate profit and not for the uses of this local community. The latter would be reasonable and acceptable. Second, surely there is an uninhabited site where a landfill would make more sense environmentally, geologically (I can't speak to this but have heard that this area is not geologically sound for landfill leachate), as well as a site where it would not place an undue burden on residents.

Thank you for your consideration of my views on this disastrously proposed expansion!

Janet Lee

27612 S Boundary Road,

Corvallis, OR 97330

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, April 20, 2025 6:12:13 PM

Subject of Testimony: Coffin Butte Landfill expansion application, LU-24-027

Full Name: Matt Lee

Email: matt.t.lee@comcast.net

Street Address: 670 NW Mirador Pl, Corvallis, 97330

Written Testimony:

I strongly oppose the expansion of the Coffin Butte Landfill (CBL). Air quality: CBL is currently operating under an expired air quality permit, which has not been updated since 2009, and it failed to meet guidelines for methane emissions when monitored by the EPA in 2022 and 2024. These problems will worsen if the landfill is allowed to expand. Water pollution: Arsenic, PFAS, and other toxins in leachate from CBL make their way into nearby wetlands, groundwater, and the Willamette River. Leachate release will increase if the landfill is allowed to expand. Intake cap: If approved, the permit to expand the landfill would eliminate any cap on waste intake, allowing CBL to accept significantly more waste and further exacerbating the problems related to air quality and water pollution.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 24.20.148.234

From: lynne.mcallister2012@gmail.com
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 6:00:32 PM

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April 20, 2025
TO: Nick Fowler, Chair of the Benton County Planning Commission
SUBJECT: **Opposition to Benton County Landfill Expansion, LU-24-027**

Dear Mr. Fowler,

My name is Lynne McAllister, and I live at 2590 SE Ryan Street, Corvallis, OR 97333. **I strongly oppose Republic Services' Conditional Use Permit application LU-24-027** which would expand Coffin Butte Landfill. In addition, because the County does not have staff or resources for monitoring or mitigation of impacts or enforcement of conditions and has not effectively done these things in the past, and because there are reasonable and feasible alternatives to the expansion, **I oppose the landfill expansion, even with conditions**.

I am a longtime resident of Corvallis and have watched Coffin Butte grow to an astonishing size, with serious negative impacts on the character of Corvallis and the surrounding area. The following bullets illustrate how the landfill expansion will personally affect me and how it **violates Benton County Code 53.215 (Criterion #1):**

- If approved, the expansion will allow an unchecked volume of trash to enter the landfill, much of which is already coming from areas far beyond Benton County, increasing the unsightliness of the trash mountain, truck traffic, litter along the highway, and stench, while decreasing the appeal and livability in the community. I frequently travel along Highway 99 to points north, which, with the exception of the landfill, is a lovely alternative to I-5. The mountain of garbage affects my experience of traveling this route, as well as my satisfaction of living in an otherwise beautiful part of Oregon. Encroaching closer to Highway 99, while looming taller every year, it presents a terrible image for our town. It has become an absolute eyesore of an operation, positioned directly on the north entrance to our community. Expanding south to the hillside facing north would compound things by creating a direct visual confrontation of trash for motorists traveling south into town (violates BCC 53.215(1)).

- I live in south Corvallis, and I can frequently smell the landfill from my home and from Willamette Park where I walk. I am 100% positive this is odor wafting down from the landfill because I have been on top of the landfill enough times to know exactly what is smells like. The odor is offensive and negatively affects livability at my property and in nearby places where I recreate outside (violates BCC 53.215(1)). Corvallis residents shouldn't have to live with this level of offensiveness, and the odor will certainly get worse with an expansion.
- Along with the odor, I am concerned about chemicals such as PFAS (forever chemicals, which have been documented emitting from the landfill), methane, and carcinogens that also waft through the air and threaten my health. Beyond its toxicity, the climate effects from methane are undisputed, but Benton County does not have control of methane. Most of the recovered methane is burned, which puts greenhouse gasses into the air and creates a fire danger. Numerous methane leaks have been identified, but methane leakage for the facility as a whole has not been adequately measured or addressed and presents additional fire danger. An increase in trash coming to the landfill will worsen the odor and the prevalence of toxic chemicals, which diminishes quality of life and livability in Corvallis (violates BCC 53.215(1)). Simply the knowledge of inadequate monitoring and compliance at such an enormous operation right in my community and the potential effect on my health and on the planet is very distressing for me.
- Increased truck traffic surrounding the intersection of Coffin Butte Road is a hazard to wildlife and poses a safety risk to other motorists, especially when wildlife crosses the road amongst the trucks. When driving through this area, I frequently must slow down for deer crossing the road and am therefore always on the lookout for them, as this is a major travel route that connects to E.E. Wilson. The safety risk of even more truck traffic on humans and wildlife violates BCC 533.215(1).

In addition to these items, the proposed expansion directly contradicts Benton County's 2040 Thriving Communities Initiative by undermining established goals for environmental stewardship, public health, and sustainable waste management.

Benton County and Republic do not have a good track record of addressing the public's concerns about pollution and impacts on the character of the area; therefore, my conclusion is that these matters will only get worse. Approval of an expansion lifts restrictions on volumes and where the trash is coming from, so additions to the landfill will be massive. The burden of garbage from locations throughout the state (and possibly outside the state) cannot be shouldered by only one community.

This is a decision that will impact our region for many years into the future. Compounding current risks and problems stemming from the landfill could negatively impact our community economically. I urge you to carefully use your discretion when making this very consequential decision by considering alternatives, including alternative sites where water pollution is a lower risk (drier climate of eastern Oregon, for example) and investment in more pro-active, sustainable solutions to waste management. The quarry area on the west side of the butte offers an area to expand in without approval of LU-24-027. The time it would take to fill it, per my understanding, is 14-16 years. This period would allow development of sustainable alternatives. There is no good reason to approve the landfill expansion, and I strongly oppose it.

Thank you.
Sincerely,
Lynne McAllister

From: Janet Ohmann
To: Benton Public Comment
Subject: LU-24-027, CUP Application for Expansion of Coffin Butte Landfill
Date: Sunday, April 20, 2025 12:31:24 PM
Attachments: Jovan_et_al_2024_incin.pdf

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Dear Benton County Planning Commission--

I strongly oppose the conditional use permit (CUP) application for expansion of Coffin Butte Landfill (CBL), and urge the Planning Commission to deny Application LU-24-027.

I have lived five miles from the landfill since 1995. For many years, my neighbors have been concerned about environmental and health hazards brought by CBL. Twenty two years ago, in 2003(!), we submitted a letter in reponse to the proposed DEQ Title V permit. We voiced concerns about air quality and the toxic effects of emissions. I could resubmit the exact same letter today -- the exact same concerns apply, i.e., nothing has changed. Expansion of CBL will just make things worse -- enough is enough!

We have a possible cancer cluster in our neighborhood (described in a separate testimony letter). Yes, landfill odors are an ongoing nuisance, but they also are an indicator of much worse toxins in our air that are not being monitored (such as PFAS, or 'forever chemicals'). Some of us have been so dismayed at the total failure of elected county officials and various state and federal regulatory agencies to enforce environmental and monitoring regulations, that we took matters into our own hands.

In 2022, we undertook a research project to demonstrate potential harms of CBL, by collecting and analyzing field data to reinforce our anecdotal and human experience. In collaboration with researchers at Oregon State University and Pacific Northwest Research Station (USDA Forest Service), and others, we utilized a rigorous sampling design to collect samples of native epiphytic moss (Orthotrichum s.l.) around Coffin Butte Landfill and the Covanta (now rebranded Reworld) solid waste incinerator north of Salem, Oregon. Republic Services uses ash from the incinerator as "daily cover" on CBL instead of soil. The data were collected by trained community volunteers (myself and two other neighbors).

Moss (and lichens) can be used as a biomonitors to document the composition and spatial distribution of trace elements and other pollutants that are otherwise expensive to measure, because they bioaccumulate airborne particles over long time periods. There is a large body of scientific literature illustrating the legitimacy of this approach.

Results from the Covanta incinerator are now published in the peer-reviewed scientific literature (Jovan et al. 2024, copy attached). The chemical signatures in moss pointed to the incincerator as a source of several toxic elements, probably from both stack and fugitive dust emissions. These included mercury, cadmium, arsenic, and chromium. Results for three novel elements—cesium and rare earth elements europium and gadolinium—also showed promise as atmospheric tracers for solid waste incineration. Gadolinium, a contrast reagent for MRIs, could reflect medical waste incineration by the facility.

Unfortunately, moss study results from around CBL are still being analyzed, but results will be submitted as testimony when available.

Please note that the primary cost of conducting this kind of research is for lab analysis, and heavy metals are relatively affordable. We had hoped to assess the data for PFAS (forever chemicals) as well, but lab methods remain prohibitively expensive at this time.

The odors from CBL clearly indicate the presence of associated harmful substances in the air we breathe. These chemicals in our air are seriously and SIGNIFICANTLY interfering with use of our adjacent residential properties. Please use your discretion to interpret these air quality issues for what they are, and DENY this request for expansion.

Janet L. Ohmann, Ph.D.
37609 Soap Creek Rd.
Corvallis, OR 97330

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Jovan, S.; E. Jacobson; J.M. Unrine; N. Jalili-Jahini; and McCune, B. 1994. Putting biomonitors to work: native moss as a screening tool for solid waste incineration. Environmental Monitoring and Assessment 196:1117.

Environ Monit Assess (2024) 196:1177
https://doi.org/10.1007/s10661-024-13354-y

RESEARCH

Putting biomonitors to work: native moss as a screening tool for solid waste incineration

Sarah Jovan · Eleonore Jacobson · Jason M. Unrine · Nasser Jalili-Jahani · Bruce McCune

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Abstract Solid waste incineration (SWI) can release numerous air pollutants although the geographic reach of emissions is not routinely monitored. While many studies use moss and lichens for biomonitoring trace elements, including around SWIs, few investigate the complex, multi-element footprint expected from SWI emissions. This study develops using native moss as a screening tool for SWI while also informing community concerns about an aging incinerator in rural Oregon, USA. Trained community volunteers helped collect 36 composite samples of epiphytic moss (*Orthotrichum* s.l.) along a 32-km transect from the SWI. We used ICP-MS to measure 40 elements in moss, including 14 rare earth elements (REEs) previously unexplored for SWI. We compared the elemental signatures of samples with an emissions profile for SWI and modeled relationships between element concentrations and distance from the facility using nonparametric regression. The chemical signatures in moss pointed to SWI as a source, potentially through both stack and fugitive dust emissions. The strongest models described farther-dispersing elements, including mercury and cadmium ($xR^2 = 0.65$ and 0.62, respectively), and suggested most deposition occurs within 5 to 10 km of the facility. Elements often associated with soil and dust, like arsenic and chromium, exhibited localized peaks within 0.2 km of the incinerator ($xR^2 = 0.14$–0.3). Three novel elements—cesium and REEs europium and gadolinium—also showed promise as atmospheric tracers for SWI. Gadolinium, a contrast reagent for MRIs, could reflect medical waste incineration by the facility. We include additional analysis and discussion to help stakeholders use results effectively.

Keywords Atmospheric deposition · Biomonitoring · Europium · Gadolinium · Heavy metals · Trace metals

Supplementary Information The online version contains supplementary material available at https://doi.org/10.1007/s10661-024-13354-y.

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Introduction

Biomonitoring is a powerful scientific tool for investigating air quality. Although reference-grade air monitors provide the most accurate depiction of pollution levels, high costs prevent their widespread deployment, making it challenging to capture the spatial extent of air pollutants (WHO, 2023). To address this gap, hundreds of studies since the 1960s have utilized moss and lichens as biomonitors to investigate the composition and spatial distribution of trace elements (Abas, 2021; Chaudhuri & Roy, 2023). These organisms absorb their water and nutrients predominantly from the atmosphere, leading to the bioaccumulation of many air contaminants that are otherwise expensive to measure.

A key goal of biomonitoring is to inform environmental decision-making, though many studies remain within scientific circles (Boquete et al., 2017; Pirintsos & Loppi, 2008). Lack of communication with potential users seems to be a common problem, including explaining how findings fit within a broader inquiry or investigative process. Effort by the scientist to "operationalize" findings may make the difference because biomonitoring data do not directly translate to air quality measurements or the regulatory and health thresholds decision-makers use (Bargagli, 2016; Varela et al., 2023). When applied explicitly as a screening tool, however, data may indirectly influence air quality policy and behavior by optimizing the use of those critical resources (e.g., air monitors, funding, decision-maker time and attention; Chiapella et al., 2019; Donovan et al., 2016; Gatziolis et al., 2016; Jovan et al., 2022; Vuković et al., 2015).

We would expect that biomonitoring would be an insightful screening tool for solid waste incineration (SWI). While SWIs are globally common as an alternative to landfilling, their potential to emit numerous hazardous air pollutants (HAPs), including trace metals (Giusti, 2009; National Research Council, 2000), is controversial. The scientific community remains divided on the risks of living nearby, which are difficult to assess because each incinerator's emissions are unique (Bolan et al., 2023; de Titto & Savino, 2019; Domingo et al., 2020; Tait et al., 2020) yet their dispersal into the surrounding environment is not routinely monitored (National Research Council, 2000).

Mandates typically require monitoring emissions on-site, which is sometimes used in computational models to predict their off-site dispersal. However, this approach relies on many assumptions, leading to inaccuracies compared to empirical methods (Gronwald & Chang, 2018; Holmes & Morawska, 2006), including biomonitoring screening datasets (Donovan et al., 2016; Gatziolis et al., 2016). For example, it is assumed that on-site measurements represent emissions even though measurements are taken periodically, even annually (National Research Council, 2000). Characterizing SWI emissions is challenging because they vary widely depending on the operating conditions and composition of materials being incinerated at the time of measurement (National Research Council, 2000). Transitioning from periodic to continuous monitoring of trace metals is discussed in the current study, although it is not yet the convention.

Several biomonitoring studies address SWI emissions (e.g., Antisari et al., 2011; Contardo et al., 2018; Protano et al., 2015; Tretiach et al., 2011), although to the best of our knowledge, only one captured a multi-element signature clearly indicating SWI (Loppi et al., 2000). Hypothetically, if emissions exceed background levels, we would expect biomonitors to capture a complex elemental signature reflecting the chemical heterogeneity of incinerated materials as well as the contrasting spatial scales of potential emissions pathways—i.e., via tall stacks meant to dilute and spread pollutants across large areas or else concentrated in the residual ash, which must be properly contained to prevent emissions as fugitive dust until disposal in a landfill (Bolan et al., 2023). The low cost of biomonitors allows for measuring numerous contaminants across many samples, as would be needed to describe a complex footprint. Additionally, native (i.e., in-situ) biomonitors reflect pollutant deposition over extended periods, ranging from months to years (Boquete et al., 2013; Kularatne & de Freitas, 2013; Paoli et al., 2018), and may therefore capture the episodic emissions that traditional air monitoring can miss (e.g., Donovan et al., 2016). While relationships are not 1:1, these data may provide information on the long-term exposure of residents in the vicinity of the incinerator.

The main goals of this study were to investigate native moss as a screening tool for SWI while also informing air quality concerns raised by communities near the facility in rural Oregon, USA. In addition

to its older age, the facility is contentious for burning some medical waste, known to release higher HAPs (Bolan et al., 2023), despite being regulated by the weaker emissions standards set for municipal (vs. medical) waste incinerators. With the help of trained community volunteers, we sampled the tufted, epiphytic moss species abundant in our study region (mainly *Orthotrichum* spp.) along a 32-km transect extending from the incinerator. We measured 40 elements in each sample and compared their elemental signatures against an emissions profile for medical waste incinerators (Bolan et al., 2023). Our study is unique among incinerator studies for assessing numerous rare earth elements (REE) along with traditional trace metals. Despite increasing use in the medical and high-tech industries (Sager & Wiche, 2024; Urošević et al., 2020), REE emissions from SWI are unexplored. We expected results would provide an initial, empirical basis for discussing community concerns, and potentially also inform the implementation of new state-level regulations for SWI emissions. To help facilitate the understanding and use of results, we included targeted discussion for stakeholders alongside scientific reporting.

Materials and methods

The study area spanned parts of Marion and Clackamas Counties within the Willamette Valley of Oregon, USA (Fig. 1). The ecoregion is highly agricultural and rural but also contains most of Oregon's population in scattered cities and townships, becoming densest in the Portland metropolitan area 20 km north of the study area. Major habitat types include wetlands, oak woodlands, and savannas. The temperate climate has cool wet winters and warm dry summers. Mean annual temperatures historically ranges from 10 to 13 °C, with precipitation annual

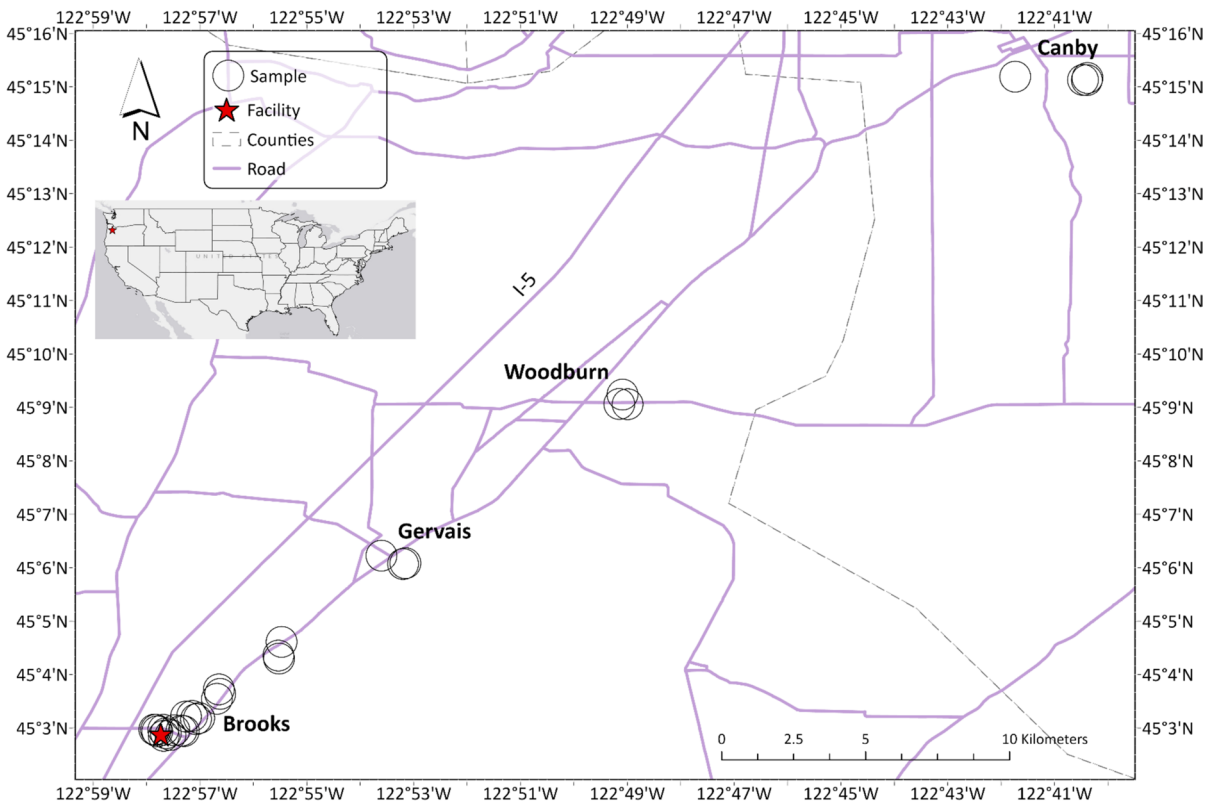


Fig. 1 Map of the study area showing sample sites with major cities and the Interstate (I-5) labeled. Inset map shows location of the study area in the USA

range 89–160 cm, falling mostly in the winter as rain (Wiken et al., 2011).

The facility has been in continuous operation since 1986 in the small unincorporated community of Brooks, Oregon, surrounded mostly by residential and agricultural land as shown in Online Resource 1. The facility is classified as a municipal waste incinerator although some medical waste is incinerated each year. This study may inform three ongoing regulatory matters discussed in stakeholder-focused sections: (1) implementing new requirements for continuous emissions monitoring of certain contaminants under Senate Bill 488 (SB-488; 82nd Oregon Legislative Assembly, 2023), (2) renewal of the facility's Title V permit to emit HAPs, and (3) compilation of an emissions inventory for the facility, a newer requirement under the Cleaner Air Oregon (CAO) Program that was created in response to a prior moss screening study (Chiapella et al., 2019; Donovan et al., 2016).

Moss sampling

In August 2022, we collected moss samples ($n = 36$) along a NE transect at distances of 0.5, 1, 2, 4, 8, 16, and 32 km from the incinerator (Fig. 1). Ten samples were collected within 0.5 km and three per other listed distances at least 50 m apart, with six additional replicates spanning across the transect. The transect was oriented to the NE to align with the dominant W to SW winds (Online Resource 1) and did not intersect any major known sources of metals besides the incinerator.

Four adult community volunteers were trained to assist with moss sampling and processing. We used a protocol similar to a Seattle screening study where trained youth and adult community members led moss sampling and successfully produced a scientifically viable dataset (Derrien et al., 2020; Jovan et al., 2022), although the current study followed more rigorous sample handling and processing guidelines, described in Online Resource 2. Protocols otherwise followed Gatziolis et al. (2016). Briefly, eight or more subsamples of the moss *Orthotrichum* (broad sense, including *Pulvigera pringlei* and *P. papillosa*, formerly considered *O. lyellii,* along with *Lewinskia* spp.) were collected from varied locations on a single tree and analyzed as a composite sample for trace elements. These species have a similar acrocarpous growth form and frequently grow together. We periodically collected replicate samples to evaluate repeat-measurement errors. Samples were transported in a cooler with icepacks and stored at 4 °C until further processing. Moist samples were dried under a HEPA-filtered laminar flow, and any visual debris was removed after discarding the bottom third of the moss tufts.

Trace element analysis

We used a review of medical waste incinerators to define the emissions profile for SWI, noting that municipal waste can release the same metals (Bolan et al., 2023): Silver (Ag), arsenic (As), barium (Ba), cadmium (Cd), cobalt (Co), chromium (Cr), copper (Cu), iron (Fe), mercury (Hg), manganese (Mn), molybdenum (Mo), nickel (Ni), lead (Pb), antimony (Sb), and zinc (Zn). Research suggests mosses are not reliable for biomonitoring Mn (Boquete et al., 2011) and potentially for Ba in *Orthotrichum* spp. (pers. obs) so we retained these as reference elements in the analysis to compare with those exhibiting spatial associations. We also included aluminum (Al), often used as a reference element to differentiate between atmospheric versus edaphic sources (i.e., soil or windblown dust) of trace elements measured in biomonitors (Giráldez et al., 2021).

We measured 23 additional elements that are relatively unexplored with respect to SWI. These include selenium (Se), the only element named in SB-488 that was not in the emissions profile (82nd Oregon Legislative Assembly, 2023). We also measured beryllium (Be), gallium (Ga), rubidium (Rb), strontium (Sr), thallium (Tl), uranium (U), vanadium (V), and 14 REEs: cerium (Ce), dysprosium (Dy), erbium (Er), europium (Eu), gadolinium (Gd), holmium (Ho), lanthanum (La), lutetium (Lu), neodymium (Nd), praseodymium (Pr), samarium (Sm), thallium (Tl), thulium (Tm), and ytterbium (Yb).

Lab analysis and QA/QC

Moss samples were digested according to U.S. Environmental Protection Agency (EPA) method 3052 (EPA, 1996). Briefly, samples were first dried to a constant weight at 60 °C. Samples were then accurately weighed (0.250 g) and digested in 10 mL of trace-metal grade HNO_3 (Aristar Plus, VWR, Radnor, PA, USA) in acid-cleaned, sealed polytetrafluoroethylene (PTFE)

digestion vessels using a MARS 6 microwave digestion system (CEM, Matthews, NC, USA). The temperature was ramped from room temperature to 180 °C over 30 min and held at 180 °C for 15 min. Each set of up to 40 samples included digestion blanks and standard reference materials (SRM 1515- apple Leaves and SRM 1573a—tomato leaves, National Institute of Standards and Technology, Gaithersburg, MD, USA). The resulting digestates were clear and brought to 50 mL with 18 MΩ deionized water (DI water). Samples were then diluted 20× with DI water for analysis of Fe, Mn and Al, and 4× with DI water for all other elements. Samples were then analyzed by inductively coupled plasma mass spectrometry (ICP-MS, 7900, Agilent Technologies, Santa Clara, CA, USA) using U.S. EPA method 6020B (EPA, 2014). Matrix-matched external standards were prepared using certified reference materials (Inorganic Ventures, Blacksburg, VA, USA). An internal standard mix (Ge, Y, In, Tb and Bi) was added at 10 µg/L for all samples and standards. Quality control procedures included initial calibration verification (ICV), continuing calibration verification (CCV), initial blank verification (IBV), continuing blank verification (CBV), analysis of digestion replicates, analysis of dilution replicates, determination of spike recovery, analysis of standard reference materials (SRMs), and analysis of digestion blanks with each analytical batch (Online Resource 3). An octopole reaction system was used to suppress polyatomic interferences in H_2 mode for Fe and Se and in He mode for Cr, Co, Ni, Cu and Zn. All other elements were analyzed in no-gas mode. Analyses of alternate isotopes and SRM recoveries were used to evaluate interferences.

Detection limits

When fewer than 20% of the observations per element were below the detection limit, half the method detection limit was substituted for those values (Online Resource 4). Elements were excluded from further analysis if more than 20% of observations fell below the detection limit. Excluded elements were Lu, Ho, Th, B, and Ag.

Statistical analysis

We used nonparametric regression (NPR) to relate elemental content of the moss to position along the transect from the incinerator. This method assumes no functional form and is thus able to capture complex nonlinear response surfaces (Bowman & Azzalini, 1997; McCune, 2006). The method is based on a kernel smoother, is fully nonparametric, and approximates the maximum likelihood solution, subject to penalization by leave-one-out cross validation in the model selection process. Model selection selects smoothing parameters by iterative trial-and-error to maximize $\times R^2$ (equivalent to a traditional R^2 but penalized by cross validation). After transforming the data as log(elemental content) and log(distance from incinerator), we regressed each element against distance. We used a local linear model, Gaussian kernel, and the "medium" setting for overfitting controls in the software HyperNiche v. 2.30 (McCune & Mefford, 2009). Model fit was expressed with $\times R^2$.

Correction for geogenic sources

We also performed similar regressions after adjusting elemental content relative to Al content, because normalization to Al content is commonly used to correct for soil-based particulates (Giráldez et al., 2021). Due to the modest sample size in this study ($n = 36$), we explored this analysis in several test cases but did not apply corrections across the study dataset. Residuals from the simple NPR of log(element Y) against log(Al) were saved as new Al-adjusted variables, then regressed against log(distance), again maximizing $\times R^2$ (penalizing by leave-one-out cross validation). Correction for Al content for elements with very weak relationships to Al would not have changed the results substantially, so we used residuals from regressions on Al for only those elements meeting two criteria: the cross-validated fit with Al was fairly strong ($R^2 > 0.30$) and the element had some apparent declining relationship to distance from the incinerator. This resulted in a selection of eight elements: As, Ce, Co, Cr, Cs, Cu, Ni, and U.

We also tried adjusting REEs relative to Ce content, as the ratio of REEs to Ce in soils is fairly consistent globally (air) (Von der Kammer et al. 2012). If the relative abundance of a REE is much higher than the natural geogenic ratio, then it might suggest an anthropogenic source. In this case, however, we used residuals from linear fits of log(element Y) to log(Ce), because the relationships were so strongly linear.

Additional analysis for stakeholders

We mapped eight "priority" elements based on their toxicity and use in former screening studies (As, Cd, Cr, Co, Hg, Mo, Ni, and Pb). Several of these had NPR models with inflection points around 1 km on the transect, so we grouped samples into nearer (< 1 km) and farther (≥ 1 km) sites in box plots. As reference points, we included the 95th percentiles from a screening study conducted in the nearby Portland metropolitan area (Gatziolis et al., 2016). That study was a systematic city-wide survey, so we use the 95th percentiles as context for discerning extreme values in datasets collected in a more targeted way (e.g., Jovan et al., 2022), as in the current study. We provide our full dataset to support additional analyses in Online Resource 4.

Results

Elemental gradients with distance

Moss concentrations of most elements in the emissions profile correlated with distance from the facility (Table 1). The profile elements most reported for incinerators, Cd, Hg, and Pb, had the strongest NPR models in this study ($\times R^2 = 0.56$–0.65). The next strongest models were for Cr, Cu, Mo, Ni, Sb, and Zn ($\times R^2 = 0.29$–0.53), followed by As and Co ($\times R^2 = 0.15$ for both). Model fits fell along a continuum, and we considered elements with any poorer fits too weak to discuss further. This included Se, an element listed in SB-488 ($\times R^2 = 0.09$), and the two profile elements we included for reference, Mn and Ba ($\times R^2 = -0.11$ and -0.07, respectively; Table 1).

The spatial scale and shape of NPR models varied by element. The response curves of stronger models ($\times R^2 > 0.30$) tended to have an inflection point near 1 km and an asymptote within 5–10 km (Fig. 2). In contrast, profile elements with weaker models, like As, Co, and Cr, tended to be edaphic elements varying at smaller spatial scales along the transect, with localized peaks within 0.2 km (Online Resource 5). Distributions of the major crustal elements Al and Fe also varied at smaller spatial scales (Fig. 2), although Fe, also a profile element, peaked adjacent to the facility like the edaphic elements.

Accordingly, Al had little spatial correlation to the facility ($\times R^2 = 0.07$) while the model for Fe just made our cut-off for further consideration ($\times R^2 = 0.15$; Table 1). Only two REEs, Eu ($\times R^2 = 0.34$) and Gd ($\times R^2 = 0.15$), had models with equal or stronger fits. Elements that were tightly correlated with Al, like most REEs, also had relatively weak relationships with distance from the incinerator (Fig. 3).

Correction for geogenic sources

Correcting elemental content for Al before relating to distance from the incinerator had mixed results. Of the eight tested elements, three showed a substantial increase in fit with distance to the incinerator (Cr, Cs, Ni), four showed a small increase in fit with distance (As, Cu, Ce, U), and one showed a decline in fit (Co). Response curves showed individualistic and enigmatic patterns for some elements (Online Resource 6). Only Cr and Cu showed nearly monotonic declines in concentration with distance, the pattern expected if the incinerator was a major large-scale source of the elements. For the two REEs with the strongest correlations (Eu and Gd), correcting for Ce concentration did not increase the strength of those relationships.

Additional analysis for stakeholders

The boxplots showed that all priority elements tended to be higher at sites within 1 km of the facility (Fig. 4). Accordingly, all exceedances of the Portland 95th percentiles occurred within 1 km, except for Co and As. These two elements exceeded their percentiles at most sample sites.

Discussion

The screening dataset resolved a chemically and spatially complex footprint consistent with expectations for SWI emissions, seeming to confirm the community's inquiry about air quality effects. Results also supported using *Orthotrichum* spp. as a screening tool for SWI with some caveats, discussed further in the "Study limitations" section. The elemental signatures in moss strongly resembled the emissions profile except for the reference elements Mn and Ba as expected. Otherwise, the strengths and spatial scales of associations between profile elements and the

Table 1 Incinerator element-distance models and ranges. Models are nonparametric regression (local linear) of log(element) content of mosses against log(distance) from the incinerator; $\times R^2$ = leave-one-out cross-validated R^2; ave N* = average neighborhood size for estimate; tolerance = smoothing parameter (s.d. of Gaussian weighting function for kernel smoother) in distance units (log(km)). Ranges in ppm (untransformed) are listed separately for samples taken near the incinerator (< 1 km) and those taken farther away. Elements to be considered for continuous emissions monitoring under SB-488 are bolded. Profile elements included for reference purposes are indicated by †

	Element	log[element] = f (log(distance))			Range in elemental content, ppm			
		xR^2	Ave N*	Tolerance	Distance < 1 km, $n = 14$		Distance ≥ 1 km, $n = 22$	
					Min	Max	Min	Max
Ref	Al	0.073	6.432	0.251	755.09	3828.25	788.86	2437.81
Emissions profile	**As**	**0.147**	**3.348**	**0.125**	**0.29**	**2.36**	**0.41**	**1.2**
	Ba†	−0.074	6.432	0.251	25.59	119.67	18.28	118.58
	Cd	**0.62**	**12.363**	**0.502**	**0.22**	**6.37**	**0.1**	**0.34**
	Co	0.143	6.432	0.251	0.68	4.75	0.57	2.06
	Cr	**0.289**	**9.506**	**0.376**	**1.75**	**13.37**	**1.31**	**4.26**
	Cu	0.342	12.363	0.502	7.89	77.27	5.24	15.63
	Fe	0.146	6.432	0.251	948.42	4931.74	918.33	3427.68
	Hg	**0.652**	**9.506**	**0.376**	**0.07**	**0.84**	**0.05**	**0.12**
	Mn†	**−0.113**	**29.715**	**2.006**	**52.48**	**613.76**	**82.41**	**286.42**
	Mo	0.371	6.432	0.251	0.34	1.78	0.23	1.55
	Ni	**0.34**	**6.432**	**0.251**	**0.98**	**7.18**	**0.85**	**3.45**
	Pb	**0.556**	**9.506**	**0.376**	**2.41**	**59.02**	**1.52**	**5.28**
	Sb	0.437	9.506	0.376	0.33	10.84	0.16	14.29
	Zn	**0.529**	**9.506**	**0.376**	**44.98**	**540.75**	**26.36**	**69.66**
Rare earth elements	Ce	0.064	6.432	0.251	1.48	6.87	1.68	4.81
	Dy	0.082	6.432	0.251	0.11	0.56	0.1	0.36
	Er	0.12	6.432	0.251	0.06	0.29	0.05	0.19
	Eu	0.342	14.991	0.627	0.04	1.52	0.04	0.12
	Gd	0.154	6.432	0.251	0.15	0.85	0.15	0.48
	La	0.094	6.432	0.251	0.75	3.99	0.87	2.42
	Nd	0.026	6.432	0.251	0.75	3.82	0.82	2.44
	Pr	0.013	6.432	0.251	0.19	0.92	0.21	0.61
	Sm	0.038	6.432	0.251	0.15	0.72	0.15	0.49
	Tm	0.123	6.432	0.251	0.01	0.04	0.01	0.03
	Yb	0.11	6.432	0.251	0.05	0.24	0.04	0.15
Other	Be	0.118	6.432	0.251	0.03	0.13	0.03	0.07
	Cs	0.081	6.432	0.251	0.08	0.37	0.08	0.19
	Ga	0.097	6.432	0.251	0.3	1.52	0.3	0.89
	Rb	0.01	29.715	2.006	3.18	8.91	2.32	8.26
	Se	**0.085**	**14.991**	**0.627**	**0.07**	**0.25**	**0.07**	**0.16**
	Sr	−0.074	9.506	0.376	23.39	66.68	19.91	63.83
	Tl	0.093	6.432	0.251	0.01	0.05	0.01	0.07
	U	0.106	6.432	0.251	0.04	0.23	0.05	0.12
	V	0.102	6.432	0.251	4.45	15.21	3.7	13.71

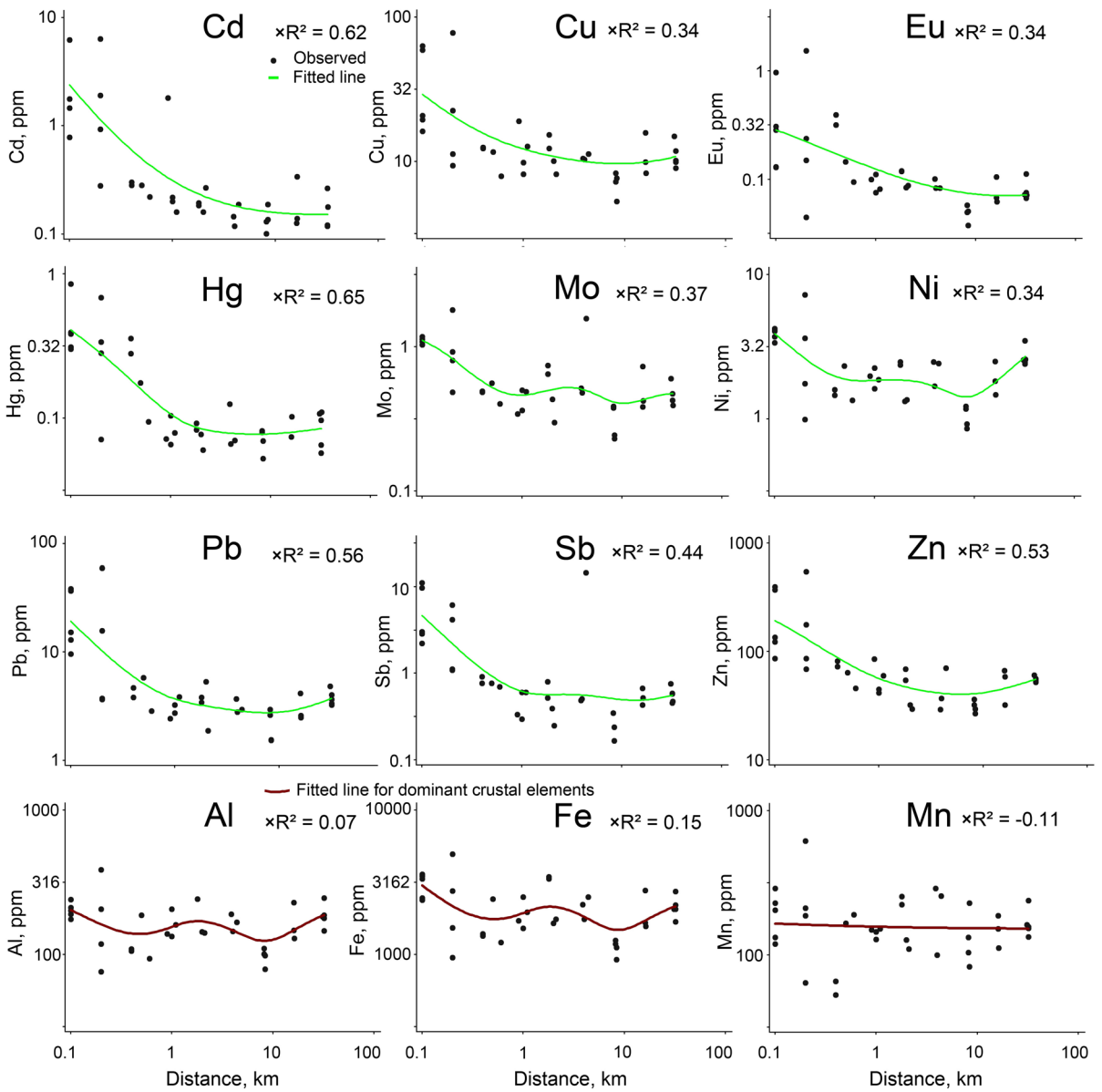


Fig. 2 Elemental content (ppm) of the moss *Orthotrichum* in relation to distance (km) from the incinerator. Both elemental concentrations and distances are on log scales. All elements with cross-validated R^2 ($\times R^2$) > 0.30 are included in the top three rows. The bottom row includes dominant crustal elements (Al, Fe) and Mn for comparison; these were not patterned relative to the incinerator and presumably driven by local patterns of airborne soil or other factors for Mn. The fitted line is based on nonparametric regression with a kernel smoother, the smoothing parameter optimized to maximize $\times R^2$. Further model statistics and data spreads are in Table 1

facility varied, with the highest concentrations consistently measured in moss near the facility. A similar pattern was also seen for Ag (Online Resource 5), the one profile element we excluded from statistical analysis because concentrations were below the detection limit at many sites (Online Resource 4). In addition to extensive use in electronics, silver nanoparticles are used in textiles and some medical devices as an antimicrobial (Padhye et al., 2023). To the best of our knowledge, these results provide the first evidence of

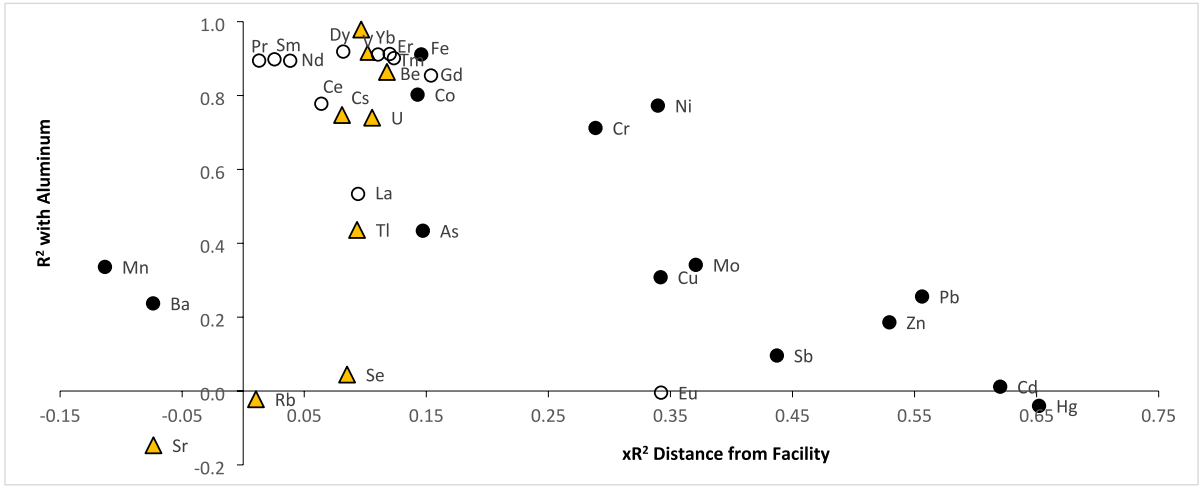


Fig. 3 Scatterplot of the strengths of each element's relationship to aluminum (R^2 from linear regression) versus distance from the incinerator ($\times R^2$ from nonparametric regression). Elements in the emissions profile are indicated by black circles, rare earth elements by open circles, and other trace elements by orange triangles

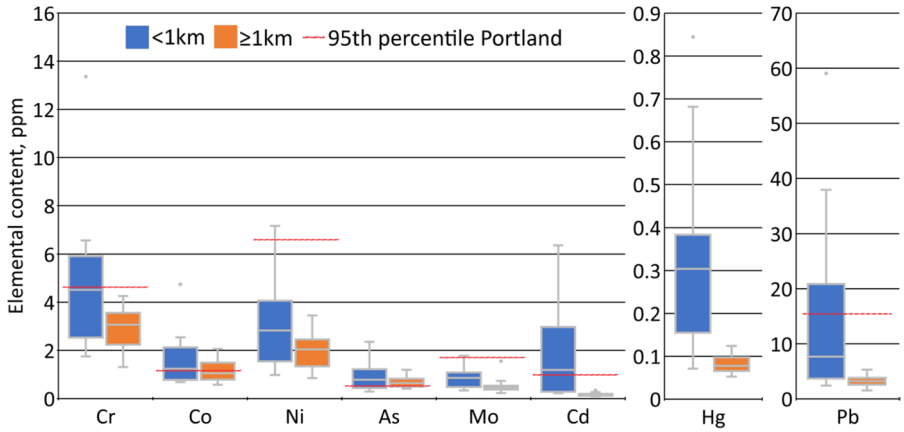


Fig. 4 Boxplots for priority elements in *Orthotrichum* spp. for nearer (< 1 km) and farther (≥ 1 km) sites on the transect. Maps of concentrations are provided in Online Resource 5. 95th percentiles from the city-wide Portland survey are provided as reference points for all elements except Hg, which was first measured in the current study

trace element contamination in the area, serving as an empirical starting point for stakeholders to discuss regulatory and community concerns.

Spatial scales and emissions pathways

The strong spatial relationships for Cd, Hg, and Pb are consistent with their prevalence in SWI emissions (Linak & Wendt, 1993; National Research Council, 2000). Additionally, the most highly correlated element, Hg, is often used in lichen biomonitoring studies as an atmospheric tracer of SWI emissions (e.g., Contardo et al., 2018; Tretiach et al., 2011). Concentrations of all three elements in *Orthotrichum* spp. declined rapidly with distance from the facility (Fig. 2), as commonly seen in biomonitoring studies around point sources (Fernández et al., 2007; Varela et al., 2014). Similar patterns were also observed in incinerator studies using epiphytic lichens for Hg (Fortuna et al., 2019) and for Cd and Pb in the multi-element study by Loppi et al. (2000). While trace metals may be emitted through either or both pathways (stack or fugitive dust from ash), Hg and Cd are primarily stack-emitted while Fe is mainly from ash (Bolan et al., 2023; Chang et al., 2000). Thus, the similar multi-kilometer distributions we observed for several other elements in the emissions profile, such

as Pb, Cu, Sb, and Zn, are suggestive of stack emissions (Fig. 2).

A similar distribution was observed for Eu, an REE widely used for its phosphorescent properties in television and computer screens and low-energy lamps. Europium is also used in plastics as a laser material and in making thin super-conducting alloys (Royal Society of Chemistry, 2024). We found no prior research, biomonitoring or otherwise, associating Eu with incinerator emissions. The closest related studies were prospecting efforts suggesting Eu and other REEs can be economically upcycled from incinerator fly ash (Morf et al., 2013; Wen et al., 2024), although our results indicate that not all REE material ends up trapped in the ash. Potential stack emissions of Eu merit further study and may establish Eu as a useful tracer of SWI emissions. As the economic importance of REEs grows, their prevalence in the waste stream of incinerators will presumably also increase.

Edaphic elements

The reference element Al was largely unrelated to distance from the incinerator, as expected for crustal elements of geogenic origin (e.g., Loppi et al., 2001). Unsurprisingly, edaphic elements closely tracked Al, including most REEs, indicating the incinerator was not a substantial source compared to soil-based sources (Fig. 3; Urošević et al., 2020). It is possible, however, that the localized associations observed for edaphic elements in the emissions profile (i.e., As, Co, Fe, and Cr) indicate fugitive dust emissions. Those elements are highly abundant in the ash (Bolan et al., 2023) and comparable results were found for Fe and Cr in the similar study by Loppi et al. (2000).

Interestingly, the REE Gd had a similar localized association with the facility. This element is used as a contrast reagent for magnetic resonance imaging (MRI) and thus may reflect medical waste incineration by the facility more specifically than the other elements we tested. Information about Gd as an environmental pollutant focuses on the contamination of aquatic systems by hospital effluents (Ognard et al., 2021), so its potential as an atmospheric tracer has not been explored.

Correction for geogenic sources

There are several methods for correcting element concentrations for geogenic inputs although none are widely accepted as best (Giráldez et al., 2021). If anything, our exploratory analysis using Al mostly strengthened spatial associations consistent with the incinerator as a source. This included three of the four edaphic elements we tested from the emissions profile (As, Cr, Ni). The exception was Co, where correcting halved the spatial association, suggesting inputs were mainly from natural, soil-based sources. This outcome was not surprising given the strong relationship to Al (Fig. 3). The most striking change was for Cr, where model strength doubled ($xR^2 = 0.29$ to 0.59) and described a larger-scale association with the facility than the localized peak observed using raw data (Online Resource 6).

Correcting also improved spatial associations for Cs and marginally for U, the latter model remaining weak ($xR^2 = 0.13$). Previous studies have used these elements for biomonitoring nuclear fallout (Anderson et al., 2022; Vosel et al., 2021), although it should be noted that we did not differentiate between the isotopes of Cs, one of which is not radioactive. While these results were not statistically strong, they recommend further study of U and especially Cs as SWI tracers.

Tool utility and generalizability

The screening dataset collected with the help of community volunteers provided complex, spatially detailed information with clear relevance to community concerns and regulatory matters discussed further in "Stakeholder implications" section. The generic emissions profile we used was sufficient to connect element signatures in moss to SWI, although in more routine applications, any on-site emissions monitoring data, as well as emissions inventories (now required by CAO) would ideally inform the selection of elements to measure. Regardless, measuring a wide array of elements is beneficial for cross-referencing emissions datasets since the exact chemical composition of all materials in an incinerator's waste stream is difficult to know. Likewise, chemically diverse datasets may help identify novel elements to consider in future biomonitoring studies of SWI, like Eu, Gd, and Cs in this study. Screening

data can also cross-check pollution prediction maps produced by computational modeling of on-site emissions data (e.g., Donovan et al., 2016; Gatziolis et al., 2016), although we were unaware of any such maps relevant to the current study.

Given our success with *Orthotrichum* spp., it seems surprising that only one other biomonitoring study captured a multi-element signature clearly associated with an SWI. The varied methods and environmental circumstances of previous work make direct comparisons difficult, and relatively few examined signatures rather than single element tracers, like Hg. Regardless, one notable similarity with Loppi et al. (2000) is that both studies took place in rural settings with apparently few other point sources around to confound results. A challenge in urban and industrial studies is clearly differentiating an SWI-specific signature among a variety of possible trace element sources (e.g., Antisari et al., 2011; Paoli et al., 2015). Continued work with tracer elements and developing source apportionment methods could help in these complicated scenarios. Otherwise, failure to resolve an SWI signature could simply mean emissions were not elevated above ambient conditions, as is the goal (e.g., Protano et al., 2015; Wilcke et al., 1997). According to experts, technological advances made over the last decade have greatly reduced SWI emissions (de Titto & Savino, 2019). As the current study demonstrates, biomonitoring can be a valuable cross-check of these assumptions.

Stakeholder implications

This section is a starting point for communicating how results may inform policy and community concerns around the SWI in this study. In summary, elemental signatures and spatial associations determined using moss indicated SWI as a contributing source of several trace metals at multiple spatial scales. Highly localized associations could be due to fugitive dust while farther dispersing elements would more likely signify stack emission. However, we cannot rule out contributions from other sources in this observational study. That said, we are not aware of other major point sources for trace elements near the incinerator, including any additional facilities holding Title V permits. The surrounding area is mainly comprised of agricultural and residential land (Online Resource 1).

Determining the origin of trace elements farther away on the transect (> 1 km) is more uncertain but less consequential since moss concentrations were lower for most elements (Fig. 4). Many elements gradually increase at the farthest sites, possibly from closer proximity to the Portland metropolitan area or other source(s) not considered in this study. It is important to note that the axes of all graphs in Fig. 2 were log-transformed, which visually emphasizes nearer sites on the transect. Curves for many of the farther dispersing elements suggested most deposition occurs within 5 to 10 km of the incinerator. In several cases, the steepest part of the curves, and thus the most acute deposition levels, occurred within 1 km of the facility.

As a screening tool, we interpret the elemental content of moss mainly in relative, spatial terms (i.e., comparing where concentrations are relatively high vs. low) to help guide the need for further investigation. As initial context, however, we included the 95th percentiles from the Portland moss study for comparison (Fig. 4; Gatziolis et al., 2016). In some cases, hotspots with element concentrations in moss at or above these percentiles were found to have air concentrations exceeding state health benchmarks when air monitors were moved to those locations (Donovan et al., 2016; Jovan et al., 2022). Among the elements with values exceeding these thresholds in the current study, Cd, Pb, and Cr exceedances were limited to a subset of the nearer sites. Results for the strongly edaphic (i.e., soil-influenced) elements As and Co appear more severe but should be interpreted conservatively because soil and wind-blown particles naturally accumulate more during hot and dry conditions. Moss sampling for the current study occurred during a major summer heat wave whereas the Portland dataset was collected during the extended wet winter season. Additionally, geogenic As is naturally high in the study region due to volcanic soils (Hinkle & Polette, 1999) and while less is known about Co in soils, its close relationship to Al in this study suggests much of it is geogenic, at least in the dry season (Fig. 3). In contrast, these seasonal differences are relatively unimportant for non-edaphic elements that mosses retain over long time periods, like Cd and Pb (Boquete et al., 2015; Jovan et al., unpublished data for *Orthotrichum* spp.).

Results may inform three regulatory matters, including how the new continuous emissions

monitoring requirements set by SB-488 are implemented. All metals listed in SB-488 were moderately to strongly spatially correlated with the facility (As, Cd, Cr, Hg, Ni, Pb, Zn) besides Mn (not reliable in moss) and Se, which was low compared to previous moss screening studies. Several metals not listed in SB-488 were also spatially correlated, including potential stack emissions of the REE Eu and localized fugitive dust emissions of Gd, the latter possibly specific to medical waste incineration by the facility. We also had weak results suggesting the incinerator as a possible source of U and Cs. Additional uses for these results include helping cross-reference the facility's emissions inventory required by CAO program and informing the facility's Title V permit for emitting HAPs, which is up for renewal.

Study limitations

This study has several limitations. As mentioned previously, concentrations of air contaminants in moss or lichens do not reliably predict measurements of air quality, and therefore do not track the human health and regulatory thresholds decision-makers use to evaluate whether pollution levels are problematic. Screening results are intended to guide the next phase of investigation. However, potential stress from seeing contaminant levels in biomonitors without immediately understanding their personal or regulatory importance, if any, is a major disadvantage for applying this tool in "real world" situations. To help moderate concerns in the current study, we included a provisional analysis for stakeholders showing that only a minority of moss samples had relatively high contaminant levels compared with prior screening data, and these mainly came from sites close to the incinerator.

A second limitation concerns the long, uncertain retention times of contaminants in native biomonitors. Long retention times can be beneficial, as in the current study, since SWI emissions vary widely over time (National Research Council, 2000). On the other hand, the utility of native material for monitoring temporal changes in contaminant levels is limited unless broadly defined, long-term differences are of interest or potentially in special cases where it is possible to identify and harvest only newer growth on the biomonitors (e.g., Loppi et al., 2000 or studies using *Hylocomium splendens*). Studies evaluating temporal change often use transplanted material instead because the timeframe represented can be precisely controlled. One option for transplants is using the European cloned *Sphagnum* "Mosspheres," which standardize some of the physical characteristics known to affect trace metal bioaccumulation (Vázquez-Arias et al., 2024).

Finally, our target species group, *Orthotrichum* s.l., does not grow everywhere, although it is broadly distributed in the Northern Hemisphere in temperate climates. If *Orthotrichum* is not an abundant epiphytic moss available for a screening study, substitution of another species that is well distributed and regionally abundant would be required. A variety of lichen and moss species perform well for trace metals biomonitoring (Abas 2021; Chaudhuri & Roy, 2023), and depending on study goals, transplants are always an option.

Conclusions

This study provides new evidence supporting the use of native epiphytic moss, specifically *Orthotrichum* spp., as a biomonitoring tool for assessing trace elements around SWIs. By analyzing a comprehensive suite of elements, including REEs, we demonstrated that moss can capture the complex, spatially resolved pollution footprint expected from incinerator emissions. Common stack-associated elements, like Cd, Hg, and Pb, had the strongest geographic associations in this study while localized peaks of edaphic elements, like As and Cr, emphasizes the need for further research into biomonitoring fugitive dust emissions from SWI. The study also highlights novel atmospheric tracers for SWI, including Cs, Eu, and Gd, with the latter potentially specific to the facility's incineration of some medical waste. Additional investigation of SWI emissions of these elements, and REEs more generally, is recommended.

Overall, results underscore the utility of native moss as a cost-effective screening tool, capable of identifying spatial pollution patterns that can guide regulatory and community actions. Arguably, lack of communication with potential users is a critical roadblock to applying results to real world issues, and including such guidance in journal publications is one strategy to help overcome this. In this case, we linked

findings to specific issues concerning the studied facility in subsections aimed at stakeholders.

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Author contributions The study idea was conceived by S.J., B.M., and J.U. Study design was led by B.M. and E.J. Fieldwork was led by E.J. Statistical analysis was led by B.M. Elemental analysis of moss samples was led by J. U. with N. J. The manuscript was written by S.J. with substantive contributions from E.J. and B.M. All authors reviewed the manuscript.

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Data availability Study data are provided in the supplementary information file Supplementary file 1.

Declarations

Competing interests The authors declare no competing interests.

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From: MATTHEW PHILPOTT
To: Benton Public Comment
Subject: Testimony in Opposition to LU-24-027
Date: Sunday, April 20, 2025 12:05:12 PM

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Testimony in Opposition to LU-24-027

Matthew S. Philpott, Ph.D.
1110 SW West Hills Pl
Corvallis, OR 97333

I am strongly opposed to LU-24-027 proposing the expansion of the Coffin Butte Landfill for the following reasons:

<!--[if !supportLists]-->1. <!--[endif]-->The character of the area. The Coffin Butte Landfill is surrounded by farms and a wildlife area. Farms in the area raise beef cattle, blueberries and many other agricultural products. The landfill is completely out of character with the surrounding area.

<!--[if !supportLists]-->2. <!--[endif]-->The landfill is an outsize contributor to greenhouse gas. Coffin Butte Landfill leaks massive amounts of methane gas from multiple areas of the landfill. Methane is a very potent greenhouse gas, about 80 times more potent than carbon dioxide over the first 20 years after its release. Records from Republic Services measurements of methane release are at odds with independent measurements, and would suggest little to no leakage, while independent measurements indicate very high levels of methane leakage.

<!--[if !supportLists]-->3. <!--[endif]-->The Coffin Butte Landfill is leaking toxin-laden water containing heavy metals and other toxins into the local water table. The aquifer is critical for homes and farms in the surrounding area, which rely on clean water for drinking and agricultural activities. The landfill lining is leaking in multiple locations in the landfill, and the oldest part of the landfill has no lining at all.

<!--[if !supportLists]-->4. <!--[endif]-->In spite of the leaks, more than 30-35 million gallons of toxic leachate is collected each year and transported to the Corvallis and Salem water treatment plants. These plants were never designed to treat heavy metal wastewater, but rather sewage; therefore, effluent water is likely contaminated with toxins and is being discharged into the Willamette River. This leachate should be detoxified on site by Republic Services in a process specifically designed to detoxify the known heavy metals and other toxins in this liquid material.

<!--[if !supportLists]-->5. <!--[endif]-->Republic Services transports waste from many surrounding counties and municipalities to the Coffin Butte Landfill. Therefore, Benton County is paying a steep environmental price and will ultimately have to clean up the damage at some future time when the landfill is abandoned by Republic Services (a violation of BCC 215(2)). It is estimated that Coffin Butte Landfill is taking in around 40% of the trash from the entire State of Oregon, as well as trash from parts of southern Washington state. Currently Republic Services is limited to 1.1 million tons of waste per year, but if LU-24-027 is approved, Republic Services plans to exploit a loophole in the 2020 Franchise Agreement to lift this cap, which would

allow for importing unlimited amounts of trash. If allowed to happen, this would increase profits for Republic Services at the expense of our community and environment, and ultimately the taxpayers of Benton County will have to pay a lot of money to clean up the mess after Republic Services abandons the landfill.

<!--[if !supportLists]-->6. <!--[endif]-->I often drive near the landfill and have recreated on the public lands in the near vicinity. On several occasions when I have been on the E.E. Wilson game management area, the stench from the landfill was so bad that it caused me to curtail my recreation activities. The amount of escaped trash along Highway 99W near the landfill entrance is appalling, and the smell coming from the landfill is nauseating. I can only imagine how unpleasant the smell and escaped trash must be for the people who live nearby in and around the Soap Creek area, and anywhere downwind of the landfill. Clearly the current mitigation measures being undertaken by Republic Services and the absence of meaningful oversight of the landfill operations by officials of Benton County are woefully inadequate. This, like the ongoing environmental damage, will become much worse if LU-24-027 is approved.

<!--[if !supportLists]-->7. <!--[endif]-->The proposed expansion of the Coffin Butte Landfill will increase the volume of very heavy truck traffic on the public roads, greatly accelerating the damage to the roads and necessitating untimely road repairs, a clear violation of BCC 53.215(2).

From: helen redfield
To: Benton Public Comment
Subject: Please Oppose/Deny LU-24-027 - Coffin Butte Landfill Expansion
Date: Sunday, April 20, 2025 11:13:45 PM

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Dear Benton County Planning Commissioners,

My name is Helen Redfield and I live at 2038 NW Lance Way in Corvallis, OR.

I am writing because I vigorously OPPOSE the approval of LU-24-027 that would expand the Coffin Butte Landfill for a number of reasons. I've lived in Benton county for the past 27 years and like you, I am strongly aligned with the county's "Thriving Communities" values which include responsible environmental stewardship, prioritizing public health, and sustainable waste management. Expanding the dump would be contrary to these values. In addition I feel that approving the conditional use permit for the landfill expansion would violate BCC criteria 53.215(1) and 53.215(2).

Specifically, BCC 53.215(1) requires that the proposed use does not seriously interfere with uses on adjacent property or with the character of the area. Already the increase in odors and trash over the years has negatively impacted my use and enjoyment of the EE Wilson game management area for hiking, biking and bird-watching. The expansion will only exacerbate these problems.

I also frequently swim in and canoe on the Willamette River. The expansion of the landfill will increase the amount of leachate that will be dumped into the river which will impact not just me, but everyone who uses the river. I'll be hesitant to spend time on the river due to the increased exposure to toxins in the leachate, e.g. PFAS and heavy metals.

Furthermore, BCC 53.215(2) requires that the proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area. The expansion of the landfill will certainly increase the amount of truck traffic accessing the dump, which will require increased road maintenance as well as

pose safety risks. There will undoubtedly be much more trash strewn along the roads which will need to be collected and will itself be a safety risk.

Finally, I want to address the fact that Republic has not met their burden of proof that there will be no actual impacts on the issues I have raised in this testimony. Republic's assertion that they are currently or will be complying with environmental law is not sufficient. The BCC land use criteria are concerned with actual impacts rather than compliance with environmental law.

I believe Benton County should invest in waste reduction and recycling, as well as circular economy solutions, rather than expanding landfills that perpetuate pollution and place a long-term burden on our local community.

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,
Helen Redfield

From: Bart Spiller
To: Benton Public Comment
Subject: Landfill expansion
Date: Sunday, April 20, 2025 4:57:00 PM
Attachments: Blank.pdf

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From: Bart Spiller
To: Benton Public Comment
Subject: Landfill expansion
Date: Sunday, April 20, 2025 4:57:00 PM
Attachments: Blank.pdf

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From: Mark Taratoot
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 9:18:28 AM

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Greetings!

My name is Mark Taratoot, and I live in a house I own in Benton County at 570 SE Chester Avenue. I urge you to deny the request for expansion of the Coffin Butte Landfill. Again!

The owners of this landfill are not concerned about the welfare of the people who live in Benton County or any of the flora and fauna we share existence with. Their goal is to maximize their own wealth at our expense.

This landfill would not need an expansion if it were used only for the local region. Many people in Benton County work hard to minimize the waste we send to the landfill because there is no "away." We recognize we each have responsibility to provide a healthy environment for our neighbors. The landfill accepts waste from far away - even from other states. We have no way to know if other communities care about waste reduction or merely paying less to dispose of their cast-offs. When a truck dumps at the landfill, the owners of the landfill are enriched. When a truck dumps at the landfill, the residents of Benton County are impoverished. When a truck from hundreds of miles away dumps at the landfill, the residents of Benton County are impoverished even more.

Please deny this application. Again. If this application comes back yet another time, deny it over and over and over.

--
Mark Taratoot
taratoot@peak.org

Do unto those downstream as you would have those upstream do unto you. -Wendell Berry

From: Priya Thakkar
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Sunday, April 20, 2025 5:41:02 PM

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Dear Benton County Planning Commissioners,

My name is Priya Thakkar and I live at 38987 Arena Rd.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns about:

- **Air and water pollution** threaten our local ecosystems and community health. My family has a well that can be disrupted by the proposed expansion that would disrupt the function of the area's water. Mining a huge hole around the new proposed site can affect water levels in the area, potentially reducing the water levels and causing our well to run dry, or causing our well water to be contaminated, affecting our ability to provide water for our garden, water for our animals, and water for our family. We rely on water for just about every facet of our life in this area, so this would seriously interfere with the character of the area and cause an undue burden on the local residents. **This clearly interferes with uses of nearby property and character of the area BCC 53.215 (1)**
- **Traffic increases** that pose safety risks on nearby roads and pathways. I regularly drive on Coffin Butte Road for my morning and evening commute and in the short time that I am on the road, there is an immense amount of traffic, making it unsafe for passenger vehicles. Garbage trucks frequently pull out in front of my vehicle, without regard for the public driving on the road. In addition, the amount of garbage being hauled up and down 99W has created a massive amount of trash and garbage along the highway that flies out of the garbage trucks, often all the way to Monmouth. Not only is it pollution and an eyesore, but Republic does not appear to ever clean up the road garbage. **The proposed expansion of Coffin Butte Landfill will place an undue burden on public facilities violating BCC 53.215 (2).**
- **Odor and noise issues** that degrade quality of life for residents and visitors. I live approximately 2 miles from the landfill and there are days when I am unable to spend time outside because the stench of the dump is so severe that it makes me nauseous. I have filed DEQ complaints and the response has been a message relayed from Republic to DEQ saying that there were no odors and their systems are working as they should. If I can smell it at my home, things are not working as they should. We know through past DEQ investigations that their methane emissions have been observed to be massively above the allowable amount, leaving me with little faith that they are monitoring emissions or controlling odors as they should. In addition, I am able to hear trucks and their accompanying beeping (brakes) at all times of day from my backyard (again, 2

miles away!), as well as see the light from the landfill. **This clearly interferes with uses of nearby property and character of the area BCC 53.215 (1)**

- **Negative impacts on wildlife, recreation, and property values**. There is a herd of elk and a large population of Great Blue Herons in the area. The Great Blue Herons used to nest in the stand of trees next to the proposed new dump site ("expansion" according to Republic, but it is actually an entirely new site, separated by a road). Due to the work that Republic has put into their new dump site, and the noise, traffic, and increased pollution, the Great Blue Herons have abandoned their rookeries in that stand of trees and have moved across 99W. I fear that the expansion will further drive out the Great Blue Herons, who are beloved in this area. **BCC 53.215 (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 FC zone, as well as the Benton County Comprehensive Plan policy 5.9.4: In making land use decisions, Benton County shall protect identified sensitive wildlife habitat types and wildlife corridors from adverse impacts.**
- **Long-term climate and environmental consequences** for future generations. Benton County has said numerous times since the landfill's creation that a landfill in the Willamette Valley is not environmentally sound and that it should be phased out and shut down. Rather than expanding the dump and allowing Republic's tonnage cap to be lifted, increasing the amount of garbage (and pollution and smell and noise and traffic) into our beautiful community, we should be looking for alternatives to this landfill and reducing our reliance on Republic. **Deny the expansion application using BCC 55.215 (1) or BCC 60.220 (1).**

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.

I believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities! Please prioritize the well-being of our community and not Republic's profits.

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,
Priya Thakkar
Corvallis, OR 97330

From:	Greg Warburton
To:	Benton Public Comment
Subject:	Greg Warburton submitting my public comment, denial request of LU-24-027!
Date:	Sunday, April 20, 2025 2:06:18 PM
Attachments:	image.png Greg"s statement rev1.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attention Benton County Planning Commission:

ATTACHED please find a word document with my public comments regarding Republic Services' Expansion request (LU-24-027).

I urge the Benton County Planning Commission (BCPC) to take a courageous and unanimous stand by promptly denying, on June 17,2025, Republic Services' repeated request to expand the Coffin Butte Landfill (CBL).

I do appreciate this opportunity to state my serious concerns and my position as a 40-year resident of Corvallis and Benton County.

Feel free to contact me:

greg.sportseft@gmail.com

541-971-9810 (Call/text)

Respectfully submitted,

Greg Warburton

Greg Warburton
Sport Performance Mental/Emotional Fitness Training Coach
Licensed Professional Counselor
Founder: Inner Liberty, Inc.
Founding Member: Evolutionary Sports Collective, LLC. (Formerly, Sports, Energy and Consciousness group)
Author:

- *Warburton's Winning System: Tapping and Other Transformational Mental Training Tools for Athletes*
- *A Fast-Start Guide to Warburton's Winning System*
- *Ask More, Tell Less: A Practical Guide for Helping Children Achieve*

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Email: greg.sporsteft@gmail.com
https://www.linkedin.com/in/greg-warburton-19b018202/
listennotes.com/top-podcasts/gregwarburton

Phone: **541-971-9810** (call or text)

April 19, 2025

ATTN: Benton County Planning Commission

RE: Proposal to Expand the Coffin Butte Landfill (LU-24-027)

Dear Planning Commissioners:

I urge the Benton County Planning Commission (BCPC) to take a courageous and unanimous stand by promptly denying, on June 17,2025, Republic Services' repeated request to expand the Coffin Butte Landfill (CBL).

I am outraged and extremely concerned that Republic Services is again endeavoring to expand the CBL. **Let's remember** this December, 2021 headline: Benton County Planning Commission unanimously denied LU-21-047, the application by Republic Services to expand Coffin Butte Landfill, **finding that it would cause significant harm to Benton County.**

Three-plus years later, the CBL continues to be a toxic cauldron. And yet here we go again in 2025, Republic Services is seeking permission to expand and spill this toxic cauldron onto more neighboring lands. Dr. Shelley Su, retired OSU Public Health Department Professor and Toxicologist, recently stated: *I was greatly alarmed to learn of the unprecedented exceedance of methane concentrations from the CBL; plus, there are significant concerns about the handling of leachate generated at the landfill; leachate that contains many chemicals that are extremely toxic to the environment, including polyfluoroalkyl substances (PFAS) and other heavy metals.* Further, I have been informed that the landfill site and its methane releasing funnels also represent a continuous and significant fire hazard.

The frightening result of this continuously operating toxic cauldron is that the CBL has not only significantly diminished the quality of life for those living in the area; it has also become literally life-threatening to plants, animals and us humans. And the area of impact continues to alarmingly expand as well.

I have lived in Corvallis since 1982 and love the Willamette Valley's cooler climes, as well as, the mountains and rivers and ocean in our geographic region. I am challenging the commissioners to **take a long-term look at what will lead to an official end to the current CBL** and preserve Corvallis and neighboring communities as a safe and

appealing place to live. I want to highlight **this suggested long-term look does NOT include any expansions.**

And about revenue generated for the county from this landfill operation, **let us remember,** Mark Yeager, civil and environmental engineer, highlighted in his "As I See It" article in the Gazette-Times newspaper on 09/05/24,

In the recently published "Solid Waste in Benton County FAQ" document, the county stated on Page 2, "Decisions to approve or deny land use permits at the landfill are not revenue-based decisions."

For a time, as I began learning about the issues, I wondered why Benton County Commissioners agreed to again review another expansion request. Now I am terrified as I become clear that even long-standing, life-threatening business operations are allowed to continue because the status quo is comfortable, recent history is hard to look at forthrightly and shuffling downhill to ecological and moral decline is easier than facing the upward climb of, ultimately, ending this landfill operation and building our own solutions. These reasons are precisely why I suggest, in my opening, the Commissioners will be required to take a courageous stand denying the expansion request and, thus, lead us to the start of different waste-management planning.

Ken Eklund, in his *As I See It* news piece on April 17, 2025 highlights Republic Services' evasion of the EPA's *active legal action… should be GAME OVER* (I add here, for the expansion)---*but never underestimate Republic's commitment to this expansion, or its ability to steamroll reality.*

In summary, I am dumbfounded that there is any consideration of expanding a business that has already proven to be dangerous and unsafe, in its practices at the landfill, to all in our geographic area.

Respectfully submitted,

Greg Warburton MS, LPC

From: Wheeler, Patricia A
To: Benton Public Comment
Subject: Comments on LU-24-027
Date: Sunday, April 20, 2025 3:50:57 PM
Attachments: Comments on Coffin Butte 20 April.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please include the attached comments into the record for the proposed expansion of the Coffin Butte landfill (LU-24-027). I would like an acknowledgement of receipt of this email and attachment.
Thanks for your help.
Patricia Wheeler
Submitted on behalf of Friends of Polk County

Friends of Polk County

TO: Benton County Planning Commission April 20, 2025

RE: Application for Coffin Butte expansion (LU-24-027)

Friends of Polk County is a local citizen group that seeks to promote wise management of farm and forest land, a high level of livability in our urban and rural communities and a strong resource-based economy. Polk County lies adjacent to Benton County and we have growing concerns about the negative impacts of the Coffin Butte Landfill on Willamette Valley. As Coffin Butte has been accepting dramatically more waste since 2017, the trash along Highway 99W, the methane emissions and the pervasive odor particularly have all reached unacceptable levels. Republic Services has not effectively dealt with these problems.

We urge you to vote against expansion of the Coffin Butte landfill for the following reasons:

(1) The landfill is not suitable for the "character" of the region. Benton County prides itself as providing an inviting and environmentally conscious environment. The Coffin Butte trash and odor detract significantly from this image. Benton County purports to provide a healthy environment for its citizens. The methane emissions found by EPA and Carbon Mapper indicate violations of the maximum levels allowed.

(2) Approval of an expansion would remove the current cap on tonnage of solid waste allowed per year. The landfill is currently causing problems. An expansion and removal of a cap on allowed tonnage per year would further increase the current problems.

(3) On January 16 the EPA's enforcement division served an Information Request on Coffin Butte Landfill. The registered agent for Republic Services forwarded this request to the legal department at Republic Services in Phoenix on January 21. The cover letter describes that this is a subpoena for business records for the legal process "United States Environmental Protection Agency vs. Republic Services". It would be prudent to delay any expansion of the landfill until this potential lawsuit is resolved.

We urge the Planning Commission to deny this application for expansion until the current issues are resolved.

Patricia A. Wheeler, Board Member

Patricia Wheeler

Submitted on behalf of Friends of Polk County

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Sunday, April 20, 2025 10:15:47 AM

Subject of Testimony: Opposition to Expansion of Coffin Butte Landfill

Full Name: Robert L White

Email: rlwii47@gmail.com

Street Address: 4050 NE Fair Acres Dr, Corvallis, OR 97330

Written Testimony:

There are numerous reasons to oppose the expansion of the Coffin Butte Landfill. I will discuss only a few points.

The "local" landfill is not local in the area it services. The majority of trash is not from Linn and Benton Counties. Consequently the surrounding counties are not concerned with our landfill problems because their trash is no longer in their "backyard." Long after Coffin Butte is decommissioned we will be stuck with everyone else's debris.

The monitoring of methane and other pollutants by the County, EPA, and Republic Services has been inadequate if not negligent. To assume that conditions will improve with an expansion is ludicrous. The County has failed to provide adequate oversight.

We have a real concern with the continued disposal of leachate into the Willamette River. The water treatment plants are not equipped to remove the hazardous particulate matter. One cannot assume the situation would improve with an expansion of the landfill. Should we continue to condone polluting our downstream neighbors?

Various Benton County and City of Corvallis officials have commented that the revenues received from Republic Services are beneficial for the general funds. However any amounts currently received will be inadequate to cover future costs after Republic Services has gone. The County should expect cleanup expenses and lawsuits associated with the eminent health risks.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.26.10

From: John Wilson
To: Benton Public Comment
Subject: Opposition to LU-24-027
Date: Sunday, April 20, 2025 10:45:49 PM

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Benton County should be focused on improving the current operation of the Coffin Butte Landfill instead of allowing the expansion of its dangerous practices. Expansion of this landfill will only add to the current and future environmental liability that impacts our water, air and lands.
Millions of gallons of toxic leachate, including carcinogens and “forever chemicals”, are trucked to treatment plants in Corvallis and Salem where they are treated by simple dilution before being dumped into the Willamette River. It is only a matter of time, if it is not happening already, before this toxic brew is percolating into the underlying soil and groundwater, spreading and polluting the surrounding lands. In addition, regular methane leaks, polluting our air and contributing to climate warming, have been documented as violations for years.
State and federal regulators are providing virtually no regulatory enforcement. Corvallis and Benton County are not allowed oversight or enforcement. Republic Services can and does ignore regulations with little consequence.
Why would we allow this kind of mis-management of our environment and related health consequences to continue, much less dramatically increase?!
The yearly amount of waste dumped at Coffin Butte has doubled in the last 8 years, and it is my understanding that the annual cap on waste dumped at the landfill will go away with any expansion. Currently, more than 90% of the waste dumped at Coffin Butte originates outside of Benton County. And once we go down this road of increased waste it is not likely to stop with just one expansion. There are other landfill sites in Oregon situated in better environments for wasted disposal. Those are the places that should be looked to for expansion.
There are many reasons why my wife and I moved to Corvallis over 30 years ago, raised our daughters here and continue to live here. The continued emphasis on a healthy, natural environment is at the top of the list. Please do not allow this expansion to go forward.

Sincerely, John Wilson
Retired Ecologist

Sent from my iPad

From: Deborah Wolf
To: Benton Public Comment
Subject: Testimony Against the Coffin Butte Expansion
Date: Sunday, April 20, 2025 9:27:47 PM
Attachments: Testimony Against the Coffin Butte Expansion.msg

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Deborah Wolf

124 NW 7th Street. 303

Corvallis, OR 97330

TESTIMONY AGAINST THE PROPOSED COFFIN BUTTE EXPANSION LU-24-027

DEBORAH WOLF

Thank you, Commissioners, for your service and for allowing this testimony.

I am joining my fellow citizens of Corvallis in saying no to the proposed expansion of the Coffin Butte garbage site. Republic has demonstrated a callous lack of reasonable monitoring of the leachate and methane emissions already. There are large tears in the covering daily which allow these substances to escape. Republic's practice of dumping leachate into the river puts us all at risk of higher rates of cancer, liver damage and developmental problems with children. Not only does Republic have no accountability with our waste, it brings in garbage from nine other major sites as far away as Washington State—only 10% of this mess is local.

According to the 2020 Franchise Agreement between Republic Services and Benton Country stipulated that is this expansion is approved, there will be NO LIMIT to the amount of garbage they can dump there. I'm afraid that our children and grandchildren will bear the brunt of us not stopping the expansion of this huge toxic stew, which unchecked could fill an entire valley. (6.1.2.In cooperation with appropriate agencies, Benton County shall manage its air, water and land resources to insure their protection, conservation, restoration or enhancement.) Now is our chance I urge a vote for no expansion.

From:	Mark Yeager
To:	Benton Public Comment
Cc:	Mark Yeager
Subject:	EPA COFFIN BUTTE INSPECTION REPORTS - LU-24-027
Date:	Sunday, April 20, 2025 4:52:59 PM
Attachments:	EPA Report Testimony.Yeager.pdf R10 CAA Stationary Inspection Report Valley Landfills signed.pdf EPA-Coffin-Butte-Inspection-Report-6_2024_Summary-BeyondToxics_1-18-2025.pdf EPA_2022-06-23_RS-CoffinButte_InspRep_Corrected (2).pdf

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Dear Chair Fowler and members of the Planning Commission -

I am submitting the following testimony in opposition to the conditional use permit application for construction and operation of a new landfill south of Coffin Butte Road.

I am attaching two EPA air quality inspection reports and one summary document for your review and consideration.

Sincerely,

Mark Yeager

April 20, 2025

Dear Chair Nicholas Fowler, and

Members of Benton County Oregon Planning Commission

Subject: LU-24-027, New Landfill Proposal, EPA Inspection Reports

I am writing in opposition to the conditional use permit for a new landfill proposed for 59 acres south of Coffin Butte Road. One aspect of my opposition is that the proposed use will seriously interfere with uses on adjacent and nearby properties due to landfill gas emissions. The landfill gas emissions also seriously interfere with the character of the area that is otherwise a fresh air environment with farm, forest and wildlife areas. These impacts violate the review criteria listed in Benton County Code at 3.215(1).

For the record, I am attaching a copy of the 2022 EPA Coffin Butte Inspection report along with the 2024 EPA Coffin Butte Inspection report. I am also submitting a document prepared by Beyond Toxics that summarizes the June 21, 2024, EPA Clean Air Act Inspection of Coffin Butte.

On June 23, 2022, EPA conducted an announced landfill gas emissions inspection at Coffin Butte Landfill, owned and operated by Valley Landfills, Inc., a wholly owned subsidiary of Republic Services. Following completion of the inspection, Daniel Hines, the EPA inspector, summarized his concerns in 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.

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." Page 8 of the report.

Following the public disclosure of this inspection and report, Valley Landfills misrepresented the operating condition of the landfill gas system at the time of the inspection, and they continued with that narrative in their January 15, 2025, letter (Methane Memo Addendum) from Ginger Richardson to Petra Schuetz. The landfill operator's statements in their 2022 Annual Report and the January 15, 2025, letter led the reader to believe that the exceedances were caused by construction interference with the landfill gas system. However, at the time of the EPA inspection, the landfill operators were asked specifically about the condition of the landfill gas system, and this is what they said:

"Daniel Heins asked if the GCCS was operational on the day of the SEM inspection or if there was anything different from standard operations that could have impacted the results of the monitoring. Republic stated that nothing was operating differently than normal, with all wells in operation and collection running. Republic did note that construction above exceedance flags#48 through 58 would have impacted the cover in the construction area." Page 6 of the report.

In the January 15, 2025, letter to the County, the applicant represented to the County and to the public that they had taken corrective action to deal with the methane exceedances identified in 2022. Whatever steps they took to deal with the methane leaks obviously did not resolve the continuous methane emissions exceedances.

When EPA re-inspected the landfill on June 21, 2024, Sara Conley, EPA's Clean Air Act Inspector, wrote this:

"At 16:00, our group returned to the facility conference room to discuss the inspection and conduct the closing conference. I led the closing conference and summarized the parts of the facility we had visited during the inspection and our observations related to CAA. I went through my inspection notes and described potential compliance concerns from the inspection. The following were identified as potential compliance concerns during the closing conference:

1. *EPA monitored only a portion of the landfill surface and found numerous methane emissions at 500 ppm and higher, including at holes in the cover material. We identified many of the approximately 40 exceedances at locations where the cover material was damaged. Inspectors had noticed some plants growing out of the cover material near the areas where we monitored for emissions.*

2. *EPA monitored a flange at the flare station had methane emissions over 500ppm. The facility indicated that they were repairing this flange while we were in the opening conference.*

3. *One of the wellheads EPA monitored to was open to the atmosphere and the IRwin measured emissions over 500ppm.*" Page 10 of the report.

While these documented massive methane leaks are problematic for many reasons, it is important to note that, along with the methane, many other air pollutants are being released in the landfill gas. Those include Hazardous Air Pollutants (HAPs) such as benzene, toluene, and ethyl benzene, other non-methane organic compounds (NMOCs), and inorganic compounds such as ammonia and sulfides (such as hydrogen sulfide). Landfill gas can pose health risks, particularly to individuals living or working near landfills. These gases can cause respiratory irritation, headaches, nausea, and potentially more severe effects.

Recent studies have shown that landfill gas also contains PFAS (per- and polyfluoroalkyl substances), which can be released into the air from landfills as a gas, according to a recent study published in ACS Publications. These chemicals, which are known as "forever chemicals" due to their persistence in the environment, can be converted into a gas form as waste decomposes in

landfills. The study reported in Science News found that landfill gas contained 13 types of PFAS, with some concentrations reaching up to 210 to 940 parts per trillion.

Operation of the existing landfill with the gases and odors released daily seriously interferes with the use of my property and the character of areas where I recreate, such as McDonald Forest and E.E Wilson wildlife area, because of dozens of days per year when outdoor activities are intolerable due to landfill gas emissions.

Benton County officials have repeatedly told residents, including the Planning Commission, the Disposal Site Advisory Committee, and the Environment and Natural Resources Advisory Committee, that the impacts of the existing landfill operation are irrelevant in this conditional use proceeding and will not be considered.

Actually, they are highly relevant and must be considered. The fact of the matter is that most conditional use applications are for new uses, so determining the future impacts of a proposed use will be somewhat of a guessing game. However, when the use already exists and will be moved a bit, expanded, or both, the fact that it already exists provides clear evidence in determining the impacts of the proposed use.

The applicant has repeatedly demonstrated their inability to comply with air quality regulations, according to the EPA inspection reports. Given the applicant's track record for mismanagement of landfill gases, there are no mitigation measures or land use conditions of approval that could be reliably implemented and enforced to resolve the impacts of the proposed conditional use.

I urge the Planning Commission to deny this application outright.

Thank you for your time.

Mark Yeager

P.O. Box 1290

Albany, Oregon 97321

REGION 10
SEATTLE, WA 98101

Clean Air Act Partial Compliance Evaluation Inspection Report

Valley Landfills Inc. Coffin Butte Landfill

2917 Coffin Butte Rd
Corvallis, Oregon

Inspection Date: June 21, 2024

SARA CONLEY Digitally signed by SARA CONLEY
Date: 2024.08.29 10:24:54 -07'00'

Report Author Signature

Sara Conley
Clean Air Act Inspector
EPA Region 10
Enforcement and Compliance Assurance Division
Air Enforcement Section

Steven Rapp Digitally signed by Steven Rapp
Date: 2024.08.29 14:26:19 -04'00'

Peer Review Signature

Steve Rapp
Environmental Engineer
EPA Office of Enforcement and Compliance Assurance

ELIZABETH WALTERS Digitally signed by ELIZABETH WALTERS
Date: 2024.08.29 14:34:09 -07'00'

Air Enforcement Section (AES) Manager Signature

Elizabeth Walters
Air Enforcement Section Manager
EPA Region 10

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Attachments

Attachment 1 EPA Inspection Photo, Video and SEM Log

Attachment 2 EPA Surface Emission Monitoring Map

Attachment 3 IRwin Calibration

Attachment 4 TVA 2020 Calibration

Attachment 5 SEM Repair tracking

I. Basic Facility and Inspection Information

Facility:	Valley Landfills Inc. 2917 Coffin Butte Rd Corvallis, Oregon 97330
Mailing Address:	2917 Coffin Butte Rd Corvallis, OR 97330
AFS/FRS Number:	110004808423
SIC:	4953 Refuse Systems
NAICS:	562212 Solid Waste Landfill
Permit Number:	02-5902-TV-01
Facility Contacts:	Ian Macnab Environmental Manager, Oregon Valley Landfills Inc. ianmacnab@republicservices.com Broc Kienholz Operations Manager Coffin Butte Landfill Republic Services bkienholz@republicservices.com Phil Caruso Environmental Specialist Republic Services pcaruso@republicservices.com
U.S. EPA Inspectors:	Sara Conley Air Enforcement Section (AES) Enforcement and Compliance Assurance Division (ECAD) U.S. EPA Region 10 1200 Sixth Ave. Seattle, WA 98101-3188

	(206) 553-6914 Conley.Sara@epa.gov
	Alyson Skeens Air Enforcement Section (AES) Enforcement and Compliance Assurance Division (ECAD) U.S. EPA Region 10 950 West Bannock Street, Suite #100 Boise, Idaho 83702-5999(208) 378-5748 Skeens.Alyson@epa.gov
	Steve Rapp Air Enforcement Division (AED) Office of Civil Enforcement (OECA) U.S. EPA 1200 Pennsylvania Avenue Washington, DC 20460 (202) 250-8961 Rapp.Steve@epa.gov
ODEQ Representatives:	Becka Puscas Interim Manager, Office of Compliance and Enforcement Oregon Department of Environmental Quality (503) 229-5058 Katie Eagleson – Air Toxics Permitting Engineer Heather Kuoppamaki - Senior Air Quality Engineer Alex Haulman – Air Quality Inspector, Eastern Region Laura McWhorter – Natural Resource Specialist
Date of Inspection:	June 21, 2024
Inspection Start/End Times:	9:45 – 16:30
Inspection Notice:	This was an unannounced inspection. At approximately 9:00am on June 21, 2024 I called Ian Macnab to let him know that we would be arriving at the facility in about 45 minutes.

II. Purpose of Inspection

This was a multi-media Clean Air Act (CAA) compliance inspection by the Environmental Protection Agency (EPA). Inspector Conley, EPA Region 10, led the inspection and was assisted by EPA inspectors Alyson Skeens, EPA Region 10, and Steve Rapp, EPA AED/OECA, (collectively, "the inspectors"). The regulatory state air agency, the Oregon Department of Environmental Quality, was made aware of the inspection beforehand and participated in the inspection.

This was a partial compliance evaluation by the U.S. Environmental Protection Agency Region 10. The purpose was to identify potential compliance concerns with CAA regulations, specifically the National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills, 40 CFR Part 63 Subpart AAAA and 40 CFR Part 61 Subpart M—National Emission Standard for Asbestos. The facility operates under a Title V Air Operating Permit (302-9502-TV-01. The facility is also subject to the federally enforceable Oregon State Plan for existing municipal solid waste landfills. The facility is regulated under the Oregon Administrative Rules at Chapter 340, Division 236 (OAR 340-236-0500) entitled "Solid Waste Landfills: Emission Standards for Municipal Solid Waste Landfills."

Disclaimer

This report is a summary of observations and information gathered from the facility at the time of the inspection and from a subsequent records review. The information provided does not constitute a final decision on compliance with CAA regulations or applicable permits, nor is it meant to be a comprehensive summary of all activities and processes conducted at the facility.

III. Compliance History

EPA's Enforcement and Compliance History Online, ECHO[1], lists four on-site CAA inspections since 2022.

CAA	*PCE On-Site*	*EPA*	*06/21/2024*
CAA	FCE On-Site	State	07/11/2022
CAA	*PCE On-Site*	*State*	*07/07/2022*
CAA	*PCE On-Site Monitoring/Sampling*	*EPA*	*06/23/2022*

[1] See https://echo.epa.gov/

The ECHO database does not list formal or informal enforcement actions in the last three years for the CAA or other statutes.

IV. Pre-Inspection Observations

We went directly to the facility. No observations were made prior to the scheduled inspection.

V. Facility and Process Description

The following facility description is based on information provided by a facility representative in the opening conference as well as documents submitted by the facility to ODEQ.

The Valley Landfills Inc. facility ("the landfill," "the facility," or "Coffin Butte") is located in Benton County Oregon. The landfill began accepting waste in 1978 and has a design capacity of approximately 39.7 tons. In 2021 there were 312 active vertical wells and a landfill gas control capacity equal to 5000 standard cubic feet per minute (scfm). Approximately 110 acres of the landfill have been constructed. The landfill directs landfill gas to an electrical generation plan owned and operated by the Pacific Northwest Generating Cooperative (PNGC). PNGC has a total of five engines capable of combusting 1915 standard cubic feet per minute (scfm). The PNGC facility has two backup flares with a combined capacity of 3,000 scfm.

The landfill uses interim cover consisting of temporary plastic covers. Temporary plastic cover is 12-mil lightweight plastic or 45-mil ethylene propylene diene monomer (EPDM) rubber. The cover material is anchored to the surface of the landfill. Sheet seams are sewn together, taped, or made to overlap with sandbags. Interim soil cover is typically 12 inches thick. Interim soil and plastic cover are placed to control landfill gas prior to final cover placement.

According to the facility, final cover will be installed once areas have settled. The final cover will consist of an under-drainage layer, 24" of soil, geomembrane and a drainage layer.

VI. Entry and Opening Conference

Inspectors Rapp, Skeens and I arrived at 9:40am along with representatives from ODEQ. The opening conference began at 9:45am.

Opening conference attendees included:

ODEQ:

- Becka Puscas
- Katie Eagelston
- Heather Kuoppamaki
- Alex Haulman
- Laura McWhorter

Valley Landfills Inc.

- Ian Macnab
- Broc Kienholz
- Phil Caruso

Inspectors Rapp, Skeens and I presented our credentials to Mr. Macnab. I explained the purpose of the inspection was to evaluate compliance with the Clean Air Act and that we would be primarily focused on conducting surface emission monitoring (SEM). I explained that we had three instruments with us, the two TVA 2020s[2] and an Inficon IRwin SX[3], which can be used to measure surface concentrations of methane. I explained that we would calibrate each instrument following the opening conference. We also notified the facility that we planned to take photos with a digital camera[4] and that we brought a Forward Looking Infrared (FLIR) Camera[5] capable of visually monitoring methane. I explained that all measurements, photos, video, and other information collected during the inspection would be included in the inspection report. I also described the timeline of the inspection and set expectations that we would be asking questions of the facility staff as we conducted the inspection.

I asked about the age of the landfill and about the cells in the landfill that are subject to the gas collection and control and surface emission monitoring (SEM) requirements under the federal CAA regulations for Municipal Solid Waste (MSW) Landfills. The facility representatives explained that the landfill first accepted waste in the 1970s. There is waste older than 5 years in every cell of the landfill. Inspector Rapp asked if there are any areas of the landfill that are currently excluded from gas collection and control. The facility representatives said that long ago there were areas but not now. At this landfill there is a cell of asbestos monofil as well as a small area that has asbestos buried in-place. Most asbestos is in the designated asbestos cell.

Mr. Kienholz explained how waste shipments are accepted at the facility. Trucks with municipal solid waste are weighed at the scale house. Mr. Kienholz stated that the commercial trucks have an account with Republic Services and if they bring in special wastes that information is recorded at the scale house. New waste is placed in active fill areas onsite. There is a new cell under construction at the landfill which will be located near the asbestos cell.

Inspector Skeens asked what the approximate volume of asbestos containing waste (ACW) Coffin Butte received and the customer breakdown between public and commercial. Mr. Macnab stated that Coffin Butte receives approximately 5,000 to 10,000 tons of ACW per year.

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[2] Thermo Fisher Scientific Model TVA 2020, Serial Number 202023127089 and Thermo Fisher Scientific Model TVA 2020, Serial Number 202017092713

[3] Inficon IRwin SX device, using the Elkins Earthworks software, held by EPA OECA/AED, Serial #: 580-01092006439

[4] Olympus Tough TG-6, Serial Number BJ5B27623

[5] FLIR Gx620 1060080

Macnab stated that Coffin Butte does not typically receive ACW from the public and most shipments are from commercial contractors. Mr. Macnab stated that Coffin Butte will see loads coming from Coast from Portland to Eugne up to Willamette. Coffin Butte rarely receives waste from out of state but if they do it would most likely be from Washington.

Inspector Skeens asked if Coffin Butte has turned ACW loads away for discrepancies. Mr. Macnab stated that they have turned loads away before. The load is inspected when dropped off and workers will require bags to be taped if there are rips or tears. Inspector Skeens ask if they could see the asbestos cell during the inspection. Mr. Macnab states that the asbestos cell was downhill from the construction site and advised against going there for safety concerns. Inspector Skeens asked if Coffin Butte had plans to layer over the asbestos cell with MSW. Mr. Macnab stated that there are plans but he was not sure when that would take place.

Inspectors Rapp and I asked about how the facility monitors surface emissions and the landfill gas collection system. The facility representatives explained that their consultant, SCS, provides a SEM route map and performs the SEM monitoring on foot. The facility representatives stated that the most recent surface emissions monitoring was performed a few months ago. The facility representatives do not observe the surface emission monitoring conducted by SCS. According to the facility representatives, if SCS identifies surface emission exceedances, SCS reports the exceedances to Republic Services and Republic Services will make the repairs. Inspector Rapp asked if there are any areas of the landfill that are not monitored for surface emissions. The facility representatives said that they do not monitor dangerous areas such as where there active filling is occurring.

I asked who conducts the well parameter monitoring and the facility told me that PNGC Power monitors the wells. PNGC Power operates the landfill gas to energy facility. I asked about interior well installations and the facility representatives told me that wells will be installed beginning in July. The facility has a combination of vertical and horizontal interior wells installed and the facility representatives explained that the active fill area is managed with horizontal wells. The facility reported that cover integrity monitoring is conducted by in-house staff.

Inspector Rapp asked if the flares were operating that day. The facility representatives indicated that the landfill was producing approximately 1800 scfm of which approximately 1000 scfm was being routed to the engines and the remainder to flares. The inspectors indicated that they would like to visit the flare station later during the facility walkthrough.

I asked the facility for a printed map of the landfill and we discussed where we planned to conduct the monitoring with Mr. Macnab. I explained that we would not be conducting a full surface emission monitoring survey over the entire landfill and that our inspection would be limited to an area before lunch and one after lunch. I decided to start with the area closest to the facility's office for the morning and then to visit the flare station and northeastern area in the afternoon. The opening conference concluded at approximately 10:50. Immediately following the opening conference we calibrated the two TVA 2020s and the Irwin.

VII. Facility Walk-Through

The table of surface emissions exceedances and digital image log is included as Attachment 1 to this report. A map of the Surface Emissions Monitoring (SEM) path walked by Inspector Rapp with the EPA IRwin is included in Attachment 2.

A. Morning SEM on Southwest Face of The Landfill

The walkthrough began at about 11:00. The inspection team was escorted by Mr. Macnab and Mr. Caruso. We began the monitoring with one TVA 2020 operated by inspector Skeens, another TVA 2020 operated by Mr. Haulman of ODEQ, and the EPA IRwin operated by Inspector Rapp.

Mr. Macnab estimated that we were over Cell 3 of the landfill. The lower side of the slope was vegetated, and Mr. Macnab stated that they were in the process of getting the vegetated surface of the landfill mowed. We did not measure any exceedances on the lower-vegetated section of the landfill slope. As we moved up the slope of the landfill we began to walk on the 45-mil ethylene propylene diene monomer (EPDM) rubber covered area. The 45-mil EPDM cover is considered interim cover. Mr. Macnab explained that this area would remain covered with 45-mil EPDM until there was either more waste placed in this cell or the area is placed under final cover. The EPDM material is weighed down with sandbags and straps it is also bolted to the surface in places.

We traversed a section of the southwest side of the landfill moving from one penetration to another and monitoring surface emissions along the way. I noticed that when the wind was blowing from the west there was an odor that smelled like landfill gas. There were a number of exceedances, readings of 500 ppm methane or larger, coming from holes or tears in the cover material. I noted that there were a number of plants growing out of the cover material at the top of the western side of the landfill in the area along the edge of Cell 3 and Cell 5. Some of the plants were between 1.5 to 3 feet tall. We did not monitor at the plant locations because of filling activity immediately uphill from that location. We made our way down the landfill slope and continued to take surface emission measurements with the TVAs and the Irwin. We took a break for lunch at approximately 13:00. The Irwin, operated by Inspector Rapp, detected 31 locations where methane emissions were 500 ppm or greater in this section of the landfill. See Attachment 1.

B. Afternoon SEM at Flare Station

We returned to the facility at 14:30 and performed a calibration bump check on the TVAs and the Irwin which both units passed. See Attachment 3. Mr. Macnab informed us that SCS would be coming the week of June 24th to conduct penetration monitoring. We followed Mr. Macnab in our vehicle to the flare station, the ODEQ representatives joined us for this portion of the afternoon. At the time of our visit, a new enclosed flare was onsite but construction of the flare was not complete and the flare was not operational. I operated the FLIR camera and recorded a

video, FLIR0093, of a leaking flange/blank plate at the flare station. The Irwin measured emissions above 500 ppm at the flange (photo 1734). See Attachment 1. The ODEQ team departed the flare station at approximately 15:00.

C. Afternoon SEM at Eastern Face of The Landfill

We followed Mr. Macnab in our vehicle to a pull-off at the northeastern face of the landfill. There was a noticeable landfill gas odor at the base of the slope. The Irwin measured methane greater than 500ppm at a liquid separation pipe for a horizontal collector. Inspectors Rapp and Skeens monitored surface emissions while we walked up the eastern slope of the landfill. We made our way up the slope walking from one wells or other penetrations to another and monitored surface emissions along the way. We also stopped at areas where visual inspection indicated possible surface emissions such as holes in the cover material. We identified 9 locations with emissions over 500ppm methane along our path. See Attachment 1. The walkthrough ended at approximately 16:00.

D. Asbestos

The inspectors did not observe the asbestos cell due to safety concerns Mr. Macnab expressed during the opening conference.

VIII. Closing Conference

At 16:00, our group returned to the facility conference room to discuss the inspection and conduct the closing conference. I led the closing conference and summarized the parts of the facility we had visited during the inspection and our observations related to CAA. I went through my inspection notes and described potential compliance concerns from the inspection. The following were identified as potential compliance concerns during the closing conference:

1. EPA monitored only a portion of the landfill surface and found numerous methane emissions at 500 ppm and higher, including at holes in the cover material. We identified many of the approximately 40 exceedances at locations where the cover material was damaged. Inspectors had noticed some plants growing out of the cover material near the areas where we monitored for emissions.
2. EPA monitored a flange at the flare station had methane emissions over 500ppm. The facility indicated that they were repairing this flange while we were in the opening conference.
3. One of the wellheads EPA monitored to was open to the atmosphere and the IRwin measured emissions over 500ppm.

Inspector Rapp and I discussed EPA's follow-up from the surface emission monitoring EPA conducted during the inspection. We explained that we would send the locations of the

exceedances and the readings within a week. We explained the 10-day re-monitoring would be due within 10 days following the facility's receipt of the list of exceedances.

I listed the records I needed to further evaluate the facility to Mr. Macnab. I explained that the inspection would not be complete until I have reviewed all the records that the facility submitted, reviewed my notes, and written an inspection report. Inspector Rapp, Skeens, and I thanked the facility representatives for their time and assistance and departed the facility at 16:30.

IX. Post Inspection Activities

A. Records Review

The facility provided a response to our information request on August 16, 2023.

Table 1: Records Review

Records Requested

Electronic copy of a map or maps: • **Including the locations of all wells and an indication of the well type.** • **Indicating the cell outlines on the landfill.** • **Indicating the boundaries of each phase of the landfill.** • **Indicating the most recent planned path for surface emission monitoring, including areas excluded from monitoring.**
Response: The facility provided all of the requested maps in an electronic format.
The most recent two quarters of gas migration/perimeter probe readings.
Response: The facility provided monthly readings from January 2024 through July 2024. The permitter probe readings recorded for the last two quarters were all 0.0% methane.
Electronic copy of the most recent design plan.
Response: The facility provided the requested record.

10 most recent ASM-4 for commercial loads.
Response: The facility provided 10 ASN-4 forms.
Last 6 months of landfill cover monitoring records.
Response: The facility provided records for each month from January 2024 through June 2024.
Last three months of all well readings, including all parameters measured. Please provide in an excel readable file type.
Response: The facility provided the requested data.
Odor complaints received in the last 6 months.
Response: The facility provided records covering December 2023 through June 2024, all months had a complaint about odor.
Electronic copy of the two most recent semi-annual (or annual) reports.
Response: The facility provided the two most recent semi-annual reports. One dated February 13, 2024 covering the reporting period of July 1, 2023 through December 31, 2023 and one dated July 16, 2024 covering the reporting period of January 1, 2024 through June 30, 2024.
2 most recent quarterly surface emission monitoring surveys
Response: Facility provided both of the reports we requested.

B. <u>Surface Emission Monitoring Follow-up</u>

The facility submitted the following documents on August 23, 2024

SEM Repair tracking – listed repairs but not the date of the repair, see Attachment 5.

Second Quarter Emission Monitoring - June 11, 16, 18, 24, 26, and July 6, 16, and 26, 2024, OAR landfill surface emissions monitoring (SEM) performed by SCS Field Services (SCS) at the Coffin Butte Landfill.

EPA's surface emissions results, received by the facility on June 26, 2024, indicated that forty-one (41) locations exceeded the 500 ppmv maximum concentration. The required first and second 10-day (Oregon Administrative Rule) follow-up monitoring performed by SCS on July 6, and 16, 2024, indicated that not all locations returned below compliance limits as required, following system adjustments and remediation by site personnel. Based on these monitoring results, and in accordance with the Oregon State Regulations, the site is required to perform a system expansion within 120 days of the third detected exceedance or November 13, 2024.

Attachment 1: EPA Inspection Photo, Video and SEM Log

Attachment 1 – EPA Inspection Photo, Video and SEM Log
Valley Landfills Inc CAA Inspection 06/21/2024

PENETRATION ID	TIMESTAMP (EST)	Corrected time (Pacific time)	LAT WGS84	LON WGS84	MAX DETECTOR CONCENTRATION CH4 (ppmv)	CONFIRMATION TVA 2020 (EPA)CH4 (ppmv)	PHOTO OR VIDEO NUMBER	DESCRIPTION
A1	6/21/2024 14:11	6/21/2024 11:11	44.69752	-123.233986	4900	1000	P6210151, P6210152	Exceedance at well
--							P6210153	Photo showing the side of the landfill looking east.
--							P6210154	Photo of a well with cover gathered around the base
A2	6/21/2024 14:21	6/21/2024 11:21	44.697938	-123.234216	10011	3%	n/a	
A3	6/21/2024 14:23	6/21/2024 11:23	44.698045	-123.234395	1271	3700	n/a	
A4	6/21/2024 14:29	6/21/2024 11:29	44.698033	-123.234661	1622	1000	P6210155, P6210156	Exceedance measured at base of well
A5	6/21/2024 14:30	6/21/2024 11:30	44.697969	-123.234744	1459	1600	P6210157	Exceedance at opening in cover
							P6210158	Penetration in cover
A6	6/21/2024 14:33	6/21/2024 11:33	44.698005	-123.235072	14097	>1000	P6210159, P6210160, P6210161	Exceedance located at support on left
A7	6/21/2024 14:35	6/21/2024 11:35	44.698088	-123.235163	16501	20000	P6210163	Exceedance at tear in cover
A8	6/21/2024 14:37	6/21/2024 11:37	44.698123	-123.235294	1118	800	P6210164	Exceedance at vegetation growing out of cover
A9	6/21/2024 14:40	6/21/2024 11:40	44.698127	-123.235513	2719	1.30%	P6210165	Exceedance at tear in cover
A10	6/21/2024 14:41	6/21/2024 11:41	44.698197	-123.23546	4762	1.00%	P6210166, P6210167	Exceedance at tear in cover, at worn patch
A11	6/21/2024 14:42	6/21/2024 11:42	44.698206	-123.23543	8350	20000	P6210167	Exceedance at tear in cover at a rock in background of 167

Attachment 1 – EPA Inspection Photo, Video and SEM Log
Valley Landfills Inc CAA Inspection 06/21/2024

PENETRATION ID	TIMESTAMP (EST)	Corrected time (Pacific time)	LAT WGS84	LON WGS84	MAX DETECTOR CONCENTRATION CH4 (ppmv)	CONFIRMATION TVA 2020 (EPA)CH4 (ppmv)	PHOTO OR VIDEO NUMBER	DESCRIPTION
A12	6/21/2024 14:45:00	6/21/2024 11:45	44.69817	-123.235601	1597	2300	camera battery died	
A13	6/21/2024 14:48	6/21/2024 11:48	44.698197	-123.235671	1839	1000		Exceedance at tear in cover
A14	6/21/2024 14:49	6/21/2024 11:49	44.698184	-123.235675	1182	2000		Exceedance at tear in cover
A15	6/21/2024 14:51	6/21/2024 11:51	44.698257	-123.235666	4253	4255		Exceedance at patched area with new hole in cover
A16	6/21/2024 14:52	6/21/2024 11:52	44.6983	-123.235524	9694	TVA flame out		flame out is generally when > 20000
A17	6/21/2024 14:57	6/21/2024 11:57	44.698489	-123.235238	2967	not taken		Exceedance at tarp hole
A18	6/21/2024 15:00	6/21/2024 12:00	44.698836	-123.235078	2900	2200		Exceedance at wellhead cluster
A19	6/21/2024 15:02	6/21/2024 12:02	44.698871	-123.23504	4436	1300		Exceedance at flange
A20	6/21/2024 15:06	6/21/2024 12:06	44.699096	-123.234886	118265	TVA flame out		The cap is off of this well, exceedance at the top.
A21	6/21/2024 15:09	6/21/2024 12:09	44.699247	-123.235311	51151	13000		
A22	6/21/2024 15:11	6/21/2024 12:11	44.699114	-123.23529	1412	1200		
A23	6/21/2024 15:13	6/21/2024 12:13	44.698985	-123.235414	8110	1100		
A24	6/21/2024 15:18	6/21/2024 12:18	44.698458	-123.234777	7443	1200		Exceedance at penetration
A25	6/21/2024 15:21	6/21/2024 12:21	44.698393	-123.234706	8054	12000		Exceedance at BV92
A26	6/21/2024 15:23	6/21/2024 12:23	44.698392	-123.234575	4502	4600		Exceedance at hole in tarp
A27	6/21/2024 15:25	6/21/2024 12:25	44.698351	-123.234173	12969	1.30%		Exceedance at3V93
A28	6/21/2024 15:28	6/21/2024 12:28	44.698182	-123.23397	4339	2400		Exceedance at hole in tarp, 3V83
A29	6/21/2024 15:31	6/21/2024 12:31	44.698236	-123.233457	55729	>2%		Exceedance at tear at boot where horizontal pipe is coming out of the cover
A30	6/21/2024 15:33	6/21/2024 12:33	44.698186	-123.233425	2368	1800		Exceedance at liquid separation
A31	6/21/2024 15:48	6/21/2024 12:48	44.696522	-123.233878	16740	1.50%		Exceedance at Cell 1 sump, outside of the landfill footprint.
--							FLIR0091	Accidental video
--							FLIR0092	Accidental video

Attachment 1 – EPA Inspection Photo, Video and SEM Log
Valley Landfills Inc CAA Inspection 06/21/2024

PENETRATION ID	TIMESTAMP (EST)	Corrected time (Pacific time)	LAT WGS84	LON WGS84	MAX DETECTOR CONCENTRATION CH4 (ppmv)	CONFIRMATION TVA 2020 (EPA)CH4 (ppmv)	PHOTO OR VIDEO NUMBER	DESCRIPTION
A32	6/21/2024 17:49	6/21/2024 14:49	44.6974	-123.224024	7700	not taken	FLIR0093	Exceedance at Flare Station flange, in video the flange on the right side
--							FLIR0094	Accidental video
--							FLIR0095	Accidental video
A33	6/21/2024 18:14	6/21/2024 15:14	44.701817	-123.22582	6393	2000+	DSCN1734	Exceedance at liquid separation for horizontal
A34	6/21/2024 18:21	6/21/2024 15:21	44.701431	-123.226183	7110	1200	DSCN1735	Exceedance at tear in the material at the base of 5V22
A35	6/21/2024 18:24	6/21/2024 15:24	44.701263	-123.226236	12247	1.30%		
A36	6/21/2024 18:31	6/21/2024 15:31	44.700978	-123.227052	654	10000	DSCN1736	
A37	6/21/2024 18:35	6/21/2024 15:35	44.700853	-123.227144	24738	1.30%		Exceedance at hole in cover
A38	6/21/2024 18:42	6/21/2024 15:42	44.701694	-123.227427	1707	1%		Exceedance at hole in cover
A39	6/21/2024 18:44	6/21/2024 15:44	44.701818	-123.227413	14956	1.15%		Exceedance at 5H26
A40	6/21/2024 18:47	6/21/2024 15:47	44.701819	-123.2274	2675	1.15%	DSCN1737	Exceedance at hole in cover
A41	6/21/2024 18:51	6/21/2024 15:51	44.702381	-123.227485	1057	4000	DSCN1738	Exceedance at tag FD12

Attachment 2: EPA Surface Emission Monitoring Map

June 21, 2024

Clean Air Act inspection
Valley Landfills Inc

Legend

- EPA Readings >500ppm Methane
- Surface Emission Monitoring Path

Republic Services Coffin Butte Landfill

A41
A39
A38
A33
A34
A35
A36
A37
A21
A22
A19
A20
A18
A25
A27
A29
A30
A15
A7
A4
A2
A28
A1
A31
A32

Knife River - Coffin Butte Quarry

Valley Landfills

Coffin Butte Rd

Wiles Rd

Green Rd

99W

N

1000 ft

Google Earth

Image © 2024 Airbus

Attachment 3: IRwin Calibration

AED IRWin SX 580-010 92006439

Date:	6/20/2024
Calibration Performed By:	Steve Rapp
Warm-Up Time:	Approx. 15 mins.
Detector Calibrated:	AED IRWin SX 580-010 92006439

Calibration Gas: Methane (CH4)				
Calibration Gas	**Calibration Gas Supplier**	**Calibration Gas Expiration**	**Lot #**	**Cylinder #:**
Zero gas (0 ppmv CH4)	Pine Environmental Services	6/29/2027	304-402786171-1	UN10021121719481
500 ppmv CH4	Pine Environmental Services	6/29/2027	304-402785850-1	UN19561121719481

Time	**Location of Calibration**		**Notes:**	
Approx. 10:45:00 AM	Coffin Butte landfill office building, Carvallis, OR.			
Initial Accuracy Test				
Expected Reading (ppmv CH4)	**Zero**	**500**	**Notes:**	Used demand regulators.
Span Reading	0	500	Accepted/pass	
Calibration/Concentration Check				
Expected Reading (ppmv CH4)	**Zero**	**500**		
Instrument Reading	0	500	Accepted/pass	
Bump Check Date: 6/21/2024 Time: 14:28				
Expected Reading (ppmv CH4)		**500**		
Instrument Reading		470	Accepted/pass	
Bump Check Date: 6/21/2024 Time: 16:10				
Expected Reading (ppmv CH4)		**500**		
Instrument Reading		460	Accepted/pass	

Background concentrations (ppmv CH4):			**Location:**	**Time:**
Upwind:	0		Measured on road by portable toilets in northeast corner of LF	16:00
Downwind:	0		Measured in parking lot of office building	11:00

Comments/Notes:

The instrument was calibrated and checked for response time and precision on 6/20/24 at approx. 7:30 am using the 0 air and 500 ppm CH4 from the same cylinders identified above.
All readings are within 10% of the known calibration value. Response times are approximately 7.1 seconds, under the maximum of 30 seconds.
The gas cylinders identified above were used for the daily calibration and bump checks.

Precision and Response Time Checks:

Date:	Time:		Location:
6/20/2024	7:25 AM		Residence Inn, Portland, OR

AED IRWin SX 580-010 92006439

	Cal Gas (zero) 0 ppmv		Notes:
	Reading	Time	Demand regulator used.
Trial 1	0		
Trial 2	0		
Trial 3	0		
Average	0		

AED IRWin SX 580-010 92006439

	Cal Gas (mid): 500 ppmv CH4		Notes:
	Reading	Time	Demand regulator used.
Trial 1	500	6.78	
Trial 2	500	6.92	
Trial 3	500	7.59	
Average	500	7.1	All readings within 10%.All times within 30 seconds.

Calibration gas information:

Gas Concentration (ppmv CH4)	Calibration Gas	Lot #	Cylinder #	Expiration Date	Notes:
0	Pine Environmental Services	304-402786171-1	UN10021121719481	6/29/2027	Pressure = 300 psi. THC < 0.1 ppm, O2 = 20-22%
500	Pine Environmental Services	304-402785850-1	UN19561121719481	6/29/2027	Pressure = 400 psi. 500 ppmv CH4. Air 20.9% O2 in N2.

Attachment 4: TVA 2020 Calibration

EPA Method 21 Quarterly Precision/Daily Calibration Form

Alyson Skeen +

US EPA, Region 10	**Monitor:** Sara conley	**Date:** 6/21/24
Mfg: Thermo Fisher Scientific	**Model No:** TVA 2020	**Instrument SN:** 2020231270089
Facility: Coffin	City/State:	**ICIS No.**

Calibration Gas Information					
	Gas Type	**ppm**	**+ / - %***	**Lot No:**	**Expiration Date: (M-D-Y)**
Calibration Gas 1	0-Air	0	2		
Calibration Gas 2	CH4	500	2		
Calibration Gas 3	CH4	10,000	2		

* % that gas is certified to be w/in of the std concentration. (Method-21, Cylinder gas to be certified within ± 2% of std.)

Calibration Standard Test No. 1: 0 **PPM** Zero Air **Gas**							
Test	Test reading	Drift	Total	Avg.	------		Comments
1	0.1	0.1	0.2	0.1	NA		
2	0.0	0					
3	-0.1	+0.1					
Calibration Standard Test No. 2 500 **PPM** 500 **Gas**							
Test	Test reading	Drift	Total	Avg.	*Avg diff w/in ± 10% std = Pass		Comments
1	499	1	7	2.3	0.5 %	Pass / Fail (circle one)	
2	497	3					
3	497	3					
Calibration Standard Test No. 3 10,000 **PPM** 10000 **Gas**							
Test	Reading	Drift	Total	Avg.	*Avg diff w/in ± 10% std = Pass		Comments
1	1,62	200	900	300	3 %	Pass / Fail (circle one)	
2	1.03	300					
3	1.04	400					

* Avg difference ÷ cal gas std x 100 = _____%, Unit warm up time ≥ 30 min: ☐ Yes, ☐ No

Subpart VVa Drift – Mid Day Reading				**Subpart VVa Drift – End of Day Reading**			
Cal Gas	Concentration	Reading	*Pass /Fail	Cal Gas	Concentration	Reading	*Pass / Fail
1	0	-0.6	P	1	0	-2.5	
2	500	513	P	2	500	504	
3	10,000	10,800	P	3	10,000	10400	

*Negative drift > 10% = Fail per 40 CFR 60, Subpart VVa. Fail = monitored data is void. Pass = ≤ 10% drift.

Response Time W/ extension ◯ W/O extension ◯										
Test No.	Cal Std	Response Time	Total Time	Avg. Time	pass/fail ≤30 sec	Cal Std.	Response Time	Total Time	Avg. Time	pass/fail ≤30 sec
1			____sec	____sec	Pass / Fail			____ sec.	____ sec.	Pass / Fail
2										
3										

Notes: _____

Monitor's Signature _____ Date: 6/21/24

Attachment 5: SEM Repair tracking

PENETRATION ID	TIMESTAMP	LAT WGS84	LON WGS84	Action
A1	6/21/2024 12:11	44.69752	-123.233986	Damaged well repaired; new kanaflex, added dirt.
A2	6/21/2024 12:21	44.697938	-123.234216	EPDM patch
A3	6/21/2024 12:23	44.698045	-123.234395	EPDM patch
A4	6/21/2024 12:29	44.698033	-123.234661	EPDM patch
A5	6/21/2024 12:30	44.697969	-123.234744	EPDM patch
A6	6/21/2024 12:33	44.698005	-123.235072	EPDM patch
A7	6/21/2024 12:35	44.698088	-123.235163	EPDM patch
A8	6/21/2024 12:37	44.698123	-123.235294	Tarp removed for waste placement
A9	6/21/2024 12:40	44.698127	-123.235513	Tarp removed for waste placement
A10	6/21/2024 12:41	44.698197	-123.23546	Tarp removed for waste placement
A11	6/21/2024 12:42	44.698206	-123.23543	Tarp removed for waste placement
A12	6/21/2024 12:45	44.69817	-123.235601	Tarp removed for waste placement
A13	6/21/2024 12:48	44.698197	-123.235671	Tarp removed for waste placement
A14	6/21/2024 12:49	44.698184	-123.235675	Tarp removed for waste placement
A15	6/21/2024 12:51	44.698257	-123.235666	Tarp removed for waste placement
A16	6/21/2024 12:52	44.6983	-123.235524	Tarp removed for waste placement
A17	6/21/2024 12:57	44.698489	-123.235238	Tarp removed for waste placement
A18	6/21/2024 13:00	44.698836	-123.235078	Tarp removed for waste placement
A19	6/21/2024 13:02	44.698871	-123.23504	Tarp removed for waste placement
A20	6/21/2024 13:06	44.699096	-123.234886	Tarp removed for waste placement
A21	6/21/2024 13:09	44.699247	-123.235311	Tarp removed for waste placement
A22	6/21/2024 13:11	44.699114	-123.23529	Tarp removed for waste placement
A23	6/21/2024 13:13	44.698985	-123.235414	Tarp removed for waste placement
A24	6/21/2024 13:18	44.698458	-123.234777	Tarp removed for waste placement
A25	6/21/2024 13:21	44.698393	-123.234706	EPDM sheet added around and booted
A26	6/21/2024 13:23	44.698392	-123.234575	EPDM boot repaired.
A27	6/21/2024 13:25	44.698351	-123.234173	EPDM patch
A28	6/21/2024 13:28	44.698182	-123.23397	EPDM patch
A29	6/21/2024 13:31	44.698236	-123.233457	EPDM patch
A30	6/21/2024 13:33	44.698186	-123.233425	EPDM patch
A31	6/21/2024 13:48	44.696522	-123.233878	Bolts added/tightened lid on Cell 1 sump
A32	6/21/2024 15:49	44.6974	-123.224024	Blind flange bolts added and tightened
A33	6/21/2024 16:14	44.701817	-123.22582	Soil added
A34	6/21/2024 16:21	44.701431	-123.226183	EPDM patch
A35	6/21/2024 16:24	44.701263	-123.226236	EPDM patch
A36	6/21/2024 16:31	44.700978	-123.227052	EPDM patch
A37	6/21/2024 16:35	44.700853	-123.227144	EPDM patch
A38	6/21/2024 16:42	44.701694	-123.227427	EPDM patch
A39	6/21/2024 16:44	44.701818	-123.227413	EPDM patch
A40	6/21/2024 16:47	44.701819	-123.2274	EPDM patch
A41	6/21/2024 16:51	44.702381	-123.227485	EPDM patch
Please see 2nd Quarter SEM report for remonitoring				

EPA Coffin Butte Inspection Report 6/2024_Summary
Prepared by Beyond Toxics 1/17/2025

EPA conducted a follow up inspection of Coffin Butte Landfill on June 21, 2024, almost exactly two years after their inspection in 2022. EPA explicitly framed this as a "Clean Air Act Compliance" inspection. The EPA inspected a small portion of the landfill's surface area, which focused on similar locations to their original inspection in 2022. They also examined the landfill gas flare to the south across Coffin Butte Road.

Oregon and Federal rules stipulate that **any detection of methane over 500 ppm is a violation of the Clean Air Act and Oregon State Rules**. Landfill operators are required to take remediative action and bring emissions below 500 ppm within 10 days.

During the 2024 inspection, EPA found a total of **41 exceedances of 500 ppm. The vast majority of the exceedances were magnitudes over the legal maximum of 500 ppm, ranging from 1000 to 118,000 ppm.**

- Many of those exceedances occurred at locations with openings in the tarp cover caused by fabric separation, failed patch repairs, rocks and vegetation puncturing the tarp.
- Other exceedances occurred where gas extraction wells were installed and the surrounding landfill tarp cover had not been adequately sealed around those wells.
- EPA found a gas extraction well without a lid, where methane was belching out resulting in a reading of 118,000ppm (10% of air content), which is an explosive concentration of methane and 200 times over the regulatory limit.
- Some exceedances were so high that the monitoring equipment "flamed out", meaning that the inspectors had to turn off the equipment before it was damaged.
- EPA received records of odor complaints filed by community members from landfill gas for 6 months leading up to the inspection. There were complaints about landfill gas in each of those months (Dec 2023-June 2024).
- EPA inspectors reported smelling landfill gas while onsite conducting SEM measurements.
- EPA found that one of the landfill flares had a leak at a juncture in the pipe, which also resulted in exceedances above 500 ppm.

After two follow-up inspections, re-monitored areas showed that not all methane leaks returned to below 500 ppm. It is important to note that the 2024 EPA inspection monitored the same areas as the 2022 inspection and found these areas continued to leak and emit methane above 500 ppm. In two years time, Republic Services had not repaired the gas system correctly. The landfill operator appears to be managing methane reactively after inspections by regulatory agencies. This demonstrates a need for legislative intervention to improve monitoring technology, reporting and operator accountability.

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EPA inspectors photographed examples of where methane emissions exceeded state and federal law at Coffin Butte landfill.



Example 1 - ***4,000 ppm Methane Exceedance at gas collection piping/equipment***



Example 2 - ***20,000 ppm Methane Exceedance from small tear in the tarp***



Example 3 - ***800 ppm Methane Exceedance measured where a weed punctured the tarp***

Additional Note:
DEQ has paused their Title V Air Permit process for Coffin Butte, citing a need for additional information from Republic Services. The permit hearing originally scheduled for January 14th was cancelled indefinitely.

Other Landfill Inspections:
The EPA also inspected the Wasco Landfill and found problems with methane exceedances. Beyond Toxics has not yet written up a summary of the EPA's findings.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 6TH AVENUE
SEATTLE, WASHINGTON 98101

DATE:	See date of Section Chief signature
SUBJECT:	CLEAN AIR ACT INSPECTION REPORT Republic Services Coffin Butte Landfill, Corvallis, OR
FROM:	Daniel Heins, Environmental Scientist Air Toxics Enforcement Section, EPA Region 10
THRU:	Derrick Terada, Acting Section Chief Air Toxics Enforcement Section, EPA Region 10
TO:	File

BASIC INFORMATION

Facility Name: Republic Services Coffin Butte Landfill

Facility Location: 28972 Coffin Butte Road, Corvallis, OR 97330

Date of Inspection: On Site Inspection: June 23, 2022
Virtual Conference: July 11, 2022

EPA Inspector(s):

1. Daniel Heins, Environmental Scientist [a,b]

Other Attendees:

1. Ian MacNab, Environmental Manager – Republic Services [a,c]
2. Phil Caruso, Environmental Specialist – Republic Services [a,b]
3. Brock Kienholz, Operations Manager – Republic Services [c]
4. Nikki Wuestenberg, Operations Support (Nationwide) – Republic Services [a]
5. Melissa Green, Environmental Consultant – Weaver Consultants [a]
6. Yuki Puram, Air Inspector & Permit Engineer – Oregon Department of Environmental Quality [a,b]

[a] Attended virtual conference
[b] Present for all of on-site, including SEM
[c] Present during on site conferences but not during SEM

Contact Email Address: imacnab@republicservices.com

Facility Type: Muncipal solid waste (MSW) landfill

Purpose of Inspection: Surface emissions monitoring (SEM) and evaluating compliance with landfill air rules.

Regulations Central to Inspection: 40 C.F.R. Part 60, Subpart WWW; Oregon State Plan for 40 C.F.R. Part 60, Subpart Cf; 40 C.F.R. Part 63, Subpart AAAA

On Site (6/23) Arrival Time: 09:00
On Site (6/23) Departure Time: 17:50
Virtual Conference (7/11) Start Time: 13:00
Virtual Conference (7/11) End Time: 15:00

Inspection Type:
☐ Unannounced Inspection
☒ Announced Inspection

SITE OVERVIEW

The following information was obtained verbally from Republic Services representatives, including their consultants, during the virtual conference, unless otherwise stated.

Operations Overview:
The Coffin Butte Landfill (the "Landfill") is owned and operated by Republic Services ("Republic"). Republic acquired the Landfill in 2008. Republic representatives were uncertain of exactly how old the Landfill is, stating that they believed it began as a military dump site in the 1940s. Daniel Heins confirmed this via information online from DEQ, which stated that landfilling began in the 1940s in association with Camp Adair. The areas that predate the Resource Conservation and Recovery Act of 1976 (RCRA) have a clay foundation. Some historic waste that predates the 1970s has been re-located from these unlined sections to the post-RCRA lined areas to facilitate construction of future lined cells in those areas.

The Landfill is permitted for 178 acres and has a permitted capacity of 35,514,471 according to the Landfill's 2020 Part 98 Greenhouse Gas Report. The Facility receives approximately 3,500 to 4,500 tons per day of waste. Wastes received include MSW, petroleum contaminated soils, construction and demolition (C&D) waste, C&D material recovery facility (MRF) residuals, and other industrial wastes. Based on current waste acceptance rate, the Landfill has approximately 20 years left under its current permit. Republic has room to expand the site on its property beyond the current permitted footprint.

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.

Leachate flows by gravity to sumps and is pumped to covered storage ponds. Leachate collected varies by year based on the weather but typically is around 25 to 30 million gallons. Condensate is routed to the leachate system. Leachate is trucked to local publicly owned treatment works (POTWs). 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 energy plant has five Caterpillar gas engines – three 3516s and two 3520s. Excess gas not routed to the energy plant is controlled via flares at the Landfill. The landfill has two open flares, with capacities of 1000 standard cubic feet per minute (scfm) and 2000 scfm. Recently the Landfill has been collecting 2600 scfm for the full site, with 1600 scfm going to the energy plant and 1000 scfm to the flares.

SITE TOUR — JUNE 23, 2022

☒ Presented Credentials
☒ Stated authority and purpose of inspection
☐ Provided Small Business Resource Information Sheet
☒ Small Business Resource Information Sheet not provided. Reason: Not a small business
☒ Provided CBI warning to facility

Data Collected and Observations:
Daniel Heins arrived on site and met with the site staff for introductions and a brief site orientation/safety briefing at the Landfill's office. During this meeting, Ian MacNab stated that while there was a Method 21 instrument available and that Phil Caruso is their monitoring technician, that he would not take the opportunity to check EPA readings / provide confirmation readings, as a matter of Republic Services corporate policy. Daniel Heins explained that facilities typically prefer to check and confirm EPA readings and he gave advance notice to provide Republic the opportunity to confirm his TVA readings. Ian MacNab re-iterated that as a corporate policy that they would not provide confirmation readings.

After that brief meeting, Daniel Heins began the SEM. Phil Caruso accompanied EPA for the Surface Emission Monitoring (SEM). EPA showed all readings to Phil Caruso for visual confirmation of the readings and instructed him to state if he had any concerns with EPA's monitoring methods at any point. EPA used a ThermoFisher Toxic Vapor Analyzer 2020 (TVA) to perform EPA Reference Method 21 for the SEM.

In the morning (9:50 - 12:45), Daniel Heins conducted the monitoring with the TVA, covering a loop on the western portion of the Landfill. In the afternoon (13:30 - 17:15), he continued monitoring with the TVA, covering a loop on the eastern portion of the Landfill. 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 (flag #26, 46, and 51).

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.

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.

Photos and/or Videos: were taken during the inspection. See Appendix A.
Field Measurements: were taken during this inspection. See Appendix B.

INSPECTION CONFERENCE — JULY 11, 2022

☒ Provided U.S. EPA point of contact to the facility
☒ Provided CBI warning to facility

Staff Interview:
The Landfill is subject to the Oregon State Plan implementing the Part 60 Subpart Cf Emission Guidelines, having previously been subject to Part 60 Subpart WWW. The Landfill is also subject to Part 63, Subpart AAAA, and has opted-in to demonstrating compliance with the Oregon State Plan through the Subpart AAAA requirements where allowed.

Republic stated that they were unsure if they were excluding non-degradable waste from their maximum gas generation rate calculations in their Design Plan or any other gas modeling runs they have done to size their GCCS. Republic stated that as the operations personnel were not present, they were unable to speak to what types of industrial wastes are received in any further detail. The Landfill does not accept refrigerants. The Landfill receives asbestos. It packages asbestos waste and deposits it in a dedicated asbestos mono-fill that is the only area excluded from the GCCS.

Leachate system components are connected for LFG collection on a case-by-case basis per recommendations of the engineer(s) involved in designing the GCCS.

Republic is aware of a one-off test of the sulfur content of the LFG requested by DEQ and stated that it read at non-detectable levels.

The Landfill has an alternative monitoring plan (AMP) approved by DEQ dating to when the Landfill operated under Subpart WWW. The AMP has allowances for positive pressure, temperatures above 145 degrees Fahrenheit, and elevated oxygen readings. No wells currently are above 145 degrees Fahrenheit. Republic does make use of the positive pressure allowances for wells with high oxygen levels.

Republic stated that they do not consistently check water levels in wells but has done so in the past. All new (at least since 10 years ago) wells are constructed with dewatering pumps, as a best

practice for a landfill in a wet climate. Republic does not typically add pumps to old wells. As wells are typically constructed with steel casings at the Landfill, redrills are rarely needed.

The Landfill has gas migration probes placed outside the area without synthetic liner but has typically seen readings at gas non-detect levels.

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.

For surface emissions monitoring, Republic only excludes active filling areas and other areas with active heavy equipment as "dangerous." When Daniel Heins noted that the drawn paths in the submitted SEM reports went straight through the drawn "dangerous areas," Republic stated that the paths on the maps are general and do not reflect the actual walked paths. Republic monitors penetration points during its serpentine path. Phil Caruso stated that in addition to penetrations, he would go off the serpentine path if he saw distressed vegetation or cracks in the cover, and that those were the only examples of places where visual observations indicate elevated concentrations of landfill gas that he considered. Republic was unable to speak to the what the historic SEM exceedance rate had been in past surveys.

Daniel Heins asked if the GCCS was operational on the day of the SEM inspection or if there was anything different from standard operations that could have impacted the results of the monitoring. Republic stated that nothing was operating differently than normal, with all wells in operation and collection running. Republic did note that construction above exceedance flags #48 through 58 would have impacted the cover in the construction area.

Daniel Heins asked if Republic viewed the inflated tarps as a concern or something to acted on. Republic disputed that the tarps were inflated with landfill gas, claiming that the wind has blown them up. Daniel Heins noted the extremely elevated methane concentrations detected by the inflated tarps and that the tarps appeared to be in a static inflated state without any steady wind or apparent way for the wind to lift the tarps.

Republic noted that construction of additional gas collection on the top of the Landfill is in progress and will be completed this summer.

Requested documents:
The following documents were requested and supplied ahead of the inspection:

- Two most recent semi-annual NSPS reports
- Results of any cover integrity reports and quarterly SEM monitoring events that have been occurred since the most recent semi-annual
- GCCS map
- Map of cover by type in place (final vs intermediate vs daily cover)

The following documents were requested during the conference and confirmed via subsequent email:

- Constructed acres and acreages by cover type
- Past 5 years of flare monitoring data
- Flare/blower design specs and any performance tests on file for it
- Past year of migration probe data and a map of the probe locations
- Current GCCS Design Plan, along with any versions that have been active in the past 5 years and them most recent LandGEM run used for GCCS sizing (if not in the Design Plan)
- A map of the GCCS showing extent of any horizontal collectors if these are utilized to demonstrate a sufficient density of gas collection
- Landfill cell map and year of first waste placement for each cell
- 2021 Part 98 Greenhouse Gas Report
- Annual waste deposited tonnages by type from 2016 to present
    - Include a list of the primary sources of industrial wastes and a description for any special wastes listed
    - Outline of what wastes (if any) are classified as non-degradable for LandGEM maximum expected gas generation (Design Plan) along with the basis for this classification
    - Outline of what wastes are classified as "inert" for Part 98 reporting along with the basis for this classification
- Rest of the past 5 years of Annual/Semi-Annual Reports
    - Include all NSPS/NESHAP/EG reports, SSM reports, and air permit reports as applicable
    - If the full SEM reports are not included in the above, please include those for the past 5 years
    - Include the most recent SEM reports, or at least as much of it as has been completed by the end of July, even if they are not a part of any final semi-annual
- Any versions of the SSM plan that have been in place in the past 5 years
- Past 5 years of wellhead parameter monitoring
- Past 5 years of gas flow to the energy plant
- Any H2S or sulfur gas testing results from the past 5 years, or most recent if not within the past 5 years
- Map of wells being added this summer since the inspection
- The Alternative Monitoring Plan and approval letter
- Identification of which wells have dewatering pumps
- General description of final cover construction

Concerns:
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.

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.

DIGITAL SIGNATURES

DANIEL HEINS
Digitally signed by DANIEL HEINS
Date: 2022.09.19 14:26:56 -07'00'

Daniel Heins, Report Author

DERRICK TERADA
Digitally signed by DERRICK TERADA
Date: 2022.09.19 14:51:00 -07'00'

Derrick Terada, Acting Section Chief

APPENDICES AND ATTACHMENTS

Appendix A: Digital Image Log
Appendix B: Field Measurement

APPENDIX A: DIGITAL IMAGE LOG

Inspector Name: Daniel Heins
Archival Record Location: US EPA SharePoint

2022-06-23 Images

Image #	File Name	Time (PDT)	Flag #	Description
1	20220623_100838.jpg	10:08:38	1	Animal burrow by cleanout
2	20220623_101327.jpg	10:13:27	2	Overlapping tarps
3	20220623_101816.jpg	10:18:16	3	Discolored soil/distressed vegetation by INE9, multiple decommissioned wells
4	20220623_102219.jpg	10:22:19	3	Discolored soil/distressed vegetation by INE9, multiple decommissioned wells
5	20220623_102231.jpg	10:22:31	3	Discolored soil/distressed vegetation by INE9, multiple decommissioned wells
6	20220623_102717.jpg	10:27:17	4	Cleanout
7	20220623_103235.jpg	10:32:35	5	Decommissioned well and surrounding wells by RE8 manifold
8	20220623_103515.jpg	10:35:15	5	Decommissioned well and surrounding wells by RE8 manifold
9	20220623_104050.jpg	10:40:50	6	Decommissioned PVC well (W9?)
10	20220623_105243.jpg	10:52:43	7	Hole in liner
11	20220623_110338.jpg	11:03:38	8	cleanout with gap in liner
12	20220623_111123.jpg	11:11:23	9	Unmarked well with gap in liner and gap between well and dirt, plus nearby holes
13	20220623_111129.jpg	11:11:29	9	Close up on gap on liner and in dirt
14	20220623_111216.jpg	11:12:16	9	Hole in liner near unmarked well
15	20220623_111452.jpg	11:14:52	10	Liner tear and adjacent hole
16	20220623_112408.jpg	11:24:08	11	3V91 Manifold, both at tarp edge and at multiple penetrations
17	20220623_113216.jpg	11:32:16	12	Hole in liner
18	20220623_113733.jpg	11:37:33	13	3V92 wells with tarp gap
19	20220623_114521.jpg	11:45:21	14	3B0V0351 bad liner seal at base
20	20220623_115250.jpg	11:52:50	15	Decommissioned well with tarp tear/gap
21	20220623_115912.jpg	11:59:12	16	3H94 where horizontal intersects tarp
22	20220623_120314.jpg	12:03:14	16	3H94 penetration cluster
23	20220623_120746.jpg	12:07:46	17	Cleanout by unknown well out of liner
24	20220623_121307.jpg	12:13:07	18	Liner that had been pulled back from unknown well by chopped off pipe segment on ground
25	20220623_122009.jpg	12:20:09	19	Unknown well at liner seam

2022-06-23 Images, continued

Image #	File Name	Time (PDT)	Flag #	Description
26	20220623_122332.jpg	12:23:32	20	Riser with bad liner seal
27	20220623_123220.jpg	12:32:20	21	Well 3COV3 with liner gap
28	20220623_140422.jpg	14:04:22	22	Cell 5 leachate riser complex
29	20220623_140538.jpg	14:05:38	22	Cell 5 leachate riser complex
30	20220623_140921.jpg	14:09:21	22	Cell 5 leachate riser complex - pipe connector
31	20220623_140924.jpg	14:09:24	22	Cell 5 leachate riser complex - pipe connector
32	20220623_140927.jpg	14:09:27	22	Cell 5 leachate riser complex
33	20220623_141045.jpg	14:10:45	22	Cell 5 leachate riser complex
34	20220623_142020.jpg	14:20:20	23	Well 5V40 in liner
35	20220623_143317.jpg	14:33:17	24	Tarp anchor
36	20220623_143735.jpg	14:37:35	25	Tarp anchor
37	20220623_144405.jpg	14:44:05	26	4B55 well cluster
38	20220623_144407.jpg	14:44:07	26	Mystery pipe with improvised cap with folded plastic wrap
39	20220623_144923.jpg	14:49:23	27	2V114 at base in dirt
40	20220623_145332.jpg	14:53:32	28	Hole near edge of liner, and in neighboring hole
41	20220623_145705.jpg	14:57:05	29	Tarp edge
42	20220623_150256.jpg	15:02:56	30	Tarp hole and neighboring holes
43	20220623_150616.jpg	15:06:16	31	Hole at tarp anchor
44	20220623_150954.jpg	15:09:54	32	Abandoned well
45	20220623_150957.jpg	15:09:57	32	Liner hole near abandoned well
46	20220623_151520.jpg	15:15:20	33	4V53 - well surrounded by sandbags in lined area
47	20220623_151822.jpg	15:18:22	34	Anchor and nearby liner hole
48	20220623_154015.jpg	15:40:15	35	Cleanout coming out of dirt
49	20220623_154916.jpg	15:49:16	36	Vertical cleanout in dirt
50	20220623_155053.jpg	15:50:53	37	Circular valve box
51	20220623_155522.jpg	15:55:22	38	Hole in liner
52	20220623_160008.jpg	16:00:08	39	Cleanout / hole in liner
53	20220623_160336.jpg	16:03:36	40	Tarp hole and neighboring holes
54	20220623_160711.jpg	16:07:11	41	PH2101, 2H101 - whole cluster of wells (some tarp gaps)
55	20220623_160900.jpg	16:09:00	41	PH2101, 2H101 - whole cluster of wells (some tarp gaps)
56	20220623_161111.jpg	16:11:11	42	3AV68 and nearby hole in liner
57	20220623_161551.jpg	16:15:51	43	2V100 well in tarp area
58	20220623_161847.jpg	16:18:47	44	3V73 well in tarp gap
59	20220623_162101.jpg	16:21:01	45	Tarp stake
60	20220623_162525.jpg	16:25:25	46	Hole in tarp
61	20220623_162743.jpg	16:27:43	47	Tarp edge
62	20220623_163203.jpg	16:32:03	49	tarp edge
63	20220623_163313.jpg	16:33:13	50	2H86 cluster in tarp
64	20220623_163646.jpg	16:36:45	51	Series of tarp tears near inflated tarp area
65	20220623_163710.jpg	16:37:10	-	Tarped slope showing buildup of gas inflating tarps over slope
66	20220623_163718.jpg	16:37:18	-	Tarped slope showing buildup of gas inflating tarps over slope

2022-06-23 Images, continued

Image #	File Name	Time (PDT)	Flag #	Description
67	20220623_163934.jpg	16:39:34	52	Tarp stake
68	20220623_164213.jpg	16:42:13	53	Tarp stake in area of continuously elevated readings
69	20220623_164217.jpg	16:42:17	-	Tarped slope showing buildup of gas inflating tarps over slope
70	20220623_164219.jpg	16:42:19	-	Tarped slope showing buildup of gas inflating tarps over slope
71	20220623_164221.jpg	16:42:21	-	Tarped slope showing buildup of gas inflating tarps over slope
72	20220623_164521.jpg	16:45:21	54	Tarp stake in area of continuously elevated readings
73	20220623_164718.jpg	16:47:18	55	Tarp edge, inflated tarps visible
74	20220623_164914.jpg	16:49:14	56	Broad area of dirt/waste uphill of tarp area
75	20220623_164917.jpg	16:49:17	56	Broad area of dirt/waste uphill of tarp area
76	20220623_165102.jpg	16:51:02	57	2H94 well cluster - all
77	20220623_165319.jpg	16:53:19	58	Tarp edge
78	20220623_165637.jpg	16:56:37	59	3V89 well cluster in dirt
81	20220623_170040.jpg	17:00:40	60	2V113 - well with some tarp wrapped in dirt area
82	20220623_170947.jpg	17:09:47	61	Valve with well at haul road above cell 5

APPENDIX B: FIELD MEASUREMENT DATA

Measured Exceedances

Flag #	Reading	Description	Latitude	Longitude
1	1%	Animal burrow by cleanout	44.69737457	-123.2356198
2	1000 F/O	Overlapping tarps	44.69745665	-123.2357082
3	1000	Discolored soil/distressed vegetation by INE9, multiple exceedances including multiple decommissioned wells	44.69766687	-123.2360485
4	2000	Cleanout	44.69775127	-123.2362152
5	1%	Decommissioned well and surrounding wells by RE8 manifold	44.69786105	-123.236267
6	700	Decommissioned PVC well (W9?)	44.69782839	-123.2365858
7	1500	Hole in liner	44.69865701	-123.2365257
8	1.20%	cleanout with gap in liner	44.69790548	-123.2358232
9	1.20%	Unmarked well with gap in liner weld and gap between well and dirt, plus nearby holes	44.69829911	-123.2354937
10	2.70%	Liner tear and adjacent hole	44.69842096	-123.23558
11	3700	3V91 Manifold, both at tarp edge and at multiple penetrations	44.69885999	-123.2350488
12	2.20%	Hole in liner	44.69830399	-123.2350079
13	5000	3V92 wells with tarp gap	44.69837287	-123.2347328
14	1200	3B0V0351 bad liner seal at base	44.69822886	-123.2340741
15	1200	Decommissioned well with tarp tear/gap	44.69836899	-123.2337448
16	9000	3H94 where horizontal intersects tarp, and multiple penetrations in cluster	44.698248	-123.2334448
17	4700	Cleanout by unknown well out of liner	44.69812972	-123.2337702
18	5500	Liner that had been pulled back from unknown well by chopped off pipe segment on ground	44.69811411	-123.2338379
19	2000	Unknown well at liner seam	44.69804442	-123.2344811
20	8000	Riser with bad liner seal	44.69804447	-123.2345951
21	1220	Well 3COV3 with liner gap	44.69784857	-123.2333245
22	2400	Cell 5 leachate riser complex - multiple risers and at pipe connection	44.70181118	-123.2257475
23	800	Well 5V40 in liner	44.70167582	-123.2273125
24	3000	Tarp anchor	44.70101596	-123.2273626
25	600	Tarp anchor	44.70114084	-123.2274474
26	1%	4B55 at base of cluster as well as top of mystery pipe with improvised cap with folded plastic wrap	44.70115072	-123.2275846
27	4000	2V114 at base in dirt	44.70111214	-123.2278246
28	1% F/O, 3%	Hole near edge of liner, and in neighboring hole	44.70103128	-123.2276965
29	4500	Tarp edge	44.70082423	-123.2275253
30	1%	Tarp hole and neighboring holes	44.70072043	-123.2273274
31	1500	Hole at tarp anchor	44.70068672	-123.227044

Measured Exceedances

Flag #	Reading	Description	Latitude	Longitude
32	3200	At abandoned well and nearby hole in liner	44.70068362	-123.2267606
33	1200	4V53 - well surrounded by sandbags in lined area	44.70057706	-123.2263945
34	1100	Anchor and nearby liner hole	44.7005098	-123.2261782
35	1%	Cleanout coming out of dirt	44.69962827	-123.2287076
36	1200	Vertical cleanout in dirt	44.69926032	-123.2301237
37	4%	Circular valve box	44.69922726	-123.2302603
38	1500	Hole in liner	44.69923732	-123.2303614
39	1200	Cleanout / hole in liner	44.69906809	-123.2308424
40	1600	Tarp hole and neighboring holes	44.69912191	-123.2309496
41	1%	PH2101, 2H101 - whole cluster of wells (some tarp gaps)	44.69926451	-123.230824
42	2%	3AV68 and nearby hole in liner	44.69929347	-123.2310994
43	3% F/O	2V100 well in tarp area	44.69920828	-123.2314229
44	1200	3V73 well in tarp gap	44.69913826	-123.2316593
45	2%	Tarp stake	44.6990841	-123.2318812
46	2%	Hole in tarp	44.69927783	-123.2319267
47	2500	Tarp edge	44.69937083	-123.2319
48	6000	3V74 - whole well cluster	44.69942123	-123.2320147
49	5000	tarp edge	44.69944725	-123.2316747
50	7000	2H86 cluster in tarp	44.69950461	-123.2315035
51	2%	Series of tarp tears near inflated tarp area	44.69964525	-123.2311715
52	2000	Tarp stake	44.69970317	-123.2309795
53	2%	Tarp stake (and every tarp stake between 52 and 53)	44.69985738	-123.2307325
54	7%	Tarp stake (and every tarp stake between 53 and 54)	44.69994174	-123.2304609
55	3%	Tarp edge	44.70001207	-123.2302193
56	800	Broad area of dirt/waste uphill of tarp area	44.70011566	-123.2300539
57	8000	2H94 well cluster - all	44.7001631	-123.2301332
58	2000	Tarp edge	44.70021131	-123.2296507
59	4000	3V89 well cluster in dirt	44.7005688	-123.2284677
60	4000	2V113 - well with some tarp wrapped in dirt area	44.70062987	-123.2276513
61	800	Valve with well at haul road above cell 5	44.70159276	-123.2253808

All readings are given as methane parts per million, except for readings above 10,000 ppm which are given as percent methane. “F/O” refers to instrument flame out, indicating readings above 5% that have exceeded the TVA measurement range.

Calibration and Instrument Information
Daniel Heins used a ThermoFisher Toxic Vapor Analyzer 2020 (TVA2020), designated as TVA A95732. The EPA TVA2020 response time is approximately 4.5 seconds.

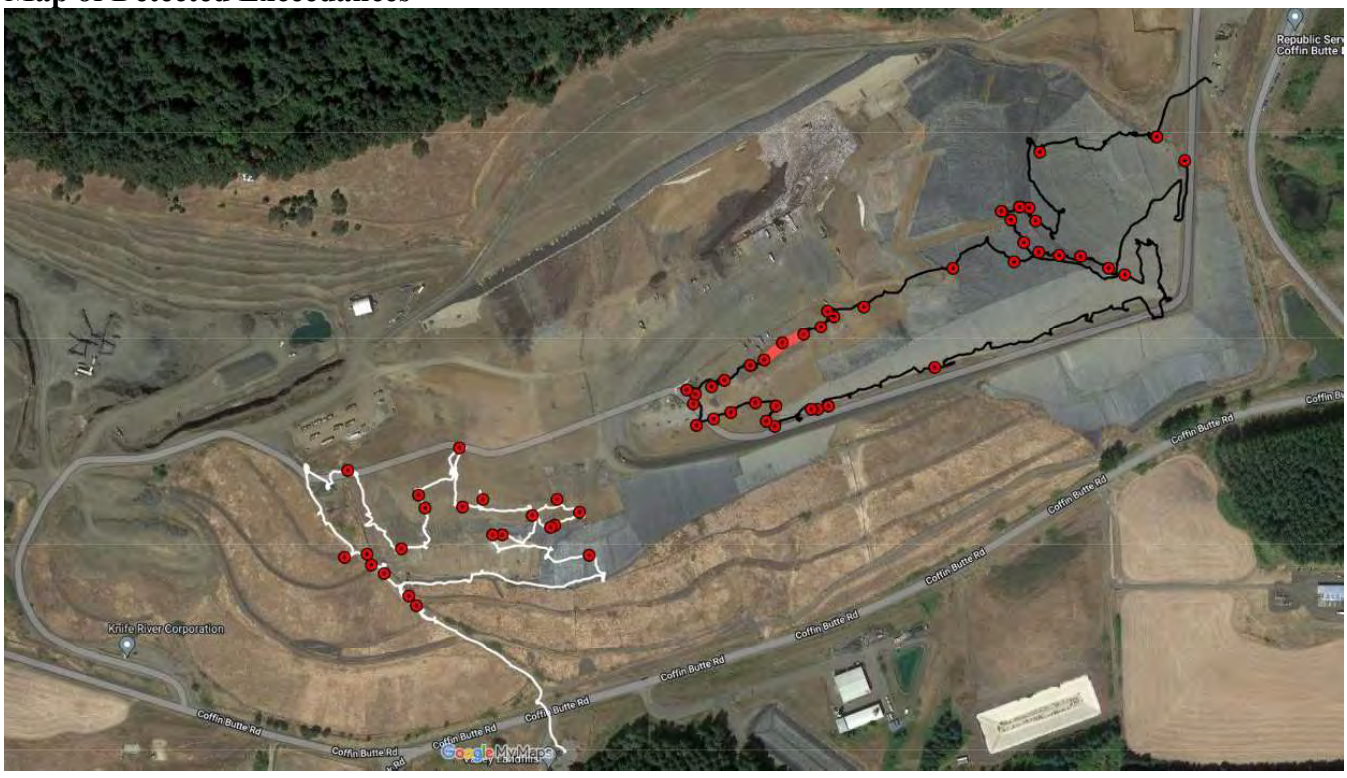
	Calibration gas ppm	A95732 ppm
9:15 calibration check	500	500
13:30 drift check	500	464
17:50 drift check	500	462

EPA calibration gases

Composition	Lot #	Expiration
Air zero grade THC <1 ppm	DBJ-1-24	March 2023
Methane in air 500 ppm	1-167-64	June 2024

Background readings:
Upwind: 0 ppm
Downwind: 3 ppm

Map of Detected Exceedances



SEM exceedance locations plotted over Google Maps satellite imagery. Approximate monitoring paths included, derived from GPS data. Morning path shown in white, afternoon in black. Line of continuous exceedance at every tarp hole between flags 52 and 54 is highlighted in red.

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 3:56:18 PM

Subject of Testimony: Coffin Butte Landfill CUP planning and application

Full Name: Jim

Email: jim@alderspring.net

Street Address: 31540 Homestead Road, Philomath, Oregon, 97370

Written Testimony:

I strenuously urge the Planning Commission to reject this CUP application completely, without condition. Besides the overwhelmingly negative impacts noted by many, I note that Benton County and its staff, led by county counsel Vance Croney (and possibly the County Administrator) have circumvented Oregon Public Meeting Laws to hamstring and otherwise limit public engagement. The convening the BCTT to talk about everything BUT the real potential of this CUP re-application by Republic Services, to dismissing active BCTT members who leadership no longer wanted to hear from, while cancelling two advisory bodies to which the public could bring concerns over, to the at late notice assigning public evaluation of landfill expansion issue to the ENRAC body which had no familiarity with the issue, and which held some relevant meetings not publicly notified or recorded, and never allowed public comment, a public advisory body pressed by staff to act with little time to supply a simple response with encouragement not to review the entire document. After the BCTT supplied its report, the county then convened a SMMP work group, choosing a new county resident who had success in moving a California landfill forward, and who was ASSIGNED, not elected, as Chair, again supplanting the urgent need for county public engagement with a regionally focused work group that was entirely outside county control, which could not address the expected next CUP application. Thank you for your work.

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 34.214.125.207

RECEIVED
APR 21 2025
By

April 20, 2025
TO: Benton County Planning Commission, Nick Fowler Chair
RE: LU-24-027

First, I want to thank each Planning Commissioner for all the work you do and for your attention to this issue.
The key consideration I want to address in the Benton County Code is **BCC 53.215(1)** which states: "The proposed use does not **seriously interfere** with uses on adjacent property, with the **character** of the **area...**".
On the contrary, I think the new land use: the Coffin Butte expansion, patently defies and is antithetical to this criteria.
As a resident of Benton County, I strongly oppose the application to expand the landfill.
Specifically, I want to address the terms: 'seriously interfere', 'character' and 'area'.

I come at this from a recreationist point of view: as an avid: hiker, biker and kayaker.
I'm a fairly new resident of Corvallis. I grew up in Pennsylvania, across the river from Three Mile Island, lived near the radioactive canyons of Los Alamos for decades, now it's a 'supersize me' landfill called Coffin Butte.
I used to love biking in the Coffin Butte area for its rural character and variety of terrain: forest, farmland, vineyards and parks like Sarah Helmick. Truly, riding out of town, up and over the saddle and out Soap Creek Road in early April, is magical, a kind of Currier and Ives pastoral scene. Maybe when you hit Tampico, you get lucky and see a herd of elk... but ride a little further ... and you've entered a Cormac McCarthy novel -an industrial zone with a hulking black mountain of trash, carved out of the butte.
These days, I have to think twice about riding out there. Some routes like Independence Highway, I no longer do: trash litters the roadside and the heavy and often aggressive truck traffic is prohibitive. I'm not alone in this thinking, I know many bikers who feel the same way. Too many stories of close calls and near misses; sooner or later there will be an accident or worse; it really isn't a question of **if**, but **when**. It's just **not safe**.
Safety concerns interfere with enjoying the area, but so do health risks.
Landfills are notorious methane polluters and the third largest source of methane in the country. EPA found explosive levels of methane leaking from Coffin Butte in 2022. In July 2023, Carbon Mapper showed methane at super-emissions levels and a methane plume extending over a mile. In addition to methane thirty different hazardous pollutants are emitted at Coffin Butte, including: particulates, heavy metals, VOC's and sulfides totaling 14,500 pounds in 2021. Other expert testimony speaks in depth to these health risks, but from a personal view once you know this information, you can't unknow it. When I'm hiking or biking, I'm exerting myself, breathing harder, inhaling deeper, longer, noticing, paying attention. If there's wind, a headwind everything gets ramped up. And what is that wind doing with all the toxic incinerator ash capping the landfill...? Now that I've seen that plume on a map, I know where it is and how far it extends; I'm thinking about that. The 'pastoralness' of my ride is gone.
Beyond serious health and safety concerns, Coffin Butte is a brutal assault to the senses:
the noxious smell, the visual degradation to the land and the noise of heavy machinery and trucks.
I've described the current situation, the landfill expansion is simply a multiplier.
For me these factors seriously interfere with this valued recreation area.
The current area of the landfill is178 acres (trash collection), the expansion adds 30% of that for a total of 232 acres; a football field is roughly an acre, so think 232 football fields. But that's not really the 'area' of the landfill.
A landfill -by its very nature- affects the land (forests and farms), water (groundwater, run-off, local watershed) and air that surround it. It helps me to think of 'area' as three dimensional.
Leachate -the percolated liquid moving through the garbage- from Coffin Butte contains dissolved heavy metals, carcinogenic industrial solvents and PFAS, forever chemicals. In 2021, 31 million gallons of leachate was pumped out of the landfill and trucked to wastewater treatment plants in Salem and Corvallis. Municipal water treatment plants are unequipped to process the leachate, so many toxics pass through the plant and are discharged into the Willamette.
But leachate contaminates the area in two distinct ways. It also percolates into the groundwater —from

unlined cells (the old Coffin Butte was a military dump for Camp Adair and didn't require liners) and from leaks in current liners— enters the water table and eventually makes its way to the river about ten miles away. Experts say 'all liners eventually leak' and at least one drinking water well in the area has been contaminated.
Kayaking?? .... on the Willamette....

In short the health and safety risks, the interrupted integrity of this rural area **seriously interfere** with the **character** of this **area**.

Just recently, ENRAC -the Environment and Natural Resources Advisory Committee for the county, after lengthy and extensive research compiled a substantive report on the Coffin Butte Expansion and voted 5-1 to recommend <u>denial</u> of Republic's application to expand the landfill.

Respectfully,
El-Edith G. Conover
1465 NW 13th St
Corvallis, OR 97330

April 20, 2025
TO: Benton County Planning Commission, Nick Fowler, Chair
RE: LU-24-027

RECEIVED
APR 21 2025
By

As a resident of Benton County, I strongly oppose the application to expand the landfill.

Welcome to Corvallis: We have a superfund site.

It's called United Chromium Products.
Because superfund sites include so many forever chemicals, they are our forever friends.
But, we might actually have another Superfund site; that will be for you to decide.

In the late 1970s, toxic waste dumps such as Love Canal received national attention when the public learned about the risks to human health and the environment posed by contaminated sites. In response, Congress in 1980 established the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) CERCLA is informally called Superfund. Superfund was created to address health and environmental risks posed by contaminated toxic waste sites. Through a federal process sites like Love Canal-1984, Rocky Flats-1989 and Hanford-1988 ended up on the NPL (the National Priorities List) and became designated Superfund sites.
Oddly, the Hanford site is also in Benton Co, Benton County Washington on the Columbia River.

United Chrome Products is a superfund site just south of Corvallis and owned by the city. Past activities contaminated the soil and groundwater with chromium and other hazardous wastes. EPA added the site to the Superfund list in **1984**. **Chromium contaminated soils were taken off site for disposa**l. Today 40+ years later, the city pumps and treats groundwater to remove contamination and continues to perform long term groundwater monitoring. Forever chemicals, forever friends.
Where were the chromium contaminated soils taken?
I don't know the answer to that question, but I do know that at the Superfund site next door in Linn County waste went to Coffin Butte.

That site, **Teledyne (now Wah Chang)** was added to the Superfund list in **1983.** It is one of the country's largest producers of rare earth metals and alloys. Waste from Teledyne/Wah Chang went to Coffin Butte moreover, it apparently went into an unlined cell. After it began leaking and contaminating groundwater, DEQ required it to be moved to a lined cell in 1992.

So if Teledyne/Wah Chang is a Superfund site, and its waste went to Coffin Butte, maybe Coffin Butte too is a Superfund site.

Consumers Power Inc (CPI) formerly located in Corvallis near Ninth and Circle (now Buffalo Wild Wings, Jimmy Johns and Walmart) produced soil contaminated waste containing wood preservatives (used to treat power poles) and PCB's from leaking transformers. It went to Coffin Butte.

Following the Santiam wildfires in 2020, the EPA identified and removed about 300,000 pounds of hazardous waste from affected properties. It's a long list but included: fuel, petroleum, car batteries, solvents, pesticides, propane tanks, ammunition and asbestos. It went to Coffin Butte.

Toxic fly ash from Covanta's Marion Waste Incinerator containing dioxin and heavy metals is used as a daily cover at the landfill.

The following are headlines from the Gazette-Times:
1976 "Wah Chang waste ignites, landfill operator cannot use water for fear of explosion"
1977 "Radioactive material found at Coffin Butte, Radium 222, as deadly as plutonium, concerns about groundwater contamination"
1979 "Commissioners require home developer to notify buyers of proximity of home to dump"
1979 "Diesel soaked pot plants to be taken to landfill"

1996 "Local Landfill got OK to pump polluted water into Willamette"

All this toxic waste **deposited** over decades at Coffin Butte produces leachate -in 2021, 31 million gallons- which is pumped and trucked to local municipal wastewater treatment facilities unequipped to deal with it, so many toxics including PFAS -forever chemicals- pass through the plant and are discharged into the Willamette River. The subsurface geology at CB is poorly understood, so the extent of groundwater contamination is unclear, but groundwater connects to surface water and the landfill is only about ten miles from the Willamette River.

Finally ENRAC -the Environment and Natural Resources Advisory Committee for the county, after lengthy and extensive research published a substantive report on the Coffin Butte Expansion and voted 5-1 to recommend denial of Republic's application to expand the landfill.

Welcome to our town.
I understand the local theater company is contemplating a production of An Enemy of the People.
We have a superfund site, we may soon have another.

Respectfully,
Elizabeth G. Conner
1465 NW 13th St
Corvallis, OR 97330

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Monday, April 21, 2025 10:41:00 AM

Subject of Testimony: OPPOSE the Landfill Expansion

Full Name: Maya Abels

Email: maya.abels@gmai.com

Street Address: 5888 SW Englewood AV Corvalis OR 97333

Written Testimony:

April 19,2025

To: Benton County Planning Commission
Nick Fowler, Chair

This is to express my strong opposition to the expansion of the Coffin Butte Landfill. As a long time resident of Benton County, I have grave concerns about the effect of our air, water and land with this expansion. Please do what is in the best interest of the residents of Benton County and say NO.

As I read through the Benton County Comprehensive plans for our future, I don't see any correlation with the stated objectives and this plan. Specifically I am greatly concerned about the amount of garbage that this landfill already takes in; only seven percent of the total is from Benton County. If the garbage isn't taken here, where will it go? Republic Services owns another land fill across the Columbia River. What makes this land fill a superior choice for more garbage is that it is about 250 feet above the water table and the that 250 feet is mostly clay soil. By the time the toxins and leachates reach the water, they will have been filtered out through the clay and greatly reduced. Unfortunately for our residents, the water table is only slightly above this land fill.

Additionally, by taking in so much other garbage from surrounding areas, the truck traffic on Highway 99 has greatly increased. There are over 265,000 trucks dumping garbage every year; that is a huge number. With that many trucks dumping garbage, there is one truck every minute and a half or 90 seconds! I can't fathom to think about more truck traffic coming to this site.

By the way, I voted for all the County Commissioners when they were on the ballot. I sincerely hope as a constituent, my voice will matter.

Again, I urge you to OPPOSE this expansion.

Sincerely,

Maya Abels
5888 SW Englewood AV
Corvallis, OR 97333

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.16.251

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 10:43:12 AM

Subject of Testimony: OPPOSE Landfill Expansion

Full Name: Maya Abels

Email: maya.abels@gmail.com

Street Address: 5888 SW Englewood AV

Written Testimony:

April 19,2025

To: Benton County Planning Commission
Nick Fowler, Chair

This is to express my strong opposition to the expansion of the Coffin Butte Landfill. As a long time resident of Benton County, I have grave concerns about the effect of our air, water and land with this expansion. Please do what is in the best interest of the residents of Benton County and say NO.

I am seriously concerned about methane gas that is not contained. I applaud Republic Services for capturing some of these gases but it is not sufficient to address a serious problem. The landfill has a history of grossly under-reporting the methane pollution. In both 2022 and 2024, the EPA found explosive levels of methane leaking from Coffin Butte. By expanding the landfill, this will increase the problem that already exists. Methane is well known to interfere with the health and well-being of the people in the vicinity. Additionally, there are very special places nearby like MacDonald and Dunn Forests that have high volume use by hikers and bikers. The methane gas leakages has the to greatly interfere with the health and well-being of these people and the neighbors.

For this and many other reasons, I strongly urge you to deny this request.

Sincerely,

Maya Abels
5888 SW Englewood AV
Corvallis, OR 97333

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.16.251

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 10:44:31 AM

Subject of Testimony: OPPOSE Landfill Expansion

Full Name: Maya Abels

Email: maya.abels@gmail.com

Street Address: 5888 SW Englewood AV Corvallis OR 97333

Written Testimony:

April 19,2025

To: Benton County Planning Commission
Nick Fowler, Chair

This is to express my strong opposition to the expansion of the Coffin Butte Landfill. As a long time resident of Benton County, I have grave concerns about the effect of our air, water and land with this expansion. Please do what is in the best interest of the residents of Benton County and say NO.

I am seriously concerned about methane gas that is not contained. I applaud Republic Services for capturing some of these gases but it is not sufficient to address a serious problem. The landfill has a history of grossly under-reporting the methane pollution. In both 2022 and 2024, the EPA found explosive levels of methane leaking from Coffin Butte. By expanding the landfill, this will increase the problem that already exists. Methane is well known to interfere with the health and well-being of the people in the vicinity. Additionally, there are very special places nearby like MacDonald and Dunn Forests that have high volume use by hikers and bikers. The methane gas leakages has the to greatly interfere with the health and well-being of these people and the neighbors.

For this and many other reasons, I strongly urge you to deny this request.

Sincerely,

Maya Abels
5888 SW Englewood AV
Corvallis, OR 97333

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.16.251

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 10:46:21 AM

Subject of Testimony: OPPOSE Landfill Expansion

Full Name: Maya Abels

Email: maya.abels@gmail.com

Street Address: 5888 SW Englewood Av Corvallis OR 97333

Written Testimony:

April 19,2025

To: Benton County Planning Commission
Nick Fowler, Chair

This is to express my strong opposition to the expansion of the Coffin Butte Landfill. As a long time resident of Benton County, I have grave concerns about the effect of our air, water and land with this expansion. Please do what is in the best interest of the residents of Benton County and say NO.

Among the many reasons that I oppose this expansion is that the Benton County Commissioners have an abysmal record of following through with asking Republic Services (or their predecessors) to address CONDITIONS. There is absolutely no historical record to show that any conditions previously noted on other expansion efforts were ever addressed. Perhaps it is an issue about time but whatever the reason, if the County were to accept this proposal with conditions, it is very unlikely that the Commissioners would follow through to enforce the conditions.

For this and many other reasons, I strongly urge you to deny this request.

Sincerely,

Maya Abels
5888 SW Englewood AV
Corvallis, OR 97333

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.16.251

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Monday, April 21, 2025 10:49:23 AM

Subject of Testimony: OPPOSE Landfill Expansion

Full Name: Maya Abels

Email: maya.abels@gmail.com

Street Address: 5888 SW Engewood AV Corvalis, OR 97333

Written Testimony:

April 19,2025

To: Benton County Planning Commission
Nick Fowler, Chair

This is to express my strong opposition to the expansion of the Coffin Butte Landfill. As a long time resident of Benton County, I have grave concerns about the effect of our air, water and land with this expansion. Please do what is in the best interest of the residents of Benton County and say NO.

Toxic chemicals are routinely leached out off the landfill and wind up in the Willamette River. These hazardous pollutants that include mercury, lead, industrial solvents, and “forever chemicals” (PFAs) leach out of the landfill and end up in the Willamette River. In 2021, 31million gallons of leachate were pumped out of Coffin Butte and sent to wastewater treatment plants in Corvallis and Salem, where the leachate passed through treatment plants not equipped to capture PFAs, and then dumped into the Willamette River. Without a credible plan for significantly reducing leachates, a landfill expansion would increase toxic pollution into the Willamette River, putting increased burden on public utilities by further fouling municipal sources of drinking water.

I drink Corvallis water and I recreate on the Willamette River. I can install a better filter in my home to try to capture some of the toxins in the water, but I want to recreate on the River with my dog. I want to kayak and swim and let my dog enjoy the river. Knowing the amount of toxic pollution is frightening and it will be significantly increased if this expansion were to happen. For this and many other reasons, I strongly urge you to deny this request.

Sincerely,

Maya Abels
5888 SW Englewood AV
Corvallis, OR 97333

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.16.251

From: Maya Abels
To: Benton Public Comment
Subject: Oppose the Landfill
Date: Monday, April 21, 2025 4:04:55 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

March 24, 2025
To: Benton County Planning Commission, Nick Fowler, Chair
The Willamette Valley chapter of the Great Old Broads for Wilderness strongly opposes the expansion of the Coffin Butte Landfill. For the health of our air, water, land, and communities, now and into the future, we insist that the Benton County commissioners reject this noxious expansion.
The Great Old Broads are a national grassroots organization and most of our chapter's more than
100 dues-paying members are Benton County residents who care deeply about the people and nature of the Willamette Valley.
Rather than considering any expansion of this faulty landfill, we believe Benton County should
be realistically planning the inevitable closure of the landfill. That means developing a serious plan that details a modern waste-recovery facility, an effective waste-reduction system, and a realistic accounting of the cost of clean-up, a cost that Benton County residents will have to pay.
Such a plan should be developed in a public process, and be responsible to public review and comment.
As for the proposed expansion of the landfill, we see many troubling problems, including:
• Gross under-reporting of methane pollution by Valley Landfills, Inc., despite 2023 satellite images that show some of the largest methane plumes in the Pacific Northwest emanating from
Coffin Butte. In 2022 and again in 2024, the EPA found explosive levels of methane leaking from Coffin Butte, after Valley Landfill had reported only negligible leakage. Landfills are a major source of methane, a climate-damaging gas 28 times more powerful than CO2.
A landfill expansion will only exacerbate this problem at Coffin Butte. This would seriously interfere with the health and well-being of adjacent residents and public lands within a four-mile
radius, where widespread drift of noxious chemicals is regularly detected by residents and recreationists. (Criteria 1)
• Other hazardous pollutants, including mercury, lead, industrial solvents, and "forever chemicals" (PFAs) leach out of the landfill and end up in the Willamette River. In 2021, 31 million gallons of leachate were pumped out of Coffin Butte and sent to wastewater treatment plants in Corvallis and Salem, where the leachate passed through treatment plants not equipped
to capture PFAs, and then dumped into the Willamette River.
Without a credible plan for significantly reducing leachates, a landfill expansion would increase
toxic pollution into the Willamette River, putting increased burden on public utilities by further
fouling municipal sources of drinking water. (Criteria 2)
• Coffin Butte already receives one-third of all of Oregon's garbage, much of it in large loads

of unsorted solid waste. Valley Landfill and Republic Services make little effort to encourage (much less enforce) recycling and waste reduction, despite DEQ's mandate to shift from Solid Waste Management to Materials Management. An ever-larger landfill serves far-flung communities that choose to ignore the importance of Materials Management and leaves an increasing burden of liability on Benton County.

Benton County needs a far more serious Sustainable Materials Management Plan that provides a roadmap toward eventually closing, not expanding, Coffin Butte. The current status-quo approach to waste management violates the shift toward Sustainable Materials Management criteria endorsed by Benton County and the state of Oregon. (Criteria 3)

• The environmental impact of Coffin Butte extends well beyond the landfill itself. Besides releases of climate-damaging methane into the air and toxic leachate into the river, the smell of rotting garbage percolates across the northern part of Benton County. Wafting along with rank odors is a cocktail of toxic chemicals—vinyl chloride, ethyl benzene, toluene, benzene—that can endanger public health and welfare. Expanding the Coffin Butte landfill will certainly expand the release of these toxins.

Coffin Butte started as a military dump for Camp Adair during World War Two. The expanding sight, smell, and health threats of this landfill has made it a filthy "Welcome to Benton County" landmark that seriously damages the character of the area. (Criteria 1)

• Benton County is burdened by the unlimited long-term risk and environmental liability for the landfill, even though Benton County does not own the landfill. Republic Services, and its subsidiary, Valley Landfills, own and operate the landfill, but it is likely that Benton County will face substantial financial expense of cleanup, which could be far greater than the funds currently being saved for this purpose.

An expansion of the landfill imposes the burden of increased risk and liability on Benton County, compromising the county's capacity for future public improvements, facilities, utilities, or services available to the area and to the residents of Benton County. (Criteria 2)

• Expanding the landfill removes any volume restriction imposed by Benton County, freeing Republic Services to immediately increase intake of waste from the region. This Coffin Butte expansion will have long-lasting negative impacts to water quality, air quality, and the climate, rippling far beyond the local area and lasting far longer than the short lifespan of the landfill.

In summary, expansion of the Coffin Butte landfill:

• Will seriously interfere with current and future uses on adjacent property within the watershed, air-shed, and view-shed. (Criteria 1)

• Will seriously interfere with the character and identity of the area, making Benton County a dump site rather than a destination. (Criteria 1)

• Will impose an undue environmental and financial burden on future public improvements, facilities, utilities, and services that might otherwise be made available to the surrounding area. (Criteria 2)

• Will violate the spirit and the mandate to shift from Solid Waste Management to Materials Management, a stated goal of Benton County and the State of Oregon. (Criteria

3)
Thank you for considering our comments.

Sincerely,
Benton County members of the Willamette Valley Broadband leadership team
Maya Abels, Corvallis, maya.abels@gmail.com
Beth Malitz, Corvallis, beth.malitz@gmail.com
Lynn Humphrey, Corvallis, lynnhumphrey@gmail.com
Peg Herring, Corvallis, peg.herring@oregonstate.edu

PS: I am dropping off a copy of this letter to your office

--
Maya Abels
5888 SW Englewood Ave
Corvallis, OR 97333
541-231-4386
maya.abels@gmail.com

From: Dave Alba
To: Benton Public Comment
Subject: Opposition to Landfill Expansion
Date: Monday, April 21, 2025 10:53:02 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my concerns regarding the proposed landfill expansion and to urge the planning commission not to approve the proposal.

Firstly, the landfill already places an undue burden on the county's environment and quality of life, especially when considering that Benton County accounts for less than 10% of the trash brought to the landfill. Toxic leachate is contaminating the Willamette River and local groundwater. Methane is polluting the air, along with other airborne particles and noxious (and potentially harmful) volatile gases. Further expansion of the landfill will lead to an even higher rate of methane generation which, especially in such a wet climate, will adversely impact our shared global environment. Furthermore, I am also concerned about rising levels of arsenic, which is showing up in monitoring wells at the edge of the landfill site, and may be spreading to rural household wells and irrigation wells which have not yet been tested.

The proposed expansion of landfill operations will also hurt the rural character of the area, particularly along Hwy 99W as far north as Rickreall or McMinnville. Many of us who enjoy the natural and rural beauty of the region are disturbed by the plastic trash seen out in farm fields. Our rural Oregon character must be preserved and not polluted by windblown trash.

For these reasons, the proposed landfill expansion can not be approved. Rather, the county should be improving waste reduction strategies, including incentives, improved services and public education. Ultimately, the landfill should be modeled after Lane County and converted to a municipal site that does not prioritize profits over the well-being of county residents.

David Alba
Philomath

From: Nancy Allen
To: Benton Public Comment
Subject: LU-24-027, Coffin Butte Landfill expansion
Date: Monday, April 21, 2025 9:06:11 AM

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Hello,

I am opposed to the proposed expansion of Coffin Butte Landfill. I believe the expansion will have detrimental impacts in many areas including the following:

Pollution – air (methane, dust, incinerator ash), water (leachate), noise.

Environmental - climate impacts due to methane emissions, local environment issues due to pollutants.

Safety violations - worker safety may be compromised.

Negative impacts to Wildlife habitat and individuals.

Recreation impacts – loss of areas for hiking, birdwatching, and biking

Impacts on character of the area – odor, litter, traffic, community image, housing and property values.

Long-term financial and environmental liabilities.

Sincerely, Nancy Allen
6145 NW Ponderosa Ave
Corvallis, OR 97330

From:	Lorraine Anderson
To:	Benton Public Comment
Subject:	Do not allow Republic Services to expand the landfill
Date:	Monday, April 21, 2025 8:38:31 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern:

I live in NE Corvallis, and very occasionally, under certain atmospheric conditions, I wake up to the smell of the landfill. I have informed myself about the issues with the high volumes of methane produced by the landfill and the leachate that eventually ends up in the river, and I respectfully request that those entrusted with making the decision about whether to allow RS to expand the landfill VOTE NO on the expansion.

Sincerely,
Lorraine Anderson
3157 NE Flintlock Place
Corvallis, OR 97330

From: mark.baldwin2
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 11:19:02 AM

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I strongly oppose this expansion.
E.E. Wilson Wildlife Area has been a delightful and productive birding site for myself and many others for decades. However, the increased traffic, noise, odors, overpopulation of scavenger birds resulting from the Coffin Butte Landfill have resulted in degradation of the habitat and made it much less pleasant over the last several years. Expansion of the landfill would only exacerbate those issues. Ravens, starlings and eagles not only scavenge at the dump, they also predate on many of the other birds nesting and raising their young at E.E. Wilson and surrounding areas. An expansion of the landfill would only increase pressures on those species that have increasingly become prey species.
This clearly interferes with uses of nearby property and character of the area BCC 53.215 (1) and Benton County Comprehensive Plan policies 5.1.2, 5.2.1, and 5.7.4.
Respectfully,
Mark Baldwin
1700 NW Hawthorn Plac
Corvallis, OR 97330

From: mark.baldwin2
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 11:31:43 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I strongly oppose this expansion.
Expanding the Coffin Butte Landfill is a violation of BCC 53.215(2). This proposed expansion will impose an undue burden on public improvements, facilities, utilities, and services available to our Corvallis area. Services such as road maintenance, which is unduly impacted by large, heavy trucks, and is unfairly borne by Benton County residents, as the Republic Services landfill property yields less tax revenue than would be collected were those acres to be devoted to housing- a scenario made far more unlikely by the proposed expansion.
Respectfully,
Mark Baldwin
1700 NW Hawthorn Place
Corvallis, OR 97330

From: mark.baldwin2
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 11:56:21 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I strongly oppose this expansion.
This proposed Coffin Butte landfill expansion clearly violates BCC 53.215 (1) and BCC 53.215(2).
Effective monitoring of methane emissions from the current landfill has been woefully inadequate in recent years. There is no reason to believe that this situation will improve if the CUP is approved. Without third party testing and meaningful enforcement, methane emissions will only increase. This runs contrary to my values of protecting our environment from further degradation and damage.
Respectfully,
Mark Baldwin
1700 NW Hawthorn Place
Corvallis, OR 97330

From: Gary Barnes
To: Benton Public Comment
Subject: Oppose/deny LU-24-027
Date: Monday, April 21, 2025 5:00:12 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commission,

I am writing in opposition to Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I strongly urge the Planning Commission to deny this application.

I live on South Boundary Road, off of Soap Creek Road, about 3 miles from the landfill. We have lived here for 22 years. My impression when we first moved here was that the landfill, locally owned at the time, was well-managed and responsive to the community. The landfill was busiest on weekends, when locals were bringing their garbage to the landfill.

Now it is completely different. It is owned by a large publicly traded corporation that appears interested in profit and shareholder returns and not about the community. **I was shocked to learn that only 6.7% of waste is coming from Benton County.** That supports my observations. Every day large semi trucks filled with waste are parading in from the North, in part because other landfills have been similarly challenged and either closed or restricted. The size of the mountain of garbage grows right before your eyes. Do we trust Republic Services to responsibly control what comes into the landfill? Who knows what toxins and forever chemicals are coming into our neighborhood. Republic has a reputation for

The smells from the landfill have become much worse. I can only read about the potential effects on our groundwater, air, and wildlife, because those are not my areas of expertise. However, those concerns make logical sense: rapidly expanding the amount of waste in such a short amount of time does not suggest that Republic is monitoring the volume or the contents of what comes in. The company is gaining a reputation for violating environmental regulations and then covering those up. I understand they are currently under investigation from the EPA for this.

And building a landfill in such a wet climate, on a steep hillside, with fractured basalt rock will increase concerns about leachate, methane, groundwater contamination, and the negative effects on wildlife. ***A properly situated landfill would be in a dry climate, on clay soils, and away from human habitation. Coffin Butte Landfill is none of these.***

We have such amazing, diverse wildlife out here in the Soap Creek valley, including a large herd of elk, bald eagles, herons, and of course our beloved turkeys. OSU raises beef cattle here. These are assets to Benton County that can never be replaced. All are threatened by a landfill expansion. I hope you will read the extensive and detailed report about this from the Mid-Willamette Bird Alliance.

I am also concerned about our property values. We live in a beautiful area, our properties often have some acreage, and we have invested a lot of time and money. We have also paid a lot of property taxes to our county. If Soap Creek has a reputation for being the garbage dump for the State, and if groundwater contamination is found, who would want to live here? I get that we all have to take responsibility for disposal of our own garbage, but why should we have responsibility for everyone else's garbage, at our expense and peril? Is that good for Benton County?

I echo the concerns of the Benton County Environment and Natural Resources Advisory Committee (ENRAC) who voted on April 9, 2025, to recommend to the Benton County Planning Commission to deny the Conditional Use Permit requested by Republic Services to expand Coffin Butte Landfill (CBL). They cited the following negative impacts of the landfill expansion as reasons:

- Air pollution
- Methane emissions
- Water pollution
- Leachate
- Impact to local residents and the community
- Economics
- Regional impacts and coordination

Please vote against this proposal -- and thank you for your service on the commission.

Gary Barnes
27612 S Boundary Rd, Corvallis, OR 97330

From:	Jaclyn Batchelor
To:	Benton Public Comment
Cc:	writerguy@writerguy.com
Subject:	Testimony about LU-24-027; Application to Expand the Landfill
Date:	Monday, April 21, 2025 4:43:09 PM
Attachments:	Testimony Opposing LU-24-027.pdf

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To Whom It May Concern,

Attached please find my testimony about LU-24-027, the application to expand the landfill.

I strongly oppose this application and urge denial of this application.

Thank you for taking the time to read my testimony.

Sincerely,
Jaclyn Batchelor
RN & Soap Creek Resident

Jaclyn Batchelor
37630 Soap Creek Road, Corvallis, OR 97330
jbatchelorrn@gmail.com
(925) 321-7729

April 19, 2025

Republic Services – Coffin Butte Landfill
Corvallis, OR

Re: LU-24-027 Opposition to Coffin Butte Landfill Expansion

To Whom It May Concern,

My name is Jaclyn and I am writing this testimony about LU-24-027 (the application to expand the landfill) to express my strong opposition to the proposed application expansion of the Coffin Butte Landfill and to urge denial of this application. My husband and I recently moved onto our dream parcel of land, adjacent to Oregon State University's property, with hopes of building our future here. We have invested nearly everything we had —myself working long hours and enduring brutal shifts as a nurse—to be able to afford land in this peaceful and beautiful part of Oregon.

We were drawn to this area by its natural charm, the warmth of the community, and the promise of a quiet place to call home. Since moving in, however, we've found ourselves battling something we never expected: the *weekly* stench of the landfill as well as fire, environmental, and safety concerns. On a weekly basis now, the smell of garbage sweeps through our property, disrupting our quality of life and making us question the very future we were so excited to build here. We've started with a tiny house and have long-term plans to build a larger home. But with the landfill expansion looming, those plans are now on hold. We are *genuinely* reconsidering whether this is a place where we can live long-term, raise a family, and thrive.

Our greatest dream is to start a small family farm—one that welcomes visitors from all over who are seeking a chance to reconnect with nature. We envision people walking through gardens of wildflowers, de-stressing as they take in the crisp, clean fresh air, and experiencing the simple beauty of this area that first drew us in. Now this may be a broken promise to guests if they happen to be here on a day where we get a *wicked whiff* of the landfill down the road and I have an incredible number of concerns regarding safety and increased costs incurred from a business standpoint.

Without doubt, the landfill expansion *directly* imposes an undue burden on our ability to farm, live sustainably, and share this land with others and would not only seriously interfere with how we would want to use it, but would destroy the character of the area and significantly increase the cost of farming and forest practices for us with our intent to farm and promote a flourishing forest on our now bare land. Furthermore, it would significantly increase our fire hazard risk as well as fire suppression costs; costs we cannot afford. Being far from town in this quaint,

isolated valley with it's long, bumpy, pot-holed country roads and no street lights poses an undue burden and significant increased risk to people engaged in fire suppression; these are protectors, saviors and servants to our community and we have a *duty* to protect them and this land and uphold morals congruent with using our community resources wisely. Protecting the people who would be battling fires, potential hazards and environmental emergencies should be considered of utmost importance and I have many memories of my father, who is a firefighter, coming home from fires reeking head to toe of smoke. I pray the exposures these public servants face don't impact their health in the future but it's a risk they have to take.

Again, I am deeply concerned about the safety & environmental effects of this proposed expansion as well as the undue change in cost this would incur on residents, the majority of whom are older and on a fixed income. Coffin Butte sits in a sensitive area, surrounded by rich ecosystems, charming farmland, and home to majestic wildlife. Not only does expanding the landfill bring up significant safety concerns around fire hazards, increased air and water pollution, and further degradation of this environment we all cherish, it would also burden public improvements, facilities, utilities and services in the area.

In accordance with Benton County's land use regulations, the proposed landfill expansion should not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to those uses. It should **not** significantly increase fire hazard or the risks faced by those engaged in fire suppression activities. Yet, this expansion would do exactly that—placing added pressure on our environment, our safety, and our ability to steward the land. Furthermore, my testimony directly references provisions within the Benton County Comprehensive Plan and Development Code, with which the landfill expansion proposal *fails* to comply. An expanded landfill inherently runs counter to these values, criteria, and regulations—values put in place to protect exactly the kind of life we are trying to build here.

I've spoken with several neighbors who have lived in this area for years, and many have shared that previous promises made by Republic Services were not upheld—whether about odor control, visual barriers, or limits to expansion. This erodes public trust and makes it difficult to believe that any new assurances will be honored.

I ask that you please **reconsider and deny the application for expansion**, not only for my family but for all the residents who live near Coffin Butte as I feel this would impose an undue burden on public improvements, facilities, utilities and services available to the area.

We are grateful and proud to be part of this community, and we pray we can stay here, but we need to know that our voices—and our safety, health, homes, and hopes—matter more than corporate interests. We beg you to deny the application for the Coffin Butte landfill expansion.

Thank you for taking the time to hear my concerns.

Sincerely,
Jaclyn Batchelor
RN & Proud Soap Creek Resident



From:	Sean Batchelor
To:	Benton Public Comment
Cc:	writerguy@writerguy.com
Subject:	Testimony of Opposition to LU-24-027
Date:	Monday, April 21, 2025 4:43:11 PM
Attachments:	Denial to LU-24-027.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached please find my testimony of opposition to LU-24-027

Sent from my T-Mobile 5G Device
Get Outlook for Android

Dear Planning Commissioners,

I am writing to you today to express my opposition of LU-24-027, the application to expand the landfill.

My name is Sean Batchelor and I live at 37630 Soap Creek Road. My wife and I have recently moved to the area from out of state, drawn here by the natural beauty of this valley and the strong sense of community. We are aspiring homesteaders and care deeply for the environment and our local resources.

After learning about the proposed landfill expansion, we have become quite worried about the future of this valley where we have decided to plant roots and call our new home. This expansion would severely interfere with the character of the valley. We have already suffered days dealing with the lingering stench of waste. How much worse will it get? What about the possible impact to the water table? To the local wildlife?

In fact, this expansion seems in direct contrast to the statewide goals promoted in the Benton County Comprehensive Plan: “to maintain and improve the quality of the air, water and land resources of the state.”

We thought we were moving to a part of the country that values investment in environmental preservation over corporate greed. I hope we were not mistaken.

Please join me in opposing this landfill expansion, with the goal of keeping this valley beautiful for years to come.

Regards,

Sean Batchelor

From: George Beekman
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 7:13:31 PM

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Dear Benton County Planning Commissioners,

My name is George Beekman and I live at 3825 NW Hayes Ave. in Corvallis.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill.

I'm know you've received many objections to the expansion; virtually everybody I know is opposed to it. I agree with those people who say it will have a strong negative impact on Corvallis and the surrounding area. The impact could last for generations.

But I'm especially concerned about the larger environmental impact. There's no possible justification for having trucks drive garbage from all over Oregon to create one giant mountain of waste that pollutes a small western community. If we're going to continue to create waste mounds, they should be local waste mounds.

George Beekman
Corvallis, OR 97330

From: Erin Bradley
To: Benton Public Comment
Subject: Deny LU-24-027
Date: Monday, April 21, 2025 9:03:13 PM

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Erin and Lowell Bradley
38578 Hwy 99W
Oppose Lu-24-027

Benton County Planning Commissioners,

I respectfully request the Benton County Planning Commissioners to deny LU-24-027. This proposed expansion would move the landfill even closer to our property line. We are one of the closest southern neighbors. The buffer land is no longer sufficient due to the growing pile of debris. This proposal seriously interferes with the use of our property. Republic Services is currently in violation of County code 53.12. The last few years we have suffered through noise outside business hours, plastic bags blowing from the landfill, over the trees, onto our property, along with strange plumes of dust like material. Some days the odor is unbearable. The proposed expansion does nothing to align with Benton County's 2040 Thriving Communities Act.

Sincerely,
Erin and Lowell Bradley
38578 Hwy 99W Corvallis, Oregon 97330

From: Susie Brubaker-Cole
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 7:55:46 PM

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To the Benton County Planning Commissioners,

Hello, and thank you for your service to our county. I live in Corvallis at 7315 NW Acorn Ridge Drive. I'm writing to you this evening because I'd like to express my opposition to the conditional use permit application of Republic Services (LU-24-027.

I've heard neighbors speaking about this issue for years, but just recently I did my own research into what it all means. I object on several levels:

1) I don't believe that we should be expanding our waste disposal footprint, even if what would come to Coffin Butte wouldn't necessarily be from our area. I believe ALL Oregonians should be reducing landfill bound waste. Expanding landfills does not incentivize this.

2) I'm very concerned about ground water pollution from the landfill. I'm equally concerned about air pollution. This is partly an issue of the stench that the landfill emits, but mostly an issue of the unsafe emissions from a public health perspective. Producing less land-fill bound waste is the answer; not expansion of the landfill.

I also believe that this permit for expansion does not comport with Benton County Code 53.215 (1) and (2). I urge you to deny this request and protect Benton County and Oregon from the harms of an expanded landfill.

Thank you for soliciting public comment. Collectively, we make up a thriving, environmentally sustainable community. Let's keep it that way and protect our collective future!

Sincerely,
Susie Brubaker-Cole -- 7315 NW Acorn Ridge Drive, Corvallis, OR 97330

From: Sandra Bryce
To: Benton Public Comment
Subject: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application
Date: Monday, April 21, 2025 9:47:02 AM
Attachments: Bryce Coffin Butte testimony 4-20-25.pdf

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Date: April 20, 2025

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

Members of the Benton County Planning Commission:

Thank you for the opportunity to submit comments on the proposed Coffin Butte Landfill Conditional Use Permit Application. I have lived in Corvallis for 45 years and worked in environmental research and monitoring during that time. Though there are many serious issues related to the expansion of the landfill, such as wildlife habitat connectivity, surface and groundwater contamination, I would like to comment on the production of methane and other noxious gases.

The proposed landfill expansion will adversely affect the character of the region, reducing air quality, producing noxious (unhealthy) odors, and releasing increasing quantities of greenhouse gases. We will simply see more of what we see now, incremental degradations with no stated limits to the amounts of outside trash, the expected number of methane flares, or the expected lifespan of the landfill. These ongoing and future degradations in the quality of life in the area are in violation of BCC 53.215 (1).

The decision on landfill expansion has serious implications for Benton County residents' quality of life for decades to come. Management of methane and air quality at the landfill in the recent past (meager, low-tech monitoring, dozens of methane leaks (EPA inspection, and lack of a current air quality permit) does not give one confidence about the future management of an even larger facility. Yet, it appears that the Benton County Planning Commission may be rushing into this decision without the advice of the Solid Waste and Disposal Site advisory councils that have been disbanded. This situation appears to be in violation of Benton County Comprehensive Plan
policy 6.5.5 ("Benton County shall strive for the safe storage, collection, reduction, reuse,
recovery, and appropriate disposal of hazardous waste materials."),

Logic tells us that Republic Services needs to demonstrate that they can manage the existing

landfill well and incompliance before any discussions of expansion can occur. In the meantime, we can debate the appropriate size and life span of this landfill rather than treating it like a growth industry that accepts trash from far and wide indefinitely.

Thank you,
Sandra Bryce
Corvallis

Date: April 20, 2025

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

Members of the Benton County Planning Commission:

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he proposed landfill expansion will adversely affect the character of the region, reducing air quality, producing noxious (unhealthy) odors, and releasing increasing quantities of greenhouse gases. We will simply see more of what we see now, incremental degradations with no stated limits to the amounts of outside trash, the expected number of methane flares, or the expected lifespan of the landfill. These ongoing and future degradations in the quality of life in the area are in violation of BCC 53.215 (1).

The decision on landfill expansion has serious implications for Benton County residents' quality of life for decades to come. Management of methane and air quality at the landfill in the recent past (meager, low-tech monitoring, dozens of methane leaks (EPA inspection, and lack of a current air quality permit) does not give one confidence about the future management of an even larger facility. Yet, it appears that the Benton County Planning Commission may be rushing into this decision without the advice of the Solid Waste and Disposal Site advisory councils that have been disbanded. This situation appears to be in violation of Benton County Comprehensive Plan policy 6.5.5 ("Benton County shall strive for the safe storage, collection, reduction, reuse, recovery, and appropriate disposal of hazardous waste materials."),

Logic tells us that Republic Services needs to demonstrate that they can manage the existing landfill well and incompliance before any discussions of expansion can occur. In the meantime, we can debate the appropriate size and life span of this landfill rather than treating it like a growth industry that accepts trash from far and wide indefinitely.

Thank you,
Sandra Bryce
Corvallis

From: Sarah Chaney
To: Benton Public Comment
Subject: Oppose/Deny LU-24—027
Date: Monday, April 21, 2025 6:11:56 PM
Attachments: DenyLanfillExpansion.pdf

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To: publiccomment@bentoncountyor.gov

Subject: Oppose/Deny LU-24—027

Dear Benton County Planning Commissioners,

My name is Sarah Chaney and I live at 3120 NW Manzanita Pl, Corvallis, 97330

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

I began my career out of college managing grants for rural water and wastewater projects in Western states. 39 years ago we knew any landfill or waste storage area needed to be located in a stable area -- not on top of fractured basalt – and constructed properly with an excellent, state of the art liner. I've learned that parts of the Coffin Butte dump are unlined, and it may be leaking already. The county should not permit the entity managing the dump to continue to expand in an area that is not geologically appropriate. In addition, Republic Services has not been managing the existing area in a responsible manner.

I'm sure by now you are well-versed in the myriad negative impacts of the Coffin Butte landfill on residents in Adair Village, surrounding neighbors, the surrounding environment, the huge amounts of leachate that are trucked to the Willamette River, and all the violations of our county planning code. There is also the very real, deadly concern of the methane plumes that affect people as they breathe the air, along with the massive contribution to global warming.

What also struck me is the information that the stench is so strong that it interferes with residents in North Albany from being able to have their windows open in the summer and interferes with the use of nearby property and character of the area BCC 53.215 (1). I live in NW Corvallis and occasionally I will walk outside and the air smells like it used to when we would drive past Albany when there was a pulp mill there. I've wondered about this because I know the mill is long gone. I can't imagine having to live nearby the landfill with the smell. I empathize with parents who are worried about what their children are breathing in.

It's time to turn the page and leave the old ways of dealing with solid waste behind. It's also time to abandon accepting business as usual and not hold companies accountable for the mess they create as they put profits over peoples' and community's health and wellbeing.

Please deny Republic Services' Conditional Use Permit application LU-24-027.

Thank you for the opportunity to submit this letter.

Sarah Chaney

To: publiccomment@bentoncountyor.gov

Subject: Oppose/Deny LU-24—027

Dear Benton County Planning Commissioners,

My name is Sarah Chaney and I live at 3120 NW Manzanita Pl, Corvallis, 97330

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

I began my career out of college managing grants for rural water and wastewater projects in Western states. 39 years ago we knew any landfill or waste storage area needed to be located in a stable area -- not on top of fractured basalt – and constructed properly with an excellent, state of the art liner. I've learned that parts of the Coffin Butte dump are unlined, and it may be leaking already. The county should not permit the entity managing the dump to continue to expand in an area that is not geologically appropriate. In addition, Republic Services has not been managing the existing area in a responsible manner.

I'm sure by now you are well-versed in the myriad negative impacts of the Coffin Butte landfill on residents in Adair Village, surrounding neighbors, the surrounding environment, the huge amounts of leachate that are trucked to the Willamette River, and all the violations of our county planning code. There is also the very real, deadly concern of the methane plumes that affect people as they breathe the air, along with the massive contribution to global warming.

What also struck me is the information that the stench is so strong that it interferes with residents in North Albany from being able to have their windows open in the summer and interferes with the use of nearby property and character of the area BCC 53.215 (1). I live in NW Corvallis and occasionally I will walk outside and the air smells like it used to when we would drive past Albany when there was a pulp mill there. I've wondered about this because I know the mill is long gone. I can't imagine having to live nearby the landfill with the smell. I empathize with parents who are worried about what their children are breathing in.

It's time to turn the page and leave the old ways of dealing with solid waste behind. It's also time to abandon accepting business as usual and not hold companies accountable for the mess they create as they put profits over peoples' and community's health and wellbeing.

Please deny Republic Services' Conditional Use Permit application LU-24-027.

Thank you for the opportunity to submit this letter.

Sarah Chaney

From: Andrew Child
To: Benton Public Comment
Cc: Rose Holdorf
Subject: Please oppose/Deny LU-24-027
Date: Monday, April 21, 2025 3:51:01 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

I am writing to express my concerns with Republic Services and state my opposition to Conditional Use Permit application LU-24-027. My name is Andrew Child and I live with my partner and her mom at 38483 Plowshares Road. We share a property line with Republic Services.

I am concerned that, being a national for-profit company, Republic Services is motivated by the financial boons of expanding its business at coffin butte without regard for the consequences that it will have for the local community. It is clear that Republic Services' business model is to take as much trash from as many customers as possible in order to maximise profits. I believe that if LU-24-027 is approved they will continue to expand their landfill at a growing rate with no regard for the local environment and watersheds.

My partner's family has lived on this land for over 35 years. The recently accelerating business of the landfill has us deeply concerned about the air and water quality at our home. Frequently we can smell the dump in the air, expansion of the landfill means that we will be subject to more stink and more harmful particulates in our lungs. We also drink from a well, although Republic Services pays lip service to EPA regulations they have been caught with tears in their leachate barriers on multiple occasions. I worry that these leaks will make their way into our watershed and pollute our well.

The financially motivated expansion of this landfill has the potential to make my home unlivable and poison my body with harmful chemicals. This does not serve the needs of the community or further our environmental goals. Please reject LU-24-027 and thank you for your consideration.

Sincerely,
Andrew Child
38483 Plowshares Rd.
Corvallis, Or 97330

From: Kathy Coffman
To: Benton Public Comment
Subject: Coffin Butte landfill
Date: Monday, April 21, 2025 4:55:29 PM

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I would like to add my comment against the expansion of the Coffin Butte landfill.
It does not benefit our community- our health or environment. The question is why are we accepting garbage from other counties?

Kathy Coffman
Sent from my iPad

From: francois colomb
To: Benton Public Comment
Subject: opposition letter for land fill expansion
Date: Monday, April 21, 2025 4:53:56 PM

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I've lived in Corvallis since 1989, and moved to northeast Corvallis 18 years ago.
When I moved into town, the dump smell was rare, once or twice a year.
Since I moved to the north part of town the nasty smell of the dump has increased drastically to several times a month.
In the past few years, it has tremendously increased, as I have smelled it from Philomath to Albany and beyond.
I'm really concerned about the amount of pollution spewed out into the air, water, and soil.
I'm concerned about the multiple EPA violations, such as the massive amount of methane leaking from all over the site that is NOT getting addressed, the dumping of (leachate) into the Willamette River, since the water treatment facilities are NOT equipped to clean it up. And so on.
I am extremely concerned with the amount of people in charge of our community who are in favor of an expansion of the landfill, or in denial, or uninformed, that would want to see the expansion go through.
I beg you to take all of these factors in consideration, and deny the expansion of this for profit dump at the expense of the community's safety and well-being.
Sincerely,
François Colomb
1098 NE Conifer blvd
Corvallis, Or 97330

From: Elizabeth Conover
To: Benton Public Comment
Subject: LU-24-027
Date: Monday, April 21, 2025 1:14:41 PM
Attachments: CBX testimonyREC.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find attached my testimony.
Thank you.
EG Conover
1465 NW 13th St
Corvallis, OR 97330

From: Elizabeth Conover
To: Benton Public Comment
Subject: LU-24-027 Oppose/Deny
Date: Monday, April 21, 2025 2:07:42 PM
Attachments: CBX TestimonySuper.rtf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find attached my testimony regarding the Coffin Butte Land Expansion.
Thank you.
EG Conover
1465 NW 13th St
Corvallis, OR 97330

From: Elizabeth Conover
To: Benton Public Comment
Subject: Re: LU-24-027 Oppose/Deny
Date: Monday, April 21, 2025 2:12:50 PM
Attachments: CBX TestimonySuper.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Apologies, I meant to send this pdf file (not the rtf file.
Thank you.

On Mon, Apr 21, 2025 at 2:07 PM Elizabeth Conover <egconover1@gmail.com> wrote:

> Please find attached my testimony regarding the Coffin Butte Land
> Expansion.
> Thank you.
> EG Conover
> 1465 NW 13th St
> Corvallis, OR 97330

April 20, 2025
TO: Benton County Planning Commission, Nick Fowler Chair
RE: LU-24-027

First, I want to thank each Planning Commissioner for all the work you do and for your attention to this issue.
The key consideration I want to address in the Benton County Code is **BCC 53.215(1)** which states:
"The proposed use does not **seriously interfere** with uses on adjacent property, with the **character** of the **area…"**.
On the contrary, I think the new land use: the Coffin Butte expansion, patently defies and is antithetical to this criteria.
As a resident of Benton County, I strongly oppose the application to expand the landfill.
Specifically, I want to address the terms: 'seriously interfere', 'character' and 'area'.

I come at this from a recreationist point of view: as an avid: hiker, biker and kayaker.
I'm a fairly new resident of Corvallis. I grew up in Pennsylvania, across the river from Three Mile Island, lived near the radioactive canyons of Los Alamos for decades, now it's a 'supersize me' landfill called Coffin Butte.
I used to love biking in the Coffin Butte area for its rural character and variety of terrain: forest, farmland, vineyards and parks like Sarah Helmick. Truly, riding out of town, up and over the saddle and out Soap Creek Road in early April, is magical, a kind of Currier and Ives pastoral scene. Maybe when you hit Tampico, you get lucky and see a herd of elk… but ride a little further … and you've entered a Cormac McCarthy novel -an industrial zone with a hulking black mountain of trash, carved out of the butte.
These days, I have to think twice about riding out there. Some routes like Independence Highway, I no longer do: trash litters the roadside and the heavy and often aggressive truck traffic is prohibitive. I'm not alone in this thinking, I know many bikers who feel the same way. Too many stories of close calls and near misses; sooner or later there will be an accident or worse; it really isn't a question of **if**, but **when**. It's just **not safe**.
Safety concerns interfere with enjoying the area, but so do health risks.
Landfills are notorious methane polluters and the third largest source of methane in the country. EPA found explosive levels of methane leaking from Coffin Butte in 2022. In July 2023, Carbon Mapper showed methane at super-emissions levels and a methane plume extending over a mile. In addition to methane thirty different hazardous pollutants are emitted at Coffin Butte, including: particulates, heavy metals, VOC's and sulfides totaling 14,500 pounds in 2021. Other expert testimony speaks in depth to these health risks, but from a personal view once you know this information, you can't unknow it. When I'm hiking or biking, I'm exerting myself, breathing harder, inhaling deeper, longer, noticing, paying attention. If there's wind, a headwind everything gets ramped up. And what is that wind doing with all the toxic incinerator ash capping the landfill…? Now that I've seen that plume on a map, I know where it is and how far it extends; I'm thinking about that. The 'pastoralness' of my ride is gone.
Beyond serious health and safety concerns, Coffin Butte is a brutal assault to the senses:
the noxious smell, the visual degradation to the land and the noise of heavy machinery and trucks.
I've described the current situation, the landfill expansion is simply a multiplier.
For me these factors seriously interfere with this valued recreation area.
The current area of the landfill is178 acres (trash collection), the expansion adds 30% of that for a total of 232 acres; a football field is roughly an acre, so think 232 football fields. But that's not really the 'area' of the landfill.
A landfill -by its very nature- affects the land (forests and farms), water (groundwater, run-off, local watershed) and air that surround it. It helps me to think of 'area' as three dimensional.
Leachate -the percolated liquid moving through the garbage- from Coffin Butte contains dissolved heavy metals, carcinogenic industrial solvents and PFAS, forever chemicals. In 2021, 31 million gallons of leachate was pumped out of the landfill and trucked to wastewater treatment plants in Salem and Corvallis. Municipal water treatment plants are unequipped to process the leachate, so many toxics pass through the plant and are discharged into the Willamette.
But leachate contaminates the area in two distinct ways. It also percolates into the groundwater —from

unlined cells (the old Coffin Butte was a military dump for Camp Adair and didn't require liners) and from leaks in current liners— enters the water table and eventually makes its way to the river about ten miles away. Experts say 'all liners eventually leak' and at least one drinking water well in the area has been contaminated.
Kayaking?? …. on the Willamette….

In short the health and safety risks, the interrupted integrity of this rural area **seriously interfere** with the **character** of this **area**.

Just recently, ENRAC -the Environment and Natural Resources Advisory Committee for the county, after lengthy and extensive research compiled a substantive report on the Coffin Butte Expansion and voted 5-1 to recommend **denial** of Republic's application to expand the landfill.

April 20, 2025
TO: Benton County Planning Commission, Nick Fowler, Chair
RE: LU-24-027

As a resident of Benton County, I strongly oppose the application to expand the landfill.

Welcome to Corvallis: We have a superfund site.

It's called United Chromium Products.
Because superfund sites include so many forever chemicals, they are our forever friends.
But, we might actually have another Superfund site; that will be for you to decide.

In the late 1970s, toxic waste dumps such as Love Canal received national attention when the public learned about the risks to human health and the environment posed by contaminated sites. In response, Congress in 1980 established the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) CERCLA is informally called Superfund. Superfund was created to address health and environmental risks posed by contaminated toxic waste sites. Through a federal process sites like Love Canal-1984, Rocky Flats-1989 and Hanford-1988 ended up on the NPL (the National Priorities List) and became designated Superfund sites.
Oddly, the Hanford site is also in Benton Co, Benton County Washington on the Columbia River.

United Chrome Products is a superfund site just south of Corvallis and owned by the city. Past activities contaminated the soil and groundwater with chromium and other hazardous wastes. EPA added the site to the Superfund list in **1984**. **Chromium contaminated soils were taken off site for disposa**l. Today 40+ years later, the city pumps and treats groundwater to remove contamination and continues to perform long term groundwater monitoring. Forever chemicals, forever friends.
Where were the chromium contaminated soils taken?
I don't know the answer to that question, but I do know that at the Superfund site next door in Linn County waste went to Coffin Butte.

That site, **Teledyne (now Wah Chang)** was added to the Superfund list in **1983.** It is one of the country's largest producers of rare earth metals and alloys. Waste from Teledyne/Wah Chang went to Coffin Butte moreover, it apparently went into an unlined cell. After it began leaking and contaminating groundwater, DEQ required it to be moved to a lined cell in 1992.

So if Teledyne/Wah Chang is a Superfund site, and its waste went to Coffin Butte, maybe Coffin Butte too is a Superfund site.

Consumers Power Inc (CPI) formerly located in Corvallis near Ninth and Circle (now Buffalo Wild Wings, Jimmy Johns and Walmart) produced soil contaminated waste containing wood preservatives (used to treat power poles) and PCB's from leaking transformers. It went to Coffin Butte.

Following the Santiam wildfires in 2020, the EPA identified and removed about 300,000 pounds of hazardous waste from affected properties. It's a long list but included: fuel, petroleum, car batteries, solvents, pesticides, propane tanks, ammunition and asbestos. It went to Coffin Butte.

Toxic fly ash from Covanta's Marion Waste Incinerator containing dioxin and heavy metals is used as a daily cover at the landfill.

The following are headlines from the Gazette-Times:
1976 "Wah Chang waste ignites, landfill operator cannot use water for fear of explosion"
1977 "Radioactive material found at Coffin Butte, Radium 222, as deadly as plutonium, concerns about groundwater contamination"
1979 "Commissioners require home developer to notify buyers of proximity of home to dump"
1979 "Diesel soaked pot plants to be taken to landfill"
1996 "Local Landfill got OK to pump polluted water into Willamette"

All this toxic waste **deposited** over decades at Coffin Butte produces leachate -in 2021, 31 million gallons- which is pumped and trucked to local municipal wastewater treatment facilities unequipped to deal with it, so many toxics including PFAS -forever chemicals- pass through the plant and are discharged into the Willamette River. The subsurface geology at CB is poorly understood, so the extent of groundwater contamination is unclear, but groundwater connects to surface water and the landfill is only about ten miles from the Willamette River.

Finally ENRAC -the Environment and Natural Resources Advisory Committee for the county, after lengthy and extensive research published a substantive report on the Coffin Butte Expansion and voted 5-1 to recommend denial of Republic's application to expand the landfill.

Welcome to our town.
I understand the local theater company is contemplating a production of An Enemy of the People.
We have a superfund site, we may soon have another.

April 20, 2025
TO: Benton County Planning Commission, Nick Fowler, Chair
RE: LU-24-027

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Welcome to our town.
I understand the local theater company is contemplating a production of An Enemy of the People.
We have a superfund site, we may soon have another.

From: Lue Ann Davis
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 9:40:37 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

We are writing because we stongly oppose Republic Services Conditional Use Permit application LU-24-027 and urge the Planning Commission to deny this application, as it is in direct violation of Benton County Code 53.215 (1) and (2).

We live at 28925 Blaze Drive, which is located on the backside of the proposed expansion. We get our water from the well that is located on the north end of our property. We not only use the water for daily household use but we also have a small hazelnut orchard and garden that relies on regular irrigation throughout the summer months.

We are worried about the sustainability of the well and the serious impact the expansion could have. There is a very real possibility of groundwater contamination that could do irreparable damage to our home and our financial well being. I also don't have a lot of faith about the landfill's site preparation phase that might affect groundwater levels and cause our well to go dry during the summer months. That would severely interfere with our orchard and plants and cost a lot of money.

The smell is so bad at times I have to stay inside, which interferes with the numerous chores that have to be done. It not only affects my property, but I was at Adair Park with my dog the other day and had to immediately return home due to the horrendous methane stench. It's a lovely park that should be shared by all, but it's not possible if you can't breathe and your eyes start watering.

The operational noise is already so loud and obnoxious, with the rattling of windows as the sounds of the semi tractor trailers downshift and grind along, it would only increase with the expansion. Since there would be no cap on how much garbage could be brought in, the traffic and noise would only increase, disturbing the rural community atmosphere and turning it into a heavily industrialized area.

We understand Republic Services' main goal is to make as much money as possible, regardless of the harmful consequences that may occur. You need only to look at the numerous unanswered code violations for this site and their other operations to know they are not acting in good faith.

The consequences of your decision will have long term ramifications for the surrounding community for generations to come.

Please follow the recommendations of the Environmental and Natural Resources Advisory Committee (ENRAC) and deny/oppose LU-24-027.

Sincerely,

Steve Frazier and Lue Ann Davis
28925 Blaze Drive
Corvallis, OR

From: jwdody@gmail.com
To: Benton Public Comment
Cc: Joe Dody
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 5:49:30 PM

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Hello County Commissioners

I'm writing because I'm VERY CONCERNED about expanding the dump to accommodate garbage from all around Oregon. The current dump is already an eyesore and often smells.

I'm a mountain bike rider and occasionally ride in the area of Poison Oak hill and do not want to have our outdoor playground further degraded.

My wife and I came to live in the Corvallis area because we wanted to get back to nature. We, and our regional neighbors, paid dearly for this privilege (high cost of living). The dump diminishes the appeal of this region and is already impacting valuations. From my understanding the dump does contribute to the public coffers but:

1. The amount of money is small especially when compared to the tangible and intangible costs.
    a. Costs to argue about expansion
    b. Costs to attempt to police the dump's compliance failures
    c. Costs to our infrastructure
    d. Costs to our health
    e. Reduction of our enjoyment of your own "backyard"
2. I'm willing to pay more taxes to not lose the valuable nature that we so enjoy.

Joe Dody

From:	Ken Eklund
To:	Benton Public Comment
Subject:	I oppose LU-24-027: EPA Enforcement raises serious questions about air quality
Date:	Monday, April 21, 2025 4:08:25 PM
Attachments:	PC EPA Enforcement Section 114 Info Request explainer.pdf EPA Enforcement Section 114 email 2025.01.15 exp.pdf writerguy-cube2.png

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Subject: LU-24-027, EPA Enforcement in process, Applicant's Burden of Proof fails to assure air quality

Dear Chair Nicholas Fowler, and Members of the Benton County Oregon Planning Commission,

In mid-2022 the EPA performed an announced inspection of Coffin Butte Landfill, and found many environmental infractions, which led them to open a case file on the operations there. In mid-2024 they returned to Coffin Butte Landfill unannounced with an inspection team and again found numerous infractions, including an uncapped well venting landfill gas straight into the atmosphere. Imagine, if you will, being an inspector who wanders out onto 110 acres of landfill and discovers something as serious as that after walking only about 250 yards.

On January 15, 2025, the EPA's years-long investigation of Coffin Butte Landfill moved into a new phase: active enforcement proceedings. The Enforcement Manager for EPA Region 10 served a process on Republic Services, in the form of a Section 114 Information Request (attached). I have researched this Section 114 Information Request and written an Explainer to detail what this enforcement action is, how it came about, and how it relates to the applicant's Burden of Proof (attached), which I urge you to read.

Republic Services did not disclose this EPA action and have no narrative about it in their application now before you; it was uncovered by the Benton County Disposal Site Advisory Committee through a Freedom Of Information Act request.

Perhaps needless to say, the EPA Enforcement process would seem to render the applicant's Burden of Proof insufficient, because that Burden of Proof had cited lack of enforcement action by regulators as credentials for the applicant going forward. I recommend that the Planning Commissioners deny LU-24-027, the application to expand Coffin Butte Landfill, due to the gravity of many questions raised about the accuracy and completeness of the application and the environmental ethic of the applicant, and how those questions threaten the character of the area, the uses of nearby lands, the quality of Oregon's air and climate, and the health and peace of mind of the landfill's neighbors. "Burden of proof" means the applicant must make a convincing case for their environmental stewardship, and to me the EPA Enforcement action has put the final nail into the coffin of that idea.

Sincerely,

Ken Eklund
Past Chair, Disposal Site Advisory Committee of Benton County



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

From: Ken Eklund
To: Benton Public Comment
Subject: I oppose LU-24-027: a more accurate account of community concerns about the landfill
Date: Monday, April 21, 2025 4:16:06 PM
Attachments: Benton County Community Concerns Annual Report 2021 Part A + B – Final.pdf
DSAC 2022 Community Concerns Annual Report CCAR.pdf
DSAC 2023 Community Concerns Annual Report CCAR.pdf
2024 Community Concerns Annual Report final.pdf
writerguy-cube2.png

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Subject: LU-24-027, accurate portrayal of community concerns about the landfill

Dear Chair Nicholas Fowler, and Members of the Benton County Oregon Planning Commission,

In the Burden of Proof in the application to expand the landfill, the applicant focuses on concerns raised by stakeholders during their failed 2021 expansion attempt or brought up during the Benton County Talks Trash (BCTT) process. They do not address the concerns of the actual community in the landfill's area, especially as those concerns have escalated in number and impact since 2021 and BCTT.

The volunteers on Benton County's Disposal Site Advisory Committee (DSAC) are charged by the state to listen to community concerns about the landfill and to compile them into a Community Concerns Annual Report (CCAR) each year, which is sent to Oregon DEQ. The applicant is familiar with DSAC and its mission, as one of DSAC's members is the landfill's Designated Representative and their votes on the CCAR are a matter of record.

These CCARs thus provide valuable insight into how the landfill is impacting the community from the point of view of "boots on the ground," and I consider their elision from the Application to seriously undermine the Application's credibility. You on the Planning Commission are to judge whether or not the applicant has met the burden of proof that exists in the real world, not in some cherry-picked effigy of it.

What I've seen in DSAC meetings over the years is that Republic has no answer for the hundreds of concerns that the people of the community bring forward. As in the application, there's a shrug and a reference to regulatory enforcement, as if it's up to regulatory enforcement to solve the problem, not Republic.

If you look through the hundreds of concerns captured in these CCARs, and look at the last columns of each, which are about "action taken to address" the concerns, you'll only find one act that actually solved anything: in the 2021 CCAR, when the Planning Commission unanimously denied the landfill's application to expand.

I urge you Planning Commissioners to take action likewise, and in your discretion to deny LU-24-027, the application to expand the landfill. Because, among many reasons, the Applicant's disregard for the community runs counter to the directive in the Benton County Comprehensive Plan that bids you "to maintain and improve the quality of the air, water and land resources of the state; to protect people and property from natural hazards; to maintain

and improve the variety of economic and social activities that are vital to the health, welfare, and prosperity of Oregon's citizens" – which is an aspiration that will take more than a shrug and helpless gesture toward the letter of the law to accomplish.

Sincerely,

Ken Eklund
Past Chair, Disposal Site Advisory Committee of Benton County



Ken Eklund, writerguy

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408.623.8372

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From:	Ken Eklund
To:	Benton Public Comment
Subject:	I oppose LU-24-027: nothing about the expansion has gotten better since "21
Date:	Monday, April 21, 2025 4:59:21 PM
Attachments:	Notice of Decision Findings LU-21-047 exp.pdf writerguy-cube2.png

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Subject: LU-24-027, compared to LU-21-047: little has changed, nothing has gotten better

Dear Chair Nicholas Fowler, and Members of the Benton County Oregon Planning Commission,

I'm attaching the Decision and Findings from the last application to expand the landfill, in 2021. More analysis to come later, but the main point is, very little has changed since then, and nothing has gotten better, regarding the application's merits. I urge you to deny the application, for all the reasons put forward by the Planning Commission back then, to derive their unanimous decision.

Sincerely,

Ken Eklund

Ken Eklund, writerguy

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Corvallis OR 97330
408.623.8372

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FutureCoast
and other storymaking games

The EPA investigation of Coffin Butte Landfill has moved into its next phase

EPA Enforcement: a timeline and explainer

Ken Eklund
April 15, 2025

What's happening?

The public has known for a while that the EPA was investigating Coffin Butte Landfill: neighborhood groups brought up concerns about the landfill to Senators Merkley and Wyden in the years 2021 – 2023, and their staffs took the matter to the EPA. In May 2024 Senator Merkley asked Michael Regan, then Head of the EPA, about Coffin Butte Landfill in hearings. Regan confirmed that the EPA had opened a case and was actively pursuing it against the landfill.[1]

That investigation has now progressed to EPA enforcement action against the landfill. On January 16, 2025, the Enforcement Manager for EPA Region 10 served a process on Republic Services, in the form of a Section 114 Information Request.[2] [3]

This process document came to light when Bailey Payne, the Solid Waste Coordinator for Benton County, filed a Freedom Of Information Act request on behalf of the county's Disposal Site Advisory Committee, which was seeking more information about the EPA investigation. Republic Services did not disclose to you, the Planning Commissioners, that the landfill had been served a Section 114 Information Request in their final update to their Application to expand the landfill, which they filed with the County on March 14, almost two months after the EPA served the Request on them.

What does it mean to be served a Section 114 Information Request by EPA Enforcement?

- Technically, it's a "Clean Air Act (CAA) Section 114 Information Request," which is functionally a government subpoena.

- This Section 114 Information Request requires the landfill's Environmental Manager to turn over a comprehensive list of environmental records to the EPA. Air quality regulations require the landfill keep these records of their self-testing and monitoring.

- There are two kinds of Section 114 Information Requests: "rulemaking" ones and "enforcement" ones. This is an enforcement IR: it was filed by by the Manager of the Air and Land Enforcement Branch of Region 10 of the EPA, and the document states it is requiring records so that it can determine "whether any violations of the Clean Air Act have occurred."

- The document requires someone at Republic to certify that the information provided is "true, accurate and complete" under threat of fines or prison.

- The EPA investigation has moved into its next phase: assessing compliance.

What is the implication of the Section 114 Information Request by EPA Enforcement?

It implies that the EPA intends to initiate enforcement action as warranted. The Section 114 Information Request is a crucial tool in the EPA's arsenal for gathering data and ensuring accountability in matters related to air pollution. It's often the first step in enforcing compliance.

It may be useful to think of the Section 114 Information Request as the environmental equivalent of an audit by the Internal Revenue Service. In both cases it's an effective litigation tactic to query the underlying data in a defendant's possession, because that can naturally lead to findings that the defendant (1) is not maintaining data properly, or (2) has altered or destroyed data, or (3) has not been complying with regulations, all of which are offenses. With both the IRS audit and the Section 114 Information Request, the action often represents the initial stage of a process that can end up assessing civil penalties, issuing compliance orders, or initiating legal proceedings.

What are possible reasons EPA Enforcement has taken this step?

The implication is that the EPA has grounds to believe that Republic has committed some infractions and that Coffin Butte Landfill is out of compliance. What's not known at this time is how serious the believed infractions are. Throughout this process the EPA has declined to discuss their investigation, as it is an active legal proceeding.

Here's what we know the EPA knows about the landfill, that may be grounds for or contributing to its Section 114 Information Request:

- The EPA inspected the landfill twice, once in 2022 and again in 2024, and both times found larger numbers of breaches, and breaches much more serious in scale, than what Republic's self-monitoring had reported. The 2024 inspection, for example, found an uncapped landfill gas well leaking at 230 times the actionable amount.[4]
- The EPA required Republic to remediate the 61 breaches identified by the EPA's 2022 inspection, but there seems to be no corresponding remediation log for these breaches in Republic's subsequent reporting to Oregon DEQ. It's possible those leaks were never remediated.
- In September 2024, the EPA widely issued two Enforcement Alerts to municipal landfills such as Coffin Butte. These Enforcement Alerts warned of a series of regulatory infractions that the EPA had noted during recent inspections. This Section 114 Information Request may be a follow-up to these Enforcement Alerts, again because of infractions observed during the EPA's 2022 and 2024 inspections of the landfill.[5]

- Carbon Mapper, a climate science nonprofit, partnered with the EPA to survey hundreds of landfills in 2023, detecting and quantifying their methane leaks from the air. Their survey of Coffin Butte Landfill revealed four super-emitting leaks, all active in different locations on the landfill at the same time, throughout the 10-day survey period.[6]
- Carbon Mapper estimated that during that survey period, Coffin Butte Landfill was leaking methane at a rate of 1.7 metric tons per hour, which is almost twice the average rate for super-emitting landfills as a class. So Coffin Butte Landfill may have been prioritized for enforcement action.[7]
- Oregon DEQ collaborated with the EPA on the 2024 inspection, and may have shared information about its own enforcement action against the landfill happening at that time, regarding Republic's non-compliance with requirements to update its landfill gas collection and control system.
- The EPA has the Community Concerns Annual Reports compiled by Benton County's Disposal Site Advisory Committee for the years 2021-24. These Annual Reports summarize concerns and complaints by members of the public. Each report has hundreds of community concerns, with "odor" and "methane" being the most prevalent issue. The 2024 CCAR summarizes 233 community reports, for example, with odor comprising 59% of total issues raised and methane being an additional 7%.[8]

What effect does the EPA Enforcement action have on Republic's application to expand the landfill?

In my view, EPA Enforcement's action defeats Republic's expansion application, because it causes the application's Burden of Proof to fail. This outcome is apparent when you view this legal landscape from a Planning Commissioner's point of view – your point of view. To approve the expansion application, a Planning Commissioner would have to affirm Republic's proofs as sufficient; they'd have to publicly certify that an expanded dump couldn't pose significant problems – and do so while the EPA is actively investigating the current dump for significant problems. This seems like an impossible position for you as a Planning Commissioner to take.

EPA Enforcement's action can unravel the expansion application so thoroughly because the application's Burden of Proof has been built around a core misdirection all along: it focuses on regulations and regulatory power. The Planning Commission's criteria, however, do not say anything about regulations: they focus on actual harms.

In the world of the applicant's Burden of Proof, it's impossible for these two statements to both be true: (a) "the applicant is complying with environmental regulations" and (b) "the landfill is causing environmental harms." The Burden of Proof attempts to construct a binary world.

In the world of the Planning Commission's criteria, however, it's quite possible for both statements to be true. You regularly make judgments on how land uses will work (or not) in the real world.

Put another way, Republic's Burden of Proof means that their application must show that the landfill expansion won't cause significant harm to nearby properties, character of the area, etc., or it fails. Their proof for this has been "we comply with environmental regulations" – this is said throughout their Burden of Proof. But now that the EPA has said "let's see all your compliance records" explicitly to see if Republic really is complying, the EPA has slapped big red question marks all over Republic's proof. And a proof with big red question marks on it is no proof at all.

What has been Republic's response to the EPA Enforcement action?

- **No disclosure.** Republic did not disclose in their final Burden of Proof that Coffin Butte Landfill had been served by the EPA, nor offer the Planning Commissioners any narrative about it.

- **Misleading statement maintained.** Republic's Burden of Proof includes a letter that states "we have not received notification from the EPA that… Coffin Butte is the subject of any pending enforcement action" dated the day the EPA Enforcement initiated its action.[9]

- **Delay.** You as a Planning Commissioner might reasonably expect Republic to deal with this EPA Enforcement action forthrightly and expeditiously, to "clear the air" for their expansion application. Instead, Republic Services has acted instead to delay the EPA's examination of landfill records by filing two extension requests to date. With these extensions, they have made it impossible for the EPA to take further action until after the public comment period for the application is closed.[10]

Summary.

On January 15 the EPA's investigation of Coffin Butte Landfill moved into a new phase: active enforcement proceedings. The Enforcement Manager for EPA Region 10 served a process on Republic Services, in the form of a Section 114 Information Request. Republic Services did not disclose this development and have no narrative about it for the Planning Commissioners. The EPA Enforcement process would seem to render the applicant's Burden of Proof insufficient, because that Burden of Proof focuses on the lack of enforcement action by regulators as credentials of the applicant. I recommend that the Planning Commissioners deny LU-24-027, the application to expand Coffin Butte Landfill, due to the applicant's failure to make a convincing case for their environmental compliance, and due to the gravity of many questions raised about the accuracy and completeness of its application.

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#EPAenforcement
#Section114
#explainer

[1]
1:52:32
Senator Merkley: [In my] home state: Coffin Butte Landfill. In June of 2022 the EPA sent out a team to measure the methane coming out of it, because of local concerns. The inspection resulted in recording 61 leaks, including three measurements that maxed out the instrumentation that was being used, at 70,000 parts per million. So: can you give me a short version of what action the EPA is taking? This is now 23 months ago that the field inspection occurred. If we need a longer discussion, I'd like to follow up with you to make sure that there is going to be action regarding landfills like this that are out of compliance.

1:53:10
Mr. Regan: Well, I will say that our enforcement arm has been very aggressive at looking at these methane leaks and opportunities here. This is one that as you said was discovered in 2022. Unfortunately it is an active enforcement situation, so I can't speak to that without betraying the confidence or the legal obligations that I have. But I can tell you that we are coordinating with the State of Oregon – it's an active case, and we are laser-focused on this case.

1:53:43
Senator Merkley: Great, because if you have a landfill which maxes out the instrumentation – which is I think quite rare? – it should probably rise to the top of the list of places to act on. I'll convey to the folks in Corvallis and nearby that you are on the case.

Senate Appropriations Committee Hearings, May 1, 2024 (link)

[2] This Section 114 Information Request has been supplied to the Planning Commission: search testimony for #EPAInfoRequest

[3] The EPA served their Section 114 Information Request upon Republic's registered agent in Oregon, CT Corporation. CT Corporation's legal arm relayed the EPA process on to Republic's legal department with a cover letter that identified the nature of the process as "Subpoena – Business Records" and the Action involved as "United States Environmental Protection Agency vs. Republic Services"

[4] These EPA Inspection Reports have been supplied to the Planning Commission: search testimony for "Heinz" (2022 Inspection) and "Conley" (2024 Inspection)

[5] "EPA Issues Two Enforcement Alerts to Highlight Compliance and Monitoring Obligations for Municipal Solid Waste Landfills," September 25, 2024 (link)

[6] Data publicly available at CarbonMapper.org. See also: Carbon Mapper explainer at #methaneplumes

[7] Data publicly available at CarbonMapper.org. See also: Carbon Mapper explainer at #methaneplumes

[8] These Community Concerns Annual Reports have been supplied to the Planning Commission: search testimony for #CCAR

[9] See Republic's January 15, 2025 update to its Burden of Proof

[10] Emails between Paul Koster, Environmental Manager at Coffin Butte Landfill, and Sara Conley, EPA Air Enforcement Officer, Region 10, obtained through FOIA. At Paul's request, the original deadline for the Section 114 Information was extended 180 days, to May 12.

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2021 Community Concerns Annual Report
Coffin Butte Landfill, Benton County, Oregon

Prepared By: The Disposal Site Advisory Committee of Benton County

Preparation Period: September 2023 to January, 2024

Version: September 15, 2024 – *Approved September 19, 2024*

The duties of Benton County's Disposal Site Advisory Committee (DSAC) are outlined in Oregon state law—specifically in ORS 459.325, which includes the requirement that "the committee shall prepare an annual written report summarizing the local citizens' concerns and the manner in which the owner or operator is addressing those concerns." The Oregon Department of Environmental Quality will consider this report as part of reviewing a solid waste permit for Coffin Butte Landfill.

As requested by Benton County staff, DSAC has prepared the following staff report summarizing community member concerns regarding Coffin Butte Landfill in 2021. Concerns listed in this report have been compiled using information from the Coffin Butte Landfill and Pacific Region Compost Annual Reports for 2021, concerns sent to Benton County government, concerns presented during Benton County Disposal Site Advisory Committee or Solid Waste Advisory Council meetings, and concerns presented during a Planning Commission public hearing about an application by the owner to expand Coffin Butte Landfill. This Report includes community complaints received by the County government either in written form or as live testimony in public meetings, as well as various notices reported directly to the landfill, including three odor complaints, and sixteen complaints sent directly to Oregon DEQ, whose reasons for complaint were not documented to us by DEQ.

In mid-2021, the landfill owner, Republic Services, filed a Conditional Use Permit (CUP) application to expand the landfill site; this application was denied by the Benton County Planning Commission in early December. This application process generated many expressions of concern from community members, about the landfill, its operations, and its potential to expand. This annual report intends to encapsulate the hundreds of community member concerns received throughout that public hearing process.

The public's many topics of concern include: acceptance of out-of-county waste, hazards to groundwater quality and air quality, odor, greenhouse gas emissions, roadside litter and debris, impacts to wildlife, impacts to vehicle traffic, and impacts to the viability of local business operations and value and livability of area properties and character of the area. A focus of concern were the impacts the landfill may have on a county arterial road, Coffin Butte Road, and its intersection with Highway 99W. Almost every testimony relating to the CUP expressed concern that the landfill may expand beyond its currently permitted area; many also were concerned that the landfill owner would continue to expand the landfill's intake/wasteshed.

Please note that the response column does not reflect a full resolution of each community member complaint. In some cases, for example, individual comments include concerns that were both related and not related to the proposed expansion, with only a subset resolved by the denial of the expansion application.

2021 Community Concerns Annual Report for Coffin Butte Landfill, Benton County, Oregon

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
	Community Concerns Annual Report 2021: Set 1a, Written (and Other) Testimonies Jan 1 through Aug 25							
1a-1	4/15/21	not recorded	Coffin Butte Landfill	not recorded	Landfill Annual Report	price	exact day not recorded	none
1a-2	4/15/21	not recorded	Benton County	not recorded	Coffin Butte Landfill Concern Log 2021 (Benton County)	roadside litter and debris along Highway 99W	exact day not recorded	Notified Republic Services, requested further investigation
1a-3	7/15/21	not recorded	Benton County	not recorded	Coffin Butte Landfill Concern Log 2021 (Benton County)	"other"	exact day not recorded	none
1a-4	7/27/21	Bruce Bartlett	Inga Williams	email	1_NoAddress_Bartlett-.pdf	traffic, safety, access/ egress, undue corporate influence	"…Coffin Butte Road would have to be closed. That means the only reliable access-eggress of heavy equipment would be Tampico Road or Soap Creek to the Lewisburg Saddle. That is absolutely unacceptable to the families that live in Soap Creek and Tampico"	Benton County denied application to expand landfill
1a-5	7/27/21	Debbie & Norm Johnson 28831 Tampico Rd	General Benton County	Letter/PDF	38_Johnson-.pdf	Impacts to blue Heron Rookery/Bald Eagles, Closure of Coffin Butte Rd, impact to Tampico cultural and natural features, concerns about diminishing landfill capacity/life, operating noise, lack of public engagement	Note: date of this complaint/concern is approximate	Benton County denied application to expand landfill
1a-6	7/28/21	Joel Geier	Inga Williams; County Commissioners	email	2a_Geier-.pdf	groundwater contamination, impact on property values	"As an internationally recognized professional groundwater analyst, I'm very concerned about the potential impacts of this proposed landfill expansion on the wells that we and our neighbors depend on for our households, and the impact on our property values if those wells are contaminated by leachate from the expanded landfill."	Benton County denied application to expand landfill

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1a-7	7/31/21	Willow Holdorf	Inga Williams	email	3a_NoAddress_WHoldorf-.pdf	impacts on property values, worsening odor, impacts of noise, traffic and safety, access/ egress	“The property value will plummet and we’ve spent 32 years working on and improving this property, including the house with all of my late father's handiwork. My father, John Holdorf, worked the land and built our home. Our property is his legacy as he lost his battle to cancer in 2013 and what he built was his life's dream.”	Benton County denied application to expand landfill
1a-8	8/6/21	Cynthia R Clapp	Inga Williams	letter + pdf	14_CynthiaClapp-.pdf	concerns about landfill’s effect on water quality of both spring and groundwater systems, safety hazard of increased traffic on Tampico Road (especially to children / school bus stops), negative changes to character of the neighborhood, loss of storm and evacuation access, inadequate buffers, noise, traffic	Live on Poison Oak hill, property borders the proposed expansion area. Very troubled with the lack of time available to provide a response. Water comes from well and spring-fed system, concern for area water quality	Benton County denied application to expand landfill
1a-9	8/7/21	Ada Hyla E. Holdorf	Inga Williams	email	4_Aholdorf-.pdf	loss of important through-route and scenic route (Coffin Butte Road), increased vehicle noise, truck pollution, loss of forest conservation, historical and rural character. Landfill expanding beyond local demand, increased size and intake	Currently lives on property close to landfill, dramtic expansion of landfill. A new private road would dramatically increase vehicle noise through Tampico and Soap creek valley due to the rise 130 and drop 100 that the heavy trucks would need to navigate. Expansion clearly contravenes the interests of forest conservation and rural use for which adjacent lots are zoned.	Benton County denied application to expand landfill

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1a-10	8/8/21	Kyle and Jessica Ulassin	General Benton County	letter + pdf	7_Ulassin-.pdf	traffic study of Tampico flawed, road would be more dangerous, would change it from a rural forested road to a commercial district, evac routes	traffic study of Tampico was flawed as it was taken during COVID when traffic was way down, better understanding of actual flows and impacts is needed. Use of larger trucks will change the character of the area from a rural forested road to a commericial district. Tampico will get more dangerous with the increased traffic. Would not be comfortable letting kids cross the road to visit neighbors. Would not be the environment that they moved to to raise their kids 5 years ago. Improvements needed for Tampico are not clearly defined. Loss of access to Coffin Butte Road in the event of an unanticipated emergency.	Benton County denied application to expand landfill
1a-11	8/9/21	Lyla Houglum	Inga Williams	email	5_Houglum-.pdf	inclement and emergency egress via Coffin Butte Road; huge increase in truck traffic along Tampico Road; safety issues for bikers and pedestrians; landfill would be abrogating a long standing commitment to use the quarry rather than expanding	Both Sulphur Springs and Tampico Road where they intersect with Soap Creek Road can be impossible to negotiate when ice-covered, due to freezing rain or heavy wet snow. We need to have Coffin Butte Road remain open as a way out in winter and emergency situations. Tampico Road is not equipped to handle heavy truck traffic as it is an artery of a rural neighborhood. In addition, the increased truck traffic on Tampico Road will be dangerous for families with children who live on that road, bikers, walkers, and runners using the road, and for the residents who cross the road to retrieve their mail. Various assurances made previously by the landfill operators: Since the mid 1990s and again in the early 2000s, the changes granted at those times were based on the use of the rock quarry for the next set of garbage cells and that those cells would allow continued landfill operations until '2035 but until 2030 at the very least.'	Benton County denied application to expand landfill

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1a-12	8/9/21	Catherine Holdorf	Inga Williams	email	6_CHoldorf-.pdf	impact to water supply, land improvements, increased odors, traffic, evac routes, dangerous new entry/exit for trucks	property is on the south side of that ridge at 38483 Plowshares Rd, 60 acres purchased 32-33 years ago, worked hard to manage the land putting thousands of hours into wildlife management plantings, Allowing the Landfill to dump so close to property would negate the added value of years of labor. Landfill on the same ridge would jeopardize the potability of our aquifer and ability to even get water. Odors would likely be worse with the landfill that much closer. Closing Coffin Butte Rd to through traffic, thereby re-routing onto Tampico Rd, is a dangerous idea. Locals have had to use Coffin Butte Rd as an alternative exit nearly every year. This year, Tampico had downed trees and power lines after the ice storm, but we were able to get out via Coffin Butte Rd. Other years, there has been impassable snow or ice or downed trees, etc. Imagine if a fire swept through Soap Creek or down Tampico. How would people get out? Tampico is a popular road for walking and bikes, putting trucks on the road would be asking for accidents. Coffin Butte Road has good visibility both ways. The Tampico entrance is in a low spot and does not.	Benton County denied application to expand landfill

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1a-13	8/9/21	Lue Ann Davis and Steve Frazier	Inga Williams	letter + pdf	9_Davis-Frazier-.pdf	groundwater contamination, impact on property values, loss of evacuation route, road more dangerous	Potential contamination of groundwater, increase in the noise, losing fire evacuation route and alternative route during weather impacts, increase in traffic impacts on Tampico Road. Tampico is already a narrow winding road, how would it handle the additional traffic and large trucks, property values would plummet based on the expansion. Was not given direct notice about the proposed changes. Feels like there is an effort to rush through this decision quickly to help a large corporation pursuit profits by avoiding the need to shut down the quarry.	Benton County denied application to expand landfill
1a-14	8/9/21	Nancy Whitcombe	Ken Kenaston	letter + pdf	10b_Whitcombe-.pdf	loss of evacuation route	Coffin Butte Road is by far the best route out of the valley in the case of an emergency. Does not meet the criteria outlined in Section 53.215 'The Proposed use 'does not seriously interfere with uses on adjacent property, with the character of the area' 'does not impose an undue burden'. It is irresponsible and dangerous to approve an application which taking away a neighborhood's most vital, safest egress and replacing it with...nothing. In the event of an earthquake, ice storm, wildfire, or an everyday medical emergency, seconds can make the difference between life and death.	Benton County denied application to expand landfill

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1a-15	8/10/21	Ryan and Lisa McAlister	Inga Williams	letter + pdf	8_McAlister-.pdf	increased traffic, unknown improvement needs, road degrading, road more dangerous	concerned about the increased vehicle traffic, road noise, property value erosion. Currently quiet rural neighborhood. Higher vehicle count would make road degrade faster, conditions would be unsafe for pedestrians, extent of improvements needed on Tampico are not currently known, improvements may be very expensive based on line of sight challanges. realignment may have a signficnt impact on residents. Section 53.215 (2) of the code has not be adequatly addressed regarding the impact on public improvements needed	Benton County denied application to expand landfill
1a-16	8/10/21	Nancy Whitcombe	Inga Williams	email	10a_Whitcombe-.pdf	loss of evacuation route	During ice storm, coffin butte road was the only exit. Getting rid of the straightest, flatest, driest, least treed, most direct road out of our valley and replacing it with a 510' tall pile of other counties' garbage There will absolutely be a time in the coming years that Coffin Butte will be needed as access for fire fighting.	Benton County denied application to expand landfill
1a-17	8/10/21	Nancy Whitcombe	Inga Williams	email	10c_Whitcombe-.pdf	loss of evacuation route	Applicants page four, at the grading of reconfigured Coffin Butte. There is a 50% slope to the south of the reconfigured Coffin Butte, and what looks like a 30% slope (of garbage) to the North at the saddle. Is that a tenable exit road in an earthquake? Is a road with a 10% grade a tenable exit road in the next ice storm? Is a road that heads *up* into the treeline a tenable exit road in a fire? Taking away a *public* road that is well served for egress/ingess in any emergency and replacing it with a road which is vulnerable in *all* emergencies is madness	Benton County denied application to expand landfill

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1a-18	8/10/21	Rose Holdorf	Inga Williams	email	11a_RHoldorf-.pdf	groundwater contamination, impact on property values, loss of evacuation route, road more dangerous	Expansion would cause the landfill to expand very close to home and family's land. added noise, distasteful smell, or added truck traffic on Tampico Road .worried about the safety and stability of my family and neighbors. our water table will likely be severely affected by the landfill expansion, and the aquifer from which we drink may well become toxic. With the added risk of wildfires, I am scared that our fastest evacuation route to Highway 99, Coffin Butte Road, will disappear. the land and the house make up the majority of my family's financial legacy. What will happen to the value of our property if the landfill extends to our doorstep? proposed landfill expansion threatens my life and livelihood, as well as that of my friends and family. the proposed expansion is against Benton County codes (listed above). Coffin Butte Road must remain an evacuation route for me and my Soap Creek and Tampico neighbors. Republic Services are already permitted to collect waste from up to five counties at our Benton County landfill at its current size. Why should Benton County residents be at risk of a Coffin Butte expansion that absorbs the waste from people and industry outside Benton County?	Benton County denied application to expand landfill
1a-19	8/10/21	H. Christine Smith	Inga Williams	letter + pdf	12_Smith-.pdf	traffic, evac routes, potential costs to support expansion	Concerned as a benton county resident about additional traffic, evacuation routes, potential costs to support increased use and the short time given to comment.	Benton County denied application to expand landfill
1a-20	8/10/21	Lewis L. Nunnelley	Inga Williams	letter + pdf	13_Nunnelley-.pdf	traffic, evac routes, potential costs to support expansion	Concerned as a benton county resident about additional traffic, evacuation routes, potential costs to support increased use and the short time given to comment.	Benton County denied application to expand landfill

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1a-21	8/10/21	Val Flak	General	letter + pdf	19_VFlak-.pdf	insufficent time to respond, loss of evacuation route	No notice provided, both parents medically challanged, loss of evac route puts everybody's lives at risk	Benton County denied application to expand landfill
1a-22	8/11/21	Rose Holdorf	Inga Williams	letter + pdf	11b_RHoldorf-.pdf	impact on property values, loss of evacuation route	Loss of most direct evacuation route, frustration with the fact that garbage is collected from 5 counties, concern with loss of property value, land is family's financial legacy	Benton County denied application to expand landfill
1a-23	8/11/21	Ken & Sarah Edwardsson 28840 Daystar, 97330	Inga Williams	Letter/PDF	31_Edwardsson-.pdf	Safety concerns re: widening of Tampico		Benton County denied application to expand landfill
1a-24	8/11/21	Grant Carlin 38581 Soap Creek Rd.	BC Development staff, Planning Commission	Letter/PDF	32_Carlin-.pdf	Closure of Coffin Butte Rd.EMS response, unabated NOISE, well pollution, odor, pests (skunk/rat) traffic, property values		Benton County denied application to expand landfill
1a-25	8/11/21	Cat Newsheller 37296 Soap Crk Rd.	BC Development staff	Letter/PDF	33_Newsheller-.pdf	Closure of Coffin Butte Rd.EMS response, safety, out of county trash		Benton County denied application to expand landfill
1a-26	8/11/21	Glenn & Diane Fisher 29164 Tampico Rd.	Inga Williams	Letter/PDF	35_Fisher-.pdf	Closure of Coffin Butte Rd, traffic/ safety, quality of life		Benton County denied application to expand landfill
1a-27	8/12/21	Joel Geier	Inga Williams	email	2b_Geier-.pdf	heavy vehicle traffic		Benton County denied application to expand landfill
1a-28	8/12/21	Joel Geier	Planning Commissioners	letter + pdf	2c_Geier-.pdf	access/egress, negative impact to neighborhood character, groundwater and water contamination, public health, impacts on property values, effects of earthquakes, impacts on cultural resources, impacts on wildlife and other natural resources, public safety		Benton County denied application to expand landfill

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1a-29	8/12/21	Willow Holdorf	Inga Williams	email	3b_NoAddress_W Holdorf-.pdf	impacts on property values, well water impacts, worsening odor, impacts of noise, traffic and safety, access/egress	Property value will plummet, spent 32 years working on improving the land. Water table that they draw their well water from is next to expansion area which could easily be contaminated, odor is already noticable many times throughout the year and the expansion will likely make it worse, noise will likely increase since the expansion will bring the landfill closer to property. Tampico doesnt have shoulders and the larger trucks would have to use this road, impacting the many cyclists, including her, that use it. Road closure will take away disaster relief outlet for Soap Creek Valley. Tree lined Tampico and Saddle exits are lined with trees, in the event of a fire, Coffin butte road may be the only viable exit.	Benton County denied application to expand landfill
1a-30	8/12/21	Ken Funk	Inga Williams	letter + pdf	15b_Funk-.pdf	ground water, traffic, loss of old growth	lived on Tampico for 20 years, leachate could contaminate well, diverted trucks would increase noise/traffic endangering pedistrians, widening road would remove many old growth trees altering the character of the cooridor, traffic reports are incomplete, proposal is very vageu about impacts to groundwater	Benton County denied application to expand landfill
1a-31	8/12/21	Chrystal Young	Inga Williams	letter + pdf	16_Young-.pdf	purchased land with promise not to expand south, well impacts, wildlife impacts, evac route, climate concerns long truck routes	at time of purchase, parents were told landfill would not cross coffin butte road, land to the south of coffin butte road is one of the few remaining natural oak savannahs. Stream running through is salmon spawning habitat. Landfill crossing road will severely impact this habitat. Landfill expansion could impact well. Concerned about closing coffin butte as an evac route. Tampico is frequently impassible when it snows. Republic trucks coming in from 5 counties has environmental impacts	Benton County denied application to expand landfill

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1a-32	8/12/21	Faye Yoshihara & Kevin Kenaga	Inga Williams	letter + pdf	17_Yoshihara-Kenaga-.pdf	evac routes, expansion into conservation zone, groundwater contamination, increase traffic, noise, smells	don't understand why landfill would be allowed to expand into forest conservation zone, loss of primary evacualtion route, groundwater contamination,. Increse in the noise, foul smells and air pollution. County revenues should not come at the expense of county residents	Benton County denied application to expand landfill
1a-33	8/12/21	Janet L. Ohmann	Inga Williams	letter + pdf	18_Ohmann-.pdf	insufficent time to respond, evac route, safety, pollution, access to EE Wilson, land values	insufficient amount of time to respond, serious threats to health and safety posed by changes to the road system, Coffin Butte safest, more reliable evac route, leaving two poor choices (sulfer spirngs, tampico) both winding and heavily wooded, frequently impassible in winter. Routing traffic from coffin butte to these other roads is courting disaster. Latest ice storm in 2021 shut down these roads for several days. Six months later county has yet to remove all downed vegetation. Coffin Butte road provides access to EE Wilson. New proposed cell would bring landfill closer to residents increasing levels of noise, odors and nighttime light pollution, all of which are already noticable. Expanding to save quarry access not in the publics best interest	Benton County denied application to expand landfill

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1a-34	8/12/21	Gina Flak	General	letter + pdf	20_GFlak-.pdf	insufficient time to respond, impact to water supply, land improvements, increased odors, traffic, evac routes, why is approval being requested prior to required ODEQ review?	concerns about impact to well, use water to grow food and for animals, concerned about loss of evacuation route, during last ice storm coffin butte was only evac route available, need the route for medically challanged inlaws in case of emergency, if proposal is approved it will negatively affect the character of the neighborhood, creating noise, pollution and loss of wildlife due to noise and traffic, the reclaimation plan does not include the expansion area, proposal contains no pertinant informaiton on local geology, groundwater and surface water, no mention of monitoring wells south of the proposed expansion. Why is approval being asked prior to the required ODEQ review? The notification process for public comment was not sufficient. As a hydrologist, serious concerns for residents living along the base of Tampico Ridge	Benton County denied application to expand landfill

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1a-35	8/12/21	Joseph Crockett	Inga Williams	letter + pdf	21_Crockett-.pdf	Loss of evac route, traffic study flawed	Coffin Butte is needed access for 99W emergencies, Coffin Butte is an important link for bicycles, farm vehicles and slow moving vehicles. Applicant fails to address the improvements that would need to be made to Tampico road, without improvements, traffic incendents are likely to increase, costs of improvements are likely to be born by the taxpayer, traffic count is flawed as the numbers were taken during the height of the pandemic, application states there will be no traffic impacts, but clearly there would be if you packed all traffic onto Tampico, which will seriously interfere with local transportation systems. "permanently vacating a valued public road that has served the community since the early 1900s, for the short term benefit of a private enterprise so they can have a few more years to sell gravel, is not going to be looked upon in the future as a wise planning decision"	Benton County denied application to expand landfill

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1a-36	8/12/21	Bryan Cornell	Inga Williams	letter + pdf	22_Cornell-.pdf	safety issue, suggested alternative route, applicant damaged road county paid to fix	the section of tampico considered for expansion is narrow and winding, with blind spots due to curves and humps re-open the vacated section of Coffin Butte Road from Soap Creek Road West to Wiles Road then North on Wiles Road to Robison Road and East out to Hwy 99W. This would require replacement of two bridges over Soap Creek, significant improvements to the intersection of Robison Road and Hwy 99W and paving. Wiles Road can also serve as the route for East bound truck traffic off of Tampico Road as well as North bound traffic off of Soap Creek Road. This route is flat, straight and wide making it a much better truck route than Tampico Road from Soap Creek Road to Hwy 99W. In 2017 republic Services completely destroyed the paved surface of Coffin Butte Road during operations to move overburden dirt from the North side of the road to a stockpile on the South side. Republic reimburse the county for damages when Coffin butte Road had to be resurfaced, pushing the cost of their operations off on the taxpayer	Benton County denied application to expand landfill
1a-37	8/12/21	Doug Bisland	Inga Williams	email+pdf	23_Bilsland-.pdf	impact to groundwater and well water supply, evac route, increased traffic	all surrounding residents have wells that could be contaminated in an expansion, water escaping from new leachate ponds a serious concern, closure of Coffin Butte Road would limit egress for local residents and close a vital evac route, Tampico would see much heavy traffic including logging trucks, increased noise, traffic and pollution for local residents	Benton County denied application to expand landfill
1a-38	8/12/21	Lauri Richer	Inga Williams	email+pdf	24_NoAddress_Richer-.pdf	Concerns about the landfill expanding beyond its permitted area, increasing rate of garbage intake	Do not want to become a dumping ground for other counties	Benton County denied application to expand landfill

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1a-39	8/12/21	Michael Larkin	Inga Williams	letter + pdf	25_NoAddress_MLarkin-.pdf	insufficent time to respond, evac route removal impacts to emergency response	two weeks is not even 10% of the time needed to understand the proposal, study the data, detirmine what data is missing and analyze results against the code. As a member of the fire dept, concerned with emergency access if Coffin Butte Road is closed. Coffin Butte was last to close during the ice storm and easist to open. By far the saftest egress in case of a fire or earthquake. Closing Coffin Butte Road will add four additional minutes for mutual aid fire response to an emergency including the fire chief and captian to respond to emergencies, a difference between life and death. Closing Coffin Butte is not a public improvement, this access road has served the public well for 75 years	Benton County denied application to expand landfill
1a-40	8/12/21	Patti Haggerty	Inga Williams + Commission	email+pdf	26_Haggerty-.pdf	evac route, safety, lack of details around improvement cost, odors, safety, trash on the roadways	Coffin Butte was designed to carry heavy vehicles, Tampico is not suitable for heavy traffic. The intersection of Tampico and 99 is not suitable for a truck exchange. This intersection has poor line of site and it would take a huge investment ot modify it for this type of use. Closing Coffin Butte because Republic doesn't want to use other existing cells is not reasonable. Why should Benton County be the dumping ground for all of Oregon? Noxious oders, trash on the sides of road, potential groundwater contamination. This is a buisness opportunity for the landfill operator with all the costs being born by county residents. Why don't any of the documents provided explain how a private entity can demand the closure of a public road? These documents also only state the new route 'may' be improved without providing any details on the cost or timeline for doing so.	Benton County denied application to expand landfill

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1a-41	8/12/21	David Vesely	Inga Williams	letter + pdf	27_Vesely-.pdf	impact to the heron rookery	Been a wildlife biologist for 25 years, most of which has been focused on conservation and research. Herons nest in the poplar trees since those trees became fully mature. Observations led me to believe there are between 15-25 active Heron nests in these trees. Code states that this is a sensative wildlife area. BCC 87.220 specifies the need to reivew any development activity to guage impact of development work. Expansion of the landfill poses serious threat to the rookery due to tree loss and additional traffic/noise. Request confirmation that ODFW/ODF have been notified of this development plan.	Benton County denied application to expand landfill
1a-42	8/12/21	Millie Burton-Funk	Inga Williams	letter + pdf	28_Burton-Funk-.pdf	stop accepting out of county trash, potential cost of expansion, the landfill will expand beyond its currently permitted area	Communities should be in charge of their own local trash. Costs of expansion are too high, widening extraneous roads is expensive and unnecessary when there is an existing road that already serves this purpose. Coffin Butte should stop accepting trash from other counties with the exception of Polk since the landfill is on the border of that county. This will help to encourage other county's to come up with local solutions.	Benton County denied application to expand landfill

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1a-43	8/12/21	Judith Kerr, Robert Brunck	Inga Williams	letter + pdf	29_Kerr-Brunck-.pdf	evac route, safety, quality of life for residents on Tampico, ground water concerns	Surrounding community was not given adequate notice for a response. Coffin Butte is a critical road. Closing this road would be dangerous to public health and safety. During the 2021 ice storm, Coffin Butte was the only egress route for many residents while Tampico was shut down. Coffin Butte is the safest road due the limited number of trees. Soap Creek runs directly into Coffin Butte and provides safe acccess to Hwy 99. If Tampico is expanded, what happens to hikers and bikers that use the road? Having Tampico as the main road for access to the landfill destroys the quality of life for residents living on Tampico. Large expansion of the landfill can have pontential impacts on the ground and well water that is used by local residents	Benton County denied application to expand landfill
1a-44	8/12/21	Rebecca Merja	Inga Williams	letter + pdf	30_Merja-.pdf	evacuation route, noise and odor pollution, safety issues driveway line of sight/Tampico intersection	Process seems to fall short for public notification considering the potential impact of the permit to expand. Concerns about losing the best evacuation route with the close of Coffin Butte Road. Rerouting through Tampico, through a neighborhood, is likely to cause additoinal time, conjestion and risk. There is a safety issue with making Tampico alternative route, many driveways have limited sight distance due to hilly terrian. Same is true with the intersection of Tampico and Hwy 99. Negative Quality of life impacts for the residents, heavier traffic, increase in noise, dust and exhaust creating negative impacts to the character of the neighboorhood.	Benton County denied application to expand landfill
1a-45	8/12/21	Candice Irelan 37332 Soap Creek Rd.	Planning Commission	Letter/PDF	34_Ierlan-.pdf	Closure of Coffin Butte Rd., EMS response, public safety/ egress, property values		Benton County denied application to expand landfill

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1a-46	8/12/21	Janet Larkin 29124 Tampico Rd.	Inga Williams	Letter/PDF	36_Jlarkin-.pdf	Traffic/safety, water quality impacts to aquifer		Benton County denied application to expand landfill
1a-47	8/12/21	Doug Pollock	Inga Williams BC Planning Commission	Email/PDF	37_NoAddress_Pollock-.pdf	Closure of Coffin Butte Rd	This communication takes issue with the flawed wording in the County's notices regarding the CUP application	Benton County denied application to expand landfill
1a-48	8/13/21	Ben Bliss 3304 NE 76th Ave. Portland	Inga Williams	Letter/PDF	39_Bliss-.pdf	Closure of Coffin Butte Road/ safety, enviromental concerns/ water quality, livability/ odor,noise pollution, truck traffic,property values, out of area waste		Benton County denied application to expand landfill
1a-49	8/17/21	Nancy Whitcombe	Xan Augerot	email	10d_Whitcombe-.pdf	loss of evacuation route, no notice to EMS personnel	"Soap Creek Valley is very vulnerable to natural disasters – earthquake, ice storm, wildfire -- one of which we have experienced this very year. There aren't many ways out, and most of the ways out are steep, narrow, curved, tree-lined roads that are easily blocked. Coffin Butte is the one exception to this rule. It is flat, wide, straight, and not heavily forested. I estimate that hundreds of households – probably thousands of people – depend on Coffin Butte as a lifeline. the Fire District had not been notified of, nor consulted about, the proposal by either the developer nor County planning staff. I suggest that, in addition to incorporating Adair's comments into Staff's recommendations, the Benton County Sheriff's Office department of Emergency Planning be consulted to determine what effect this closure might have on Law Enforcement and EMS response times in the event of a medical emergency."	Benton County denied application to expand landfill

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1a-50	8/25/21	Mathew Unitis Oregon Dept. of State Lands AttachmentB	Inga Williams	PDF	AttachmentB.pdf	Project will impact wetlands and requires a State permit		Benton County denied application to expand landfill

Community Concerns Annual Report 2021: Set 1b, Live Testimonies to the Solid Waste Advisory Council, August 25, 2021

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
1b-1	8/25/21	Joel Geier	Benton County Solid Waste Advisory Council	live testimony	SWAC Aug25 2021.mp4 video/ audio, minutes	premature show of support for the landfill expansion	DSAC member acknowledged the show of support for the conditional use permit application was precipitous	Benton County denied application to expand landfill
1b-2	8/25/21	Nancy Whitcombe	Benton County Solid Waste Advisory Council	live testimony	SWAC Aug25 2021.mp4 video/ audio, minutes	concern that DSAC was not fulfilling its mission to provide a forum for public input, especially from those in the neighborhood of the landfill	DSAC Chair acknowledged that DSAC had done “a very poor job” of that mission in its last meeting	Benton County denied application to expand landfill
1b-3	8/25/21	Nancy Whitcombe	Benton County Solid Waste Advisory Council	live testimony	SWAC Aug25 2021.mp4 video/ audio, minutes	concern that the County did not notify the public adequately about the application		Benton County denied application to expand landfill
1b-4	8/25/21	Doug Pollock	Benton County Solid Waste Advisory Council	live testimony	SWAC Aug25 2021.mp4 video/ audio, minutes	continuing odor issues, traffic issues (truck traffic), greenhouse gas emissions, loss of capacity due to out-of-county tonnage; concern about influence of money from landfill profit on the landfill review process		Benton County denied application to expand landfill

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1b-5	8/25/21	Joel Geier	Benton County Solid Waste Advisory Council	live testimony	SWAC Aug25 2021.mp4 video/ audio, minutes	unknown geology and hydrology of the proposed landfill expansion		Benton County denied application to expand landfill
1b-6	8/25/21	Kevin Kenaga	Benton County Solid Waste Advisory Council	live testimony	SWAC Aug25 2021.mp4 video/ audio, minutes	landfill was not (environmentally) sited, but inherited from the military		Benton County denied application to expand landfill
1b-7	8/25/21	Nancy Whitcombe	Benton County Solid Waste Advisory Council	live testimony	SWAC Aug25 2021.mp4 video/ audio, minutes	impact on access/ egress and emergency services		Benton County denied application to expand landfill
1b-8	8/25/21	Doug Pollock	Benton County Solid Waste Advisory Council	live testimony	SWAC Aug25 2021.mp4 video/ audio, minutes	impact on access/ egress and emergency services, non-neutrality of county staff		Benton County denied application to expand landfill

Community Concerns Annual Report 2021: Set 2a, Written (and Other) Testimonies from Aug 26 through Oct 13

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response

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2a-1	9/7/2021	Nancy Whitcombe	Daniel Redick	email	10d_Whitcombe-.pdf	impact to emergency access/egress; concerns that emergency agencies not consulted/notified about changes to landfill scope and operations	The issue of the future of the landfill be addressed in detail via a comprehensive plan amendment or as a first step in the next comprehensive plan, invite the participation of stakeholders and provide that the future direction of the landfill be studied in the detail it warrants. The 2007 Comprehensive Plan, the landfill was projected to have a useful life of 43 years. Landfill & quarry usage at that time was very different from 2005, disposal volumes per year were 580,000 tons. By 2020, disposal volumes per year were 860,000 tons.The number of vehicles at the landfill has increased enormously, 127% in 2020 Stakeholders -- neighbors, EMS personnel, the fire district, Emergency Preparedness, law enforcement officials -- would all like a say in the future of the landfill. A Comprehensive Plan amendment or a section dedicated to issues of the future of the landfill in the upcoming Comp Plan is the right way to thoughtfully address consideration of numerous issues and help guide Advisory Committees. Issues: 1) Clear mission creep since 1974 when the original permit was provided 2) What impact has the landfill had on property values 3) Do forest zones around the landfill provide a buffer, or will the landfill expand into these zones eventually 4) Should there be more stringent requirements for conditional use permits 5) should there be a rock quarry and landfill in the same location? 6) to what extent does Benton county want to be the recipient of the states garbage?	Benton County denied application to expand landfill
2a-2	9/15/21	not recorded	Coffin Butte Landfill	not recorded	Landfill Annual Report	public tipping area	exact day not recorded	none
2a-3	9/15/21	not recorded	Coffin Butte Landfill	not recorded	Landfill Annual Report / ODEQ	odor	exact day not recorded	Landfill responded, documented, and reported

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2a-4	9/23/21	Inga King 2622 NW Bluebell Pl. 97330	Inga Williams	Email/PDF	40_King.-pdf	gas consumption to transport trash from so far, Blue Heron rookery, closure of Coffin Butte Road		Benton County denied application to expand landfill
2a-5	10/11/2021	Rana Foster	Benton County	letter	6_Foster-.pdf	informing landowners; escape route; road maintenance; buffer zones, impact to private land; rainwater drainage, light pollution; noise, dust pollution, water contamination; wildlife impact; lack of alternative proposal; oregon forest practices act compliance; landslides; ecological impact; impact to historic and prehistoric culture sites; concerns not adressed by proposal; carbon emission mitigation; lack of involvement by Knife River		Benton County denied application to expand landfill
2a-6	10/13/2021	David Hackleman	Inga Williams, Benton County Planning Commission	letter	1a_Hackleman-.pdf, 1b_Hackleman-.pdf	overburden of landfill mass, traffic safety, access to proposed vacated road	“Increased overburden in a region has been known to cause land movement issues in adjacent regions.” “The road proposed to be vacated is a superior path for heavy vehicles to traverse to both Soap Creek Valley and points to the West compared to Tampico road.”	Benton County denied application to expand landfill

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2a-7	10/13/2021	Kevin Higgins	Benton County	letter	2_NoAddress_Higgins-.pdf	size of landfill, trash coming from neighboring counties, truck traffic, trash on roads, lack of responsibility cleaning up, trash falling out of landfill traffic on roads, losing room to road improvements, traffic noise, smells, liquids, danger to residents and children on roads, loss of egress route,	" Republic services has expanded the facility to receive an enormous amount of trash from all around the neighboring counties. It has added a significant amount of truck traffic on the roadways and highways leading to and from Benton County, and as you might guess, along with that is the enormous amount of traffic comes an enormous amount of trash on the sides of the roads" "Another impact that is near and dear to my heart is if Coffin Butte Road was to be blocked, effectively shutting it down would eliminate one egress route in the event of fire or natural disaster in the area." Note: date of complaint/concern is approximate	Benton County denied application to expand landfill

Community Concerns Annual Report 2021: Set 2b, Live Testimonies to the Disposal Site Advisory Committee and Solid Waste Advisory Council, Oct 13

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response

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2b-1	10/13/21	Dorothy Balisok	Disposal Site Advisory Committee	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about protections in place to prevent hazardous materials from going into the landfill; concerns about protections in place to contain hazardous materials in the landfill; questions about inspections of those protections; concerns about air quality, given her experience of intense odor near the landfill; concerns that the landfill will expand beyond its currently permitted limits		Republic liaisons responded in person; Republic referred public to their town hall on Oct 20; Benton County denied application to expand landfill
2b-2	10/13/21	Joel Geier	Disposal Site Advisory Committee	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about prioritizing profit from quarry operations over concerns with the proposed expansion site; concerns about noise, road safety, and protection of groundwater quality; concerns about overloaded quarry trucks; concerns about effects of open-pit mining on groundwater quality, especially regarding arsenic levels		Benton County denied application to expand landfill
2b-3	10/13/21	Gina Flak	Disposal Site Advisory Committee	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about odor, about landfill traffic issues on Soap Creek Road; questions about operations noise beyond normal operating hours		Republic liaisons responded in person regarding operating noise

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2b-4	10/13/21	Mark Yeager	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns that the accelerated intake rate of trash has drastically reduced landfill life; concerns that expanding the landfill will prove to be unnecessary due to successful waste reduction efforts; concerns that landfill expansion is motivated by owner profit, not county need; concerns that the landfill will expand beyond its currently permitted limits		Benton County denied application to expand landfill
2b-5	10/13/21	Kenneth Funk	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about the impacts of the landfill expansion on the rural character of Tampico Road; about leachate leaking into groundwater; that these effects and others will reduce area property values, and dash hopes of passing on a good life on a small farm to successive generations; concerns that human error will undermine the efforts to mitigate the risks of landfill operations; concerns about unlimited size of wasteshed; concerns that the landfill will expand beyond its currently permitted limits		Benton County denied application to expand landfill

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2b-6	10/13/21	Gina Flak	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	notes that closing Coffin Butte Road will restrict their ability to evacuate their children, medically frail family, and horses; noise concerns; wildlife concerns; concerns about unlimited size of wasteshed; concerns that the landfill will expand beyond its currently permitted limits; concerns about inappropriate landfill traffic on Tampico Road		Benton County denied application to expand landfill
2b-7	10/13/21	Grant Carlin	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about noise of landfill operations and its health and economic effects on landfill neighbors; concerns that owner-funded studies are not objective or reliable		Benton County denied application to expand landfill
2b-8	10/13/21	Doug Pollock	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about viability of alternatives to Coffin Butte Road for cycling, auto and emergency traffic; concerns about legitimacy and wisdom of ending the road's long use as an enduring publicly funded asset; concerns that the larger public has been inadequately notified about road closing		Benton County denied application to expand landfill

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2b-9	10/13/21	Nancy Higgins	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about negative effects on the public value of the land surrounding the landfill, especially the large amounts of natural land dedicated to public outdoor uses and habitat for widlife; concerns about the lack of limits on growth of the landfill; concerns that the landfill will expand beyond its currently permitted limits		Benton County denied application to expand landfill
2b-10	10/13/21	Kevin Higgins	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about the increasing growth pattern of the landfill; concerns about impacts of increasing truck traffic; concerns about increasing volumes of roadside trash; concerns about the lack of effort to clean up operations by the landfill; concerns about negative impacts to Tampico Road and its residents, including noise, roadside trash and effluent, traffic; inappropriate for a rural road, and traffic hazard; loss of emergency egress; concerns that the landfill will expand beyond its currently permitted limits		Benton County denied application to expand landfill

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2b-11	10/13/21	Dorothy Balisok	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about loss of safety to the community; negative effects on water quality and wildlife; concerns that the landfill will expand beyond its currently permitted limits		Benton County denied application to expand landfill
2b-12	10/13/21	Kevin Kenaga	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns that the economic gains of the landfill overshadow its environmental costs; concerns that the landfill will expand beyond its currently permitted limits		Benton County denied application to expand landfill
2b-13	10/13/21	Joel Geier	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about increasing volume coming into the landfill; concerns that the landfill will expand beyond its currently permitted limits		Benton County denied application to expand landfill
2b-14	10/13/21	Nancy Whitcombe	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about what will happen to the landfill when it closes; concerns that requested studies of landfill impacts have not been done; concerns that the landfill will expand beyond its currently permitted limits		Benton County denied application to expand landfill
2b-15	10/13/21	Joe Crockett	Solid Waste Advisory Council	live testimony	SWAC Oct 13 2021 70104458751177 41060.mp4 video/audio, minutes	concerns about traffic impacts to east-west crossings of Highway 99W for hikers, cyclists and traffic if Coffin Butte Road is closed		Benton County denied application to expand landfill

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2b-16	10/13/21	Kate Harris	Solid Waste Advisory Council	live testimony, chat testimony	SWAC Oct 13 2021 70104458751177 41060.mp4, minutes, 10.13.21 SWAC meeting - chat.pdf	concerns that the landfill will expand beyond its currently permitted limits; concerns that the County be good stewards of the land for all residents; concerns about landfill hazards to new area residents		Benton County denied application to expand landfill
2b-17	10/13/21	Tom Hewes	Solid Waste Advisory Council	chat testimony	10.13.21 SWAC meeting - chat.pdf	concern about water quality in groundwater and in Soap Creek downstream from the landfill; concern that landfill expansion will have negative impacts on nearby property owners and wildlife		Benton County denied application to expand landfill

Community Concerns Annual Report 2021: Set 3a, Written Testimonies from Oct 14 through Oct 20

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
3a-1	10/14/21	George Dragich	Ned Harris, Benton County	phone call	10_Dragich-.pdf	noise from equipment, noise from trucks; stray debris on hwy99 and independence; traffic danger; property values;	“Tampico where I raised my children is dangerous as it is. Speeding cars very close to our mail boxes. Now Trucks? There goes all our life long investments. This is rural residential property, not the entrance to a land fill. “	Benton County denied application to expand landfill

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
3a-2	10/14/21	Joseph Crockett	Inga Williams	letter	3_Crockett-.pdf	closing of Coffin Butte Road, danger and discomfort of alternate routes	Closing Coffin Butte Road presents an undue burden for those seeking to stay on rural roads for safety as well as a quieter experience. Not only are the alternatives routes longer, they are more dangerous due to having to use 99W which has higher traffic volumes, higher speeds, and higher noise than our rural Roads.	Benton County denied application to expand landfill
3a-3	10/14/21	Janet L Ohmann	Inga Williams	letter	4_Ohmann-.pdf	closure of road, lack of compensation for land transfer; violation of 53.215 criteria, traffic danger and inconvenience of alternate route, loss of emergency route, loss of recreational use, impact to environment, impact to livability, impacts to hydrology, noise, odors, light polution, stray garbage, increased traffic, impacts to wildlife; capacity for county residents' waste	The lifespan of our Landfill is finite, and the faster we fill it up with garbage from outside our area, the sooner Benton County will have to seek more expensive options for our waste disposal I'm also concerned about impacts to wildlife habitat and other ecosystem services provided by the forest, woodland, and savannah in the expanded dump. the Tampico Rd./Hwy. 99W intersection has poor visibility, limited turning lanes, and requires rapic acceleration into traffic. The alternate route proposed is longer, inconvenient, and a poor replacement for Coffin Butte Rd.	Benton County denied application to expand landfill
3a-4	10/14/21	William J Briskey	Benton County	letter	5_Briskey-.pdf	increased traffic loads on poor road conditions, wind carried debris, odors		Benton County denied application to expand landfill
3a-5	10/15/21	Nancy Whitcombe	Inga Williams	email	9_NoAddress_ Whitcombe-.pdf	flaws and inaccuracies in application materials; lack of citizen involvement	" There are so many flaws & inaccuracies in the material presented by the applicant that it is basically impossible to note them out in the short time citizens have been given to respond to this mammoth proposal, and the hundreds of pages of material the applicant has dropped at (after) the last minute."	Benton County denied application to expand landfill

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3a-6	10/15/21	Mona Goetzinger	Inga Williams	email	11_Goetzinger-.pdf	increased traffic; closure of road; traffic on Whiles; Whiles bridge condition		Benton County denied application to expand landfill
3a-7	10/15/21	Joel Geier	Benton County Planning Commission, Ken Kenaston	letter	7_Geier-.pdf	short notice for comment; failure of supplemental materials to address issues in original proposal; lack of public access to planning department staff report; egress; lack of report from ORDEQ; impact to adjacent land; increased dust, noise, odors; decreased buffer zone; lack of reclamation plan; cultural and archaeological impact; great blue heron rookeries; misleading statement of public benefit to county residents	" Back in May, the Applicant gave you a flimsy, incomplete, and often misleading application. Their recent supplementary information filed in haste by their consultant on October 5th attempts to paper over the gaps and errors with arguments, opinions, and promises from their consultants."	Benton County denied application to expand landfill
3a-8	10/15/21	Becky Merja	Linda Ray	email	8_Merja-.pdf	loss of public road; traffic impact on Tampic Rd residents; truck traffic impact; lack of benefit to local waste management; concern that the landfill will expand beyond its currently permitted area	" I also take issue with the need to expand the landfill because Republic Services accepts garbage from 22 Oregon counties and a couple from Washington State. .. Benton County only contributes about 12% of the total annual tonnage. How long would the current cell last if some of those loads were redirected to fill sites closer to where the trash originated?" " Coffin Butte Road is the entrance to Soap Creek Valley filling this area with trash and permanently cutting off access is irresponsible."	Benton County denied application to expand landfill
3a-9	10/18/21	Dr. Eric Rehm	Inga Williams	email	5 -EricRehm-.pdf	concerned that existing waste reduction tools are not being employed		Benton County denied application to expand landfill

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3a-10	10/18/21	Jim Martinez	Inga Williams	email	7 - NoAddress_JimMartinez-.pdf	concerns about general decline in property values and livability/ desirability of the County; concerns about roadside trash; concern that the landfill will continue to expand	"With the proposed expansion, bucolic Corvallis that is considered to be one of the nation's most "Desirable Cities" will be viewed "Dump City." Why not? That will become our most prominent feature."	Benton County denied application to expand landfill
3a-11	10/19/21	Cheryl Martinez	Inga Williams	email	2 - NoAddress_CherylMartinez-.pdf	concern that the landfill owner's current path will lead to landfill closure and greater public costs, and saddle the County with future problems; complaints about excessive roadside litter; concern about the unslghtly visual appearance of the dump and its becoming a negative landmark for the area; concerns about methane emissions and groundwater contamination; concerns about high carcinogen levels in trash coming into the landfill; concern that the negative effects on water quality will be of vital importance in a climate-changed future; concern that the landfill will expand beyond its currently permitted area	"As it is, when visitors come in, they comment on "The Dump" alongside the road. Corvallis is quickly becoming known as "The Place With The Landfill", not for the benefits of OSU, the Willamette River or its tributaries, clear skies and beautiful forests/fields and a welcoming community."	Benton County denied application to expand landfill

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3a-12	10/20/21	Stratos Flanders	Benton County Planning Commission	letter	12 - KnifeRiver.pdf	concern that landfilling will cut off access to rock resources in the Coffin Butte quarry	"We currently are mining rock at a slower pace than Republic is bringing in materials. If Republic is unable to expand its operations at the landfill, Knife River would have to leave the property with millions of tons of rock left unmined. We believe the current arrangement – we are able to mine the rock and create a lower-cost option for customers, and Republic fills the land back in with their materials – has been beneficial for all, including Benton County residents."	Benton County denied application to expand landfill
	Community Concerns Annual Report 2021: Set 3b, Live Testimonies to Republic Services, October 20							

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3b-1	10/20/21	unknown	Republic Services	live testimony	none found	unknown	Republic Services held a public presentation regarding their application to expand the landfill. This event was not sponsored by Benton County. In the October 13, 2021 DSAC/SWAC meeting, the public was directed to attend this presentation and present views there. DSAC was unable to locate any record of the event.	unknown
	Community Concerns Annual Report 2021: Set 4a, Written Testimonies from Oct 21 through Nov 2							

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4a-1	10/21/21	Mark and Marcella Henkels	Benton County Planning Commission	email	14 - Mark-Marcella-Henkels-	Increased amount of fallen trash littering surrounding roadways; windblown trash disrupting work on farms; trucks causing runoff water pollution; Benton County absorbing trash from many other counties; disruption from heavy truck traffic; impact on traffic from closing Coffin Butte Road	"A simple review of the proposal shows how this is not in the long-term interest of the county and that it would have an immediate negative impact on the lives of county residents."	Benton County denied application to expand landfill
4a-2	10/21/21	Patti Haggerty	Inga Williams	email	15 - PatriciaHaggerty -	Closing Coffin Butte Road: impact on traffic on Tampico road, no sufficient plan to improve Wiles and Robinson Roads (the proposed new truck routes), Republic having access to expansion further north but choosing to close Coffin Butte Road instead	"I reviewed the Development Code and have found no section that says that if you own property on both sides of a road, you may take it away from the public. Is this to be the new norm, that private entities can abscond with public rights of way at will?"	Benton County denied application to expand landfill

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4a-3	10/21/21	Kendra Callahan	Benton County Planning Commission	Letter	9 - KendraCallahan-.pdf	concerns about noise, smell, garbage blowing from the site, dust, vibrations from trucks, air pollution; concerns about impacts to the character of the area; impacts to forestland and wildlife, including loss of a wildlife corridor; concerns about loss of a public improvement (Coffin Butte Road); concerns about road safety; concerns about loss of an emergency evacuation route; concerns about cyclist safety; concerns about security of power and telephone services; concern that the landfill will expand beyond its currently permitted area	"In closing, I would like to state again that I object strongly to the Conditional Use Permit set forth by Republic Services to expand their landfill onto a different part of their property and to their request that the county closes Coffin Butte Road and gives it to Valley Landfill. Coffin Butte Road DOES NOT have to be closed for Republic Landfill to continue their operations. They can continue disposing of trash into the quarry area as was previously planned. They can extend the life of the landfill by taking less garbage from counties outside of Benton County. They can extend the life of the landfill by separating out more recyclables or separating construction waste from other waste. It is short sighted to think that expanding the landfill and closing a public road is the only way forward. But most importantly, this application clearly does not meet the conditions of approval stated in Benton County Code."	Benton County denied application to expand landfill
4a-4	10/22/21	Doug Pollock	Benton County Planning Commission	email	3 - DougPollock-.pdf	Concerns about emergency access/ egress, increased vehicle miles and other effects of closing Coffin Butte Road	"I would strongly encourage Planning Commission members to visit the area and drive the various routes. If you do, think about what would happen if Tampico Road were closed for several days (as it was during last winter's ice storm). Coffin Butte Road was our only safe route out of the Soap Creek Valley. Or consider what might happen in the event of a catastrophic wildfire. Both Tampico Rd. and the proposed re-routing via Wiles/Robison Rd. are much less direct. In an emergency, egress/ access is everything. Coffin Butte Road provides the best egress/access by far."	Benton County denied application to expand landfill

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4a-5	10/22/21	Elizabeth & David Patte 37655 Zeolite Hills Rd. Corvallis 97330	Inga Williams	email	4 -Eliza-David-Patte-.pdf	concerns about the accelerating trash intake at the landfill; concerns that impacts such as noise, loss of emergency egress, and wildlife and natural resources degradation would affect surrounding communities; concerns about landfill stench; concerns about roadside trash; concern that the landfill will expand beyond its currently permitted area	"October 13th testimony to SWAC made it abundantly clear the burdens, from noise, well-water contamination concerns, the loss of important emergency egress and other traffic safety concerns, and the impact on the area's wildlife and natural resources that landfill expansion would force on surrounding communities."	Benton County denied application to expand landfill

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4a-6	10/22/21	Rana Foster	Benton County Planning Commissioners	Letter	16 - RanaFoster-.pdf	concern about landfill cutting off emergency evacuation route; will significantly increase fire hazard; concern about power, gas and cable lines needing to be rerouted; loss of east-west travel connection; concern for wetlands/ floodplain; concern for wildlife endangered species; concern for biodiversity in Forest Conservation area; concern for long term maintenance and clean-up costs; concern over dump abandonment; concerns about expensive environmental remediation; concern about environmental monitoring plans; concerns over PFAS and other toxics monitoring and containment; concerns about long-term effects of using Alternate Daily Cover, especially to wildlife; concerns over great blue heron nesting site; concerns about increases in haul road and power plant operating noise; concerns about light pollution from operations; concern that cultural and botanical surveys have not been done; concerns over visual impact of landfill to recreational uses at E.E. Wilson Wildlife Area		Benton County denied application to expand landfill

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4a-7	10/22/21	Robert Larkin	Inga Williams	email	17 - RobertLarkin-	Closing Coffin Butte Road, closing off routes for emergency services/ evacuation.	“Coffin Butte Road exists today as a Benton County Minor Arterial. That road belongs to Benton County. It is used by residents and commerce. It provides access and travel savings. Most importantly, it provides a route for emergency services as well an evacuation route... If Coffin Butte Road must be moved, so be it, but DO NOT close it!”	Benton County denied application to expand landfill
4a-8	10/22/21	Robert Morris & Jackie Calvert	Inga Williams	email	18 - RobertMorris-JackieCalvert-	environmental impact, impact on wildlife, impact on native plants, public not given enough time to respond	“Our home is located on 8 acres, a portion is native, untilled prairie. We are deeply concerned to learn that the Planning Commission may allow a disposal site expansion in Benton County. We are working very hard to preserve and protect our prairie by planting native grasses, trees and flora. Allowing the enlargement of the Coffin Butte landfill goes against one of the main reasons we located here. Especially since there is no advantage to our local environment, that we can imagine. We foresee only detrimental effects.”	Benton County denied application to expand landfill
4a-9	10/22/21	Faye Yoshihara & Kevin Kenaga	Inga Williams	Letter	19 - Yoshihara-Kenaga-	closing Coffin Butte Road, access/egress, impact on traffic, impact on wildlife, advisory council not given enough time to properly research/ evaluateimpacts		Benton County denied application to expand landfill
4a-10	10/22/21	Jeff Morrell 38464 Hwy 99W Corvallis 97330	Inga Willams Benton County Planning Commission	email/PDF	JefferyMorrell-.pdf	No buffer from odor,noise, roadside litter, reduced property values,Safety concerns re: closure of Coffin Butte Rd., increased road maintenance, Annual reports that misrepresent landfill lifespan	Jeff Morrell was a SWAC/DSAC member for 2 decades	Benton County denied application to expand landfill

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4a-11	10/22/21	Brady Callahan 28283 Stage Stop Ln. Corvallis, OR 97330	Benton County Planning Department Attn: Benton County Planning Commission	email/PDF	1 - Brady-Kendra-Callahan-.pdf, 1-b Brady-Kendra-Callahan2-.pdf	issues with operating noise; concerns about visual impacts; concern about closure of Coffin Butte Road, a major thoroughfare for over 80 years, especially regarding emergency egress and ingress; concern that the landfill will expand beyond its currently permitted area		Benton County denied application to expand landfill

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4a-12	10/22/21	Joel Geier 38566 Hwy 99W Corvallis 97330	Benton County Planning Commissioners	Email /PDF	8 - JoelGeier-.pdf	Concerns about emergency access/ egress, impacts upon the character of the neighborhood; significant impacts on the uses of adjacent parcels, including those dedicated to public recreation; concerns about loss of buffer zones around the landfill; concerns about lack of cultural resource assessments and disregard for cultural resources, including archaeological resources and native flora; concerns for great blue heron rookeries; concern that extending the life of the landfill will impact rare and endangered species in the area due to prolonged presence of nuisance species; concerns about harms to area high-priority conservation efforts; concerns about misrepresentation of landfill public benefits; concern that the landfill will expand its service region and beyond its currently permitted area		Benton County denied application to expand landfill

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4a-13	10/22/21	Ken Eklund	Inga Williams	email/PDF	10-KenEklund-.pdf	concern about landfill operator locking in high impacts to community; concern that landfill operator is not planning for future improvements to landfilling methods and technologies; concern that the landfill will expand beyond its currently permitted area	“Republic is advancing their request for a Conditional Use Permit now, many years before it’s actually needed, because they would like to develop the garbage mountain alongside Highway 99 first and fill in the quarry last. This is because the quarry produces profit for them, and because they are not impacted by the many costs for the garbage mountain over the road and alongside Highway 99. Approving the Conditional Use Permit now would lock in a future where Benton County residents do suffer these impacts and pay these costs, and they pay them in full and soon. Rejecting the CUP application now defers all these many costs for decades and may obviate some of them entirely, depending on what happens in the region and in Oregon to manage wastestreams and encourage reuse and recycling.”	Benton County denied application to expand landfill
4a-14	10/22/21	Ken Funk	Inga Williams, BC Planning Commission	email	11 - KenFunk-.pdf	concerns about traffic flows and safety, and the character of the Tampico Road corridor, due to the landfill closing Coffin Butte Road; concerns about leachate leakage and spills contaminating groundwater; concerns about consequent loss of property value and livability; concerns about inadequate and incomplete studies and testing; concern the landfill is rapidly growing; concern the landfill will expand beyond its currently permitted area	“It seems a great injustice for my Benton County neighbors and me to bear the risks associated with the rapidly growing pile of waste from people in Salem, Portland, and as far away as Washington state who wish to simply discard their trash and forget about it.”	Benton County denied application to expand landfill

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4a-15	10/22/21	Lori Tully	Inga Williams	email	13 - NoAddress_LoriTully-.pdf	concerns about who will pay for road changes due to landfill expansion; concern about lack of local control over landfill wasteshed; concerns about surface and groundwater pollution, smell, noise, traffic burdens of the landfill; concerns that local government is not monitoring or enforcing agreements with the landfill; concerns that the landfill's large wasteshed erodes waste reduction efforts; concerns about surface pollution (roadside trash), greenhouse gas emissions, traffic congestion; concern that the landfill will expand its service region and beyond its currently permitted area		Benton County denied application to expand landfill
4a-16	10/22/21	Erin McMullen Philomath OR	Inga Williams, Benton County Planning Commissioners	Email/PDF	ErinMcMullen-.pdf	Landfill risks the health, livelihood, well being of residents. Out of county trash, profits over people		Benton County denied application to expand landfill

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4a-17	10/23/21	Jerry Paul	Inga Williams, Community Development Department	email	6 -JerryPaul-.pdf	concerns about water contamination in E.E. Wilson Wildlife Area and Soap Creek; concerns about air quality from dust and noxious odors and from methane; concerns about blue heron nesting colony; concerns about impacts to Carson Prairie, archaeological sites including the Letiticia Carson Homestead; concerns about lack of egress/safety		Benton County denied application to expand landfill
4a-18	10/23/21	Kristan Mitchell Oregon Refuse & Recycling Association PO Box 2186 Salem	Inga Williams Benton County Planning Commission	Letter/PDF	KristanMitchell-.pdf	Coffin Butte Landfill is a modern state of the art facility operating in one of the most heavily regulated industries in the country	"Today, the technology exists to build safe landfills, complete with high tech lining systems, advanced technologies to collect and remove leachate and gas and ultra-sofisticated systems to monitor long-term environmental performance."	Benton County denied application to expand landfill
4a-19	10/23/21	Nancy Hyde 37845 Soap Creek Rd 97330	Inga Williams Benton County Planning Commission	Email /PDF	NancyHyde-.pdf	increased dangers to clean water and quality of life in Soap Creek Valley; damage to character of the area; concern that the landfill will expand beyond its currently permitted area and take over more private properties		Benton County denied application to expand landfill
4a-20	10/23/21	Dani Melton	Inga Williams	Email/PDF	DaniMelton-.pdf / NoAddress_Dani Melton-.pdf	impact to friends, family, horse and self		Benton County denied application to expand landfill
4a-21	10/27-21	Laura Tilley Corvallis resident	BC Commissioners office	Phone Call/PDF	LauraTilley-.pdf	Out of county trash		Benton County denied application to expand landfill
4a-22	10/27/21	Mark Yeager	BC Planning Commission	Letter/PDF	MarkYeager1-.pdf	Closure of Coffin Butte Rd. Landfill capacity		Benton County denied application to expand landfill

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4a-23	10/27/21	Nicole Dolan	Inga Williams	Email/PDF	NicoleDolan-.pdf	Well water contanination, noise, stress to horses at Biy by Bit impact to that business		Benton County denied application to expand landfill
4a-24	10/28/21	Steve Strauss 3322 SW Cascade 97333	Inga Williams Benton County Planning Commission	Email/PDF	SteveStrauss-.pdf	Can we not find an alternate landfill location further from recreational and residential sites? Transporting out of county trash impacts our local environment and increases our statewide carbon footprint. In Dunn Forest, the landfill smell greatly reduces the recreational value, inhaling may impact health		Benton County denied application to expand landfill
4a-25	10/28/21	Christina Clark 6109 NW Appaloosa Lane Corvallis 97330	Inga Williams for Benton County Planning Commission	email/PDF	ChristinaClark-.pdf	Impact of air quality, odor on residential, businesses, outdoor spaces, out of county trash, road closure impacts evacuation,emergency services response time		Benton County denied application to expand landfill
4a-26	10/28/21	Cynthia Clapp 38277 Brenneman Lane Corvallis 97330	Inga Williams for Benton County Planning Commission	letter/PDF	CynthiaClapp-.pdf	Out of County waste, frequent stench, dust/ debris/migrating trash, daily/nightly noise, evacuation route closure, heavy truck traffic diverted to Tampico Rd		Benton County denied application to expand landfill
4a-27	10/28/21	Judy Juntenan 4215 SW 53rd 97333	BC Planning Commission	Letter/PDF	JudyJuntenan-.pdf	Out of county trash		Benton County denied application to expand landfill

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4a-28	10/28/21	Suzanne Ortiz Corvallis	Inga Williams BC Planning Commission	Email/PDF	SuzanneOrtiz-.pdf	Closure of Coffin Butte Rd, safety/EMS access, volume of out of area trash. Environment safety, future (of BC residents)		Benton County denied application to expand landfill
4a-29	10/29/21	Heidi Igarashi	Inga Williams, for Planning Commission	email	HeidiIgarashi-.pdf	Landfill is transforming the character of the area as it grows. Concerns about the landfill increasing its footprint and impacts. Heavy truck traffic, trash escaping from vehicles heading to the dump, odors. Concerned about hazardous consequences for air and water quality including PFAS; concerned about contamination risk to the physical/natural environment including streams, well water and wildlife; concerned about impact on livelihood of local farmers; concerned about increased concentrations of invasive grass species and invasive bird species (attracted to trash) competing with native birds for feeding and nesting. Concerned about Coffin Butte Road closure threat and commensurate severe impact to community and emergency vehicle ingress/egress	"I want to emphasize that all over the Willamette Valley landfills are closing because the lands here are very fertile, and because there are relatively high levels of precipitation that prevent efficient landfill functioning. Although I recognize the problems associated with the "not my backyard" response, objections to this notion assume equivalent backyards. There are other areas in Oregon where land is cheaper, population density is minimal, and there is less precipitation. The Coffin Butte area is enjoyed by hikers, bicyclists, and equestrians, as well as by hunters and others outdoors people. It seems ludicrous and short-sighted to allow this expansion given these factors."	Benton County denied application to expand landfill

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4a-30	10/29/21	Bryce Downy 2325 NW Maser Drive Corvallis	Benton County Planning Commission	letter/PDF	BryceDowny-.pdf	Out of county waste, passing on to future generations	“Waste disposal is itself a tax passed on to the future as our lifestyles now create a "waste" legacy that others will inherit.” Note: date of complaint/concern is approximate	Benton County denied application to expand landfill
4a-31	10/29/21	Cheryl McLean 2150 NW Jackson Creek Rd Corvallis, OR 97330	Inga Williams for Benton County Planning Commission	email/PDF	CherylMcLean-.pdf	Closure of public road, Limit trash intake to Benton County		Benton County denied application to expand landfill

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4a-32	10/29/21	Gary Barnes	Inga Williams, for Planning Commission	email	GaryBarnes-.pdf	Odor several miles away from landfill; concern about risk to groundwater, especially from unknown toxic waste deposited there (likewise to wildlife and forest); noise, smell and unsightly view impact on nearby recreational forest areas (McDonald and Dunn Forests, plus EE Wilson area); concern about impact of landfill on nearby property values; concern about injustice of having local area bear long-term cost of regional garbage service; concern about impacts on rural character of the area; concern about Coffin Butte Road closure threat and multiple dangers this would create for Tampico Road (increased traffic at dangerous intersection of Tampico and 99W, road damage, increased danger if snow or ice since Tampico is much hillier, narrower, more difficult (and longer) emergency vehicle ingress/egress); concern about impacts to Comp Plan goals such as forest conservation and recreation preservation		Benton County denied application to expand landfill

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4a-33	10/29/21	Janet Lee	Inga Williams, for Planning Commission	email	JanetLee-.pdf	Concerns about trash escaping from vehicles heading to the dump, odor; concerns about hazardous consequences for air and water quality (both streams and wells) including PFAS due to being located in an area with high levels of precipitation; concerns about threat of closure of Coffin Butte Road to allow future expansion (it is heavily used and an important emergency access route. Closing it would severely affect people and services); concerns about lack of transparency regarding toxic environmental consequences of landfill; concerns about impact of increased populations of invasive bird species (European starlings) and invasive grass species		Benton County denied application to expand landfill
4a-34	10/29/21	Julianne Freeman 3775 Wysteria Way Corvallis 97330	Inga Willams Benton County Planning Commission	email/PDF	JulianneFreeman-.pdf	concerns about rapid landfill growth due to out of area trash; impacts to area natural beauty, agriculture, and tourism; health risks from landfill toxins leaching into wells and waterways; concerns the landfill owner does not value local ecosystems or trash reduction values	Julianne attached Janet Lee's letter (see above) to echo Janet's concerns (air water quality, PFAS, property values, increased traffic, Well and stream water quality, impacts to wildlife from invasive species, closure of a public road impacts safety, EMS response, etc.)	Benton County denied application to expand landfill

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4a-35	10/29/21	Ken Funk 29195 Tampico Rd. Corvallis 97330	Inga Williams Benton County Planning Commission	Letter/PDF	KenFunk-.pdf	Potential well contamination, diminished property values, increased traffic, noise, out of county waste		Benton County denied application to expand landfill
4a-36	10/29/21	Laura King 1735 NE Seavy Ave Corvallis 97330	Benton County Planning Commission	Letter/PDF	LauraKing-.pdf	concerns for climate, sustainable economy and community; concerns about disruption due to landfill growth; concerns the landfill is increasing its out-of-area intake and footprint, increasing long-term local economic burden and environmental toll; questions about whether the landfill owner will take responsibility for impacts in the future; environmental impacts to ground and surface water resources; impacts upon county transportation system plan and air quality; closure of Coffin Butte Rd., increased traffic, emergency egress and response time		Benton County denied application to expand landfill
4a-37	10/29/21	Machteld Mok 3024 Garryanna Dr. 97330	Inga Williams Benton County Planning Commission	Email/PDF	MachteldMok-.pdf	Out of county waste, Closure of a public road CB Rd.		Benton County denied application to expand landfill

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4a-38	10/29/21	Pat Newport 2710 NW Jackson Creek Rd. 97330	Inga Williams Benton County Planning Commission	Email /PDF	PatNewport-.pdf	Landfill expansion for out of state company profit and short term gains for county is shortsighted. Great harm would come to the environment, residents, wildlife and flora of the area		Benton County denied application to expand landfill
4a-39	10/29/21	Charlotte Headrick			CharlotteHeadrick-.pdf	I pay my property taxes and use Tampico & soap Creek Rd. daily		Benton County denied application to expand landfill
4a-40	10/29/21	Jeanne Raymond	Inga Williams, Benton County Commissioners	Email/PDF	JeanneRaymond-.pdf, JeanneRaymond2-.pdf	Out of county trash		Benton County denied application to expand landfill
4a-41	10/29-21	Mark Yeager	BC Planning Commission	Letter/PDF	MarkYeager2-.pdf	Closure of Coffin Butte Rd. Health & Safety, EMS response,vehicle emmissions	Cites Transportation Plan	Benton County denied application to expand landfill
4a-42	10/29/21	Mark Yeager	BC Planning Commission	Letter/PDF	MarkYeager3-.pdf	Important word left out.	Amended Mark Yeager 2	Benton County denied application to expand landfill
4a-43	10/29/21	Martha Rockey	Inga Williams, To Whom	Email/PDF	MarthaRockey-.pdf	Well water contanination, Closure of coffin Butte Rd. safety, traffic,noise		Benton County denied application to expand landfill
4a-44	10/29/21	Mike and Edith Shields	Inga Williams	Email/PDF	MikeEdith Shields-.pdf	Out of area trash	Referenced Janet Lee letter	Benton County denied application to expand landfill
4a-45	10/29/21	Phyllis Bailey Corvallis	Xan Augerot, sent to Inga Williams, Greg Verret	Email/PDF	PhyllisBailey-.pdf	out of area trash, impacts to Blue Heron Rookery		Benton County denied application to expand landfill

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4a-46	10/30/21	Marge Popp	Board of Commissioners	Email/PDF	MargePopp-.pdf	Out of county waste, short term & long term environmental impacts, concern for Great Blue Heron rookery, safe access/egress for local residents	Note: date of this complaint/concern is approximate	Benton County denied application to expand landfill
4a-47	10/30/21	Mark Vomocil Starker Forests Inc. 7240 SW Philomath Blvd Corvallis 97333	Inga Williams Benton County Planning Commission	Letter/PDF	MarkVomocil-.pdf	Closure of Coffin Butte Rd. a major haul route for Forestry and Agricultural operations	Note: date of this complaint/concern is approximate	Benton County denied application to expand landfill
4a-48	10/30/21	Nancy Whitcombe 37049 Moss Rock Rd. 97330	Inga Williams Benton County Planning Commission	Email /PDF	NancyWhitcombe-.pdf	Closure of Coffin Butte Rd.a vital emergency ingress/egress, a reliable access for EMS and Law Enforcement		Benton County denied application to expand landfill
4a-49	10/30/21	Lisa & Peter Adamczyk	Inga Williams, BC Planning Commission	Email/PDF	LisaPeterAdamczyk-.pdf	Out of county trash, environmental, health & quality of life impacts. Toxic chemicals		Benton County denied application to expand landfill
4a-50	10/30/21	Meleah Ashford	Xan Augerot, sent to Inga Williams	Email/PDF	MeleahAshford-.pdf	Not opposed to expansion, curious about why we take waste from Portland Doesn't think that's a good idea.		Benton County denied application to expand landfill
4a-51	10/30/21	Robert Taniguchi	Inga Williams	Email/PDF	RobertTaniguchi-.pdf	Closure of Coffin Butte Rd. a public asset, out of county trash, impacts to Bit by Bit		Benton County denied application to expand landfill

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4a-52	10/31/21	Chris Bentley 2175 SE Powell Rd. Corvallis 97333	Benton County Planning Commission	letter/PDF	ChrisBentley-.pdf	concerns about clear, direct, and well-known routes for access and egress during a wildfire; adequate wildfire response routes for firefighters and residents using the roads simultaneously; concerns that the Coffin Butte area is a key access to the local area which lacks access improvements and has fire hazards; concerns that the landfill will expand its footprint into buffer areas; concerns that growing landfill operations will not be adequately buffered	past involvement with Benton County's Community Wildfire Protection Plan (CWPP)	Benton County denied application to expand landfill
4a-53	10/31/21	Grant Carlin	Benton County Planning Commission	letter/pdf	GrantCarlin-.pdf	As close neighbor of landfill, impact concerns include: noise, airborne trash and odors, bright lights at night; Coffin Butte Road closure threat; illegal nearby dumping to avoid dump fees; negative impact to character of the neighborhood and subsequent drop in property value		Benton County denied application to expand landfill
4a-54	10/31/21	Janet Ohmann	Inga Williams, for Planning Commission	letter/pdf	JanetOhmann-.pdf	Concerns about threat of closure of Coffin Butte Road, which would be a blatant undue burden on public improvements and services available to the area.		Benton County denied application to expand landfill

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4a-55	10/31/21	Joseph Crockett 37609 Soap Crk Rd. Corvallis 97330	Inga Willams Benton County Planning Commission	letter/PDF	JosephCrockett-.pdf	Closure of Coffin Butte Rd eliminates the safest intersection, limit out of county waste		Benton County denied application to expand landfill
4a-56	10/31/21	Sharon King Lewisburg	Inga Williams BC Planning Commission	Email/PDF	SharonKing-.pdf	Quality of Life, Proprety Values, safe drinking water, noise dust pests, traffic congestion		Benton County denied application to expand landfill
4a-57	11/1/21	Robert & Christine Wheatcroft 7755 NE Logsdon Rd 97330	Inga Williams Benton County Planning Commission	Email/PDF	RobertChristine Wheatcroft-.pdf	Increased truck traffic on Hwy 99 & Independence Hwy,Landfill is not compatable with Adair Village & Calloway Creek growth,increased frequency of putrid odors (almost weekly) Stop the Stink! out of county trash, closure of Coffin Butte Rd, Profits for out of state company.		Benton County denied application to expand landfill
4a-58	11/1/21	Stewart Holmes 5888 SW Englewood Ave. 97333	Inga Williams Benton County Commissioners	Email/PDF	StewartHolmes-.pdf	Landfill has grown in size and complexity, appears to be a model in the recovery of waste gas that generates electricity. Can out of county waste be excluded to extend landfill life?		Benton County denied application to expand landfill
4a-59	11/1/21	Vicki Idema 37358 Soap Creek Rd. 97330	Inga Williams Benton County Planning Commission	Letter/PDF	VickiIdema-.pdf	Surface, ground water/ well contamination by leachate, Safety concerns about closure of Coffin Butte Rd.	Note: date of complaint/concern is approximate	Benton County denied application to expand landfill
4a-60	11/1/21	Judy Sundquist 7928 Arboretum Rd Corvallis 97330	Benton County Planning Commission	letter/PDF	JudySundquist-.pdf	Out of county trash, optics (landfill is ugly) and odor		Benton County denied application to expand landfill

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4a-61	11/1/21	Allan Fudge & Betsy Rock 28971 Tampico Rd	Benton County Planning Commission	Letter/PDF	AllanFudgeand BetsyRock-.pdf	Closure of Coffin Butte Road, resulting in increased traffic heavy freight traffic on Tampico Rd.		Benton County denied application to expand landfill
4a-62	11/1/21	Audubon Society of Corvallis Jim Fairchild, Conservation Chair PO Box 148 Corvallis	Benton County Planning Commission	Letter/ PDF	AudubonSociety-.pdf	concerns about the landfill's ongoing significant impact on birds and wildlife; concerns about predation pressure by birds attracted to the landfill upon protected species; concerns for specially protected great blue heron rookeries; concerns with lack of proper wildlife and heron studies; concerns with lack of proper protocols in place for wildlife preservation around the landfill	Coffin Butte Landfill has significant impact on birds and other wildlife around N Benton County. It attracts large concentrations of crows, ravens, and gulls.Threatening federally listed streaked horned lark, Oregon vesper sparrow, Great Blue Heron rookery. Known heron rookeries are afforded specific protections under Oregon wildlife laws (OAR 629-665- 0120, 635-100-0140).	Benton County denied application to expand landfill
4a-63	11/1/21	Joel Geier 38566 Hwy 99W Corvallis 97330	Benton County Planning Commission	letter/PDF	JoelGeire1-.pdf	Impact to Blue Heron rookeries heavy equipment noise, bright lights, predator birds attracted by landfill refuse		Benton County denied application to expand landfill

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4a-64	11/1/21	League of Women Voters PO Box 1679 Corvallis	Benton County Planning Commission	Letter/PDF	LeagueOfWomen Voters-.pdf	concern about lack of local control over waste inflow and landfill lifespan; questions about cost-benefit to the County of increased landfill operation; concerns about adequate waste reduction efforts; concerns about lack of planning for future closing of the landfill; concern about emergency safety for area residents; concern about air pollution from additional vehicle miles; concerns about increasing leachate burdens; concerns about leachate leakage into groundwater and surface water, contaminating nearby wetlands and streams		Benton County denied application to expand landfill
4a-65	11/1/21	Pam & Randy Comeleo 1475 NW Skipanon Dr. 97330	Benton County Planning Commission	Letter/PDF	PamRandyComeleo-.pdf	Coffin Butte Rd. is the shortest most direct, unforested escape route for valley residents.Burying the most viable emergency egress makes no sense as wildfire risk is increasing		Benton County denied application to expand landfill

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4a-66	11/1/21	Amy Munger	Inga Williams, Greg Verret Benton County Planning Commission	Email/PDF	AmyMunger-.pdf	Out of county waste, closure of Coffin Butte Rd. to public. "This proposal makes our county uglier, more polluted and increases traffic, there simply are not benefits to justify this choice that would only address the waste issue for such a short period of time"		Benton County denied application to expand landfill
4a-67	11/1/21	Berthe & Tom Palmrose	Inga Williams, Greg Verret Benton County Planning Commission	Email/PDF	BertheTomPalmrose-.pdf	Out of county waste, putting profit over people & environment, time to aggressively reduce overconsumption of plastics and other waste.		Benton County denied application to expand landfill
4a-68	11/1/21	Brandon Trelstad	Inga Williams, Greg Verret Benton County Planning Commission	Email/PDF	BrandonTrelstad-.pdf	Wildlife impacts, water contamination, landslide risk, lack of any community outreach by the landfill owner; lack of community support; scar on our natural systems; public impacts to enhance private profitability; violating core community values (2040 Thriving Communities Initiative); impacts to health and vulnerable populations	"It's hard to believe in 2021 with our knowledge of human-caused global environmental devastation that we would not collectively try to find a solution to the antiquated practice of landfilling. As holders of the public trust, and protectors of the future, governments are the only entities with a continued, large-scale responsibility to protect the livability of our communities. The County is our social memory and must protect the vulnerable, not the profitability of private entities. "It's strange to talk about expanding a trash landfill in the year 2021. After so much great work the County did during the 2040 Thriving Communities Initiative, it would be a shame to not actualize the Core Values the County took such care to create."	Benton County denied application to expand landfill

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4a-69	11/1/21	Brian Morey	Inga Williams Benton County Planning Commission	Email/PDF	BrianMorey.pdf	comment lost	PDF of testimony incorrectly made or copied	Benton County denied application to expand landfill
4a-70	11/1/21	Carol Alex Fischler	Inga Williams Benton County Planning Commission	Email/PDF	CarolalexFischler-.pdf	Disagreeable burning odor, the sight and smell of an immense garbage dump is an emabassment, negative impact on property values, increased traffic/ accidents, closure of CB Road /safety, pollution		Benton County denied application to expand landfill
4a-71	11/1/21	Cliff Hall	Inga Williams, Board of Commissioners	Email/PDF	CliffordHall-.pdf	concerns about whether appropriate agencies and environmental organizations have studied landfill growth; concerns about lack of public opportunity to express views; concerns that county is being inadequately compensated; concerns that landfill is located close to homes, wells, and farmlands; concern that level of protection required for landfilling is too low; concern that landfill places financial gains over health and wellbeing of citizens	past Board Chair of the Benton Soil and Water Conservation District	Benton County denied application to expand landfill
4a-72	11/1/21	Dylan Sears	Inga Williams	Email/PDF	DylanSears-.pdf	exposure to odors and gases from land fill,ground water/well contamination,health problems, pests and pollution impacts to residents, health risk, eyesore, burden to residents		Benton County denied application to expand landfill

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4a-73	11/1/21	Janet Hagen Thyme Garden Herb Company, Certified Organic	Inga Williams, Benton County Commissioners	Email/PDF	JanetHagen-.pdf	Out of county trash		Benton County denied application to expand landfill
4a-74	11/1/21	Susan McLaren	Inga Williams BC Planning Commission	Email/PDF	SusanMcLaren-.pdf	Out of area trash, Closure of Coffin Butte Rd.Traffic, roadside garbage		Benton County denied application to expand landfill
4a-75	11/1/21	Taira Nittka	Inga Williams BC Planning Commission	Email/PDF	TairaNittka	Roadside trash polluting landscape, creating hazards to amimals, farm equipmentand motorists.Starling/Gull magnet they spread bacteria & pathogens. Closure of Coffin Butte Rd.		Benton County denied application to expand landfill
4a-76	11/2/21	Sarah Edwardsson 28840 Daystar Rd. 97330	Benton County Planning Commission	Letter/PDF	SarahEdwadsson-.pdf	Safety: closure of Coffin butte Rd. would increase traffic in surrounding areas	More concern about the CUP "process", lack of timely citizen notification/ involvement etc.	Benton County denied application to expand landfill
4a-77	11/2/21	Stacey Goldstein & Priya Thakker 38987 Arena Rd. 97330	Benton County Planning Commission	Letter/PDF	StacyGoldstein PriyaThakker-.pdf	Impacts to wildlife / habitat Great Blue Heron and Bald Eagle, Cultural/Archeological impacts, Safety: closure of Coffin Butte Rd. increased traffic in surrounding areas, evacuation rte,fire, life & safety concerns	More about the "process"	Benton County denied application to expand landfill
4a-78	11/2/21	Stephen Fitzgerald OSU Forestry Dept. 8692 Arboretum Rd 97330	Inga Williams Benton County Planning Commission	Email/PDF	StephenFitzgerald-.pdf	Closure of Coffin butte Rd. Ag and forestry operations impacted		Benton County denied application to expand landfill

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4a-79	11/2/21	Todd Rowland Vicki Druliner 27673 Writsman Crk Dr. 97330	Inga Williams Benton County Planning Commission	Email/PDF	ToddRowland VickiDruliner-.pdf	Safety: Closure of Coffin Butte Rd. impacts to RR,EFU,FC lands, Wildlife habitat, hiking trails and viewsheds,out of county trash		Benton County denied application to expand landfill
4a-80	11/2/21	Warren Johnson 600 NE Grand Ave Portland 97232 Metro Waste Prevention Environmental Services	Inga Williams Benton County Planning Commission	Email/PDF	WarrenJohnson1-.pdf	Metro's Landfill capacity policy prohibits disposal of waste generated in the Metro region at a "new or limited capacity landfill". Metro code defines a "limited Capacity landfill" as a landfill that seeks a site development plan amendment to expand. This means if Coffin Butte seeks an expansion, Metro will prohibit dumping there.	Warren asked to meet with BC rep.	Benton County denied application to expand landfill
4a-81	11/2/21	Warren Johnson 600 NE Grand Ave Portland 97232 Metro Waste Prevention Environmental Services	Inga Williams Benton County Planning Commission	Letter/PDF	WarrenJohnson2-.pdf	Metro's supporting documents	Amended?	Benton County denied application to expand landfill
4a-82	11/2/21	Brett Reistad Writsman Creek Dr	Inga Williams for Benton County Planning Commission	email/PDF	BrettReistad-.pdf	Closure of Coffin Butte Rd an Evacuation Route, Access/ Egress for Emergency Services, Safety, Routing freight traffic to Tampico Neighborhood		Benton County denied application to expand landfill

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4a-83	11/2/21	1000 Friends of Oregon Dan Lawler	Inga Williams for Benton County Planning Commission	letter, email/PDF	DanLawler-.pdf	concerns about intensifying landfill impacts to the community, eliminating a valuable transportation route, using forest conservation land for industrial uses; concerns about noise, odor, vibration, impacts to rural residential and forest conservation land; concerns about impacts to the rural and scenic character of the area; concerns that the landfill interferes with the Transportation System Plan and burdens private and commercial traffic	"1000 Friends of Oregon is a nonprofit membership organization that works with Oregonians to support livable urban and rural communities; protect family farms, forests and natural areas; and provide transportation and housing choices. We have members in all parts of Oregon, including Benton County."	Benton County denied application to expand landfill
4a-84	11/2/21	Elizabeth & Dave Patte 37655 Zeolite Hills Rd. Corvallis 97330	Inga Williams for Benton County Planning Commission	email/PDF	DavidElizabethPatte-.pdf	Intense odor, roadside/ field trash,wildlife impacts,road closure:safety/ evacuation route	"Welcome to Benton County" optics	Benton County denied application to expand landfill
4a-85	11/2/21	Debra Higbee-Sudyka	Benton County Planning Commission	letter/pdf	DebraHigbee-Sudyka-.pdf	impact of landfill on climate change and environment (negative effect on air, land and water); concerns about a rapidly expanding landfill and its negative effect on recycling, reuse, and other trash reduction efforts	"I appreciate having the opportunity to comment on this important issue. For the following reasons: 1) Urgency of Climate Change; 2) Urgent need of source reduction, recycling, reuse, and resource recovery; and, 3) Non-urgency of the Timeline & Environmental Impact, please reject the expansion"	Benton County denied application to expand landfill

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4a-86	11/2/21	Dylan Sears	Inga Williams, for Planning Commission	email	DylanSears-.pdf	Impact of odors and gases on their young children; concerned about groundwater contamination; health problems, pests and pollution impact on landfill neighbors; impact of close proximity to populated area		Benton County denied application to expand landfill
4a-87	11/2/21	Jeremy Howes 7244 SE Dot Corvallis 97330	Inga Willams Benton County Planning Commission	email/PDF	JeremyHowes-.pdf	Out of county trash, increase in noise, odor, heavy truck traffic		Benton County denied application to expand landfill
4a-88	11/2/21	Joel Geier 38566 Hwy 99W Corvallis 97330	Benton County Planning Commission	letter/PDF	JoelGeire2-.pdf	No reclamation plan		Benton County denied application to expand landfill
4a-89	11/2/21	Joel Geier 38566 Hwy 99W Corvallis 97330	Benton County Planning Commission	letter/PDF	JoelGeire3-.pdf	impact to arceological and botanical resources		Benton County denied application to expand landfill
4a-90	11/2/21	Josh & Stacie Dodson 29047 Harvey Lane Corvallis 97330	Inga Willams Benton County Planning Commission	email/PDF	JoshStacieDodson-.pdf	increased traffic/safety, roadside garbage, diesel fumes, noise pollution, impacts to wildlife, trash attracts invasive bird species that compete with natives, well water impacts, out of county trash		Benton County denied application to expand landfill
4a-91	11/2/21	Ken Edwardsson 28840 Daystar Rd. Corvallis 97330	Inga Willams Benton County Planning Commission	email/PDF		Noise: heavy equipment, back upbeepers, blasting at the quarry traffic impacts by closing Coffin Butte Rd redirecting to Tampico neighborhood, EMS response time		Benton County denied application to expand landfill

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4a-92	11/2/21	Kenneth Funk	Inga Williams Benton County Planning Commission	Letter/PDF	KennethFunk-.pdf Duplicate	Potential well contamination, diminished property values, increased traffic, noise, out of county waste		Benton County denied application to expand landfill
4a-93	11/2/21	Kurt Widstrand 29634 Cronn Dr. Corvallis 97333	Inga Williams Benton County Planning Commission	Email/PDF	KurtWidstrand-.pdf	Closure of Coffin Butte Rd, out of county waste, corporate $$'s influence on local government		Benton County denied application to expand landfill
4a-94	11/2/21	Mark Yeager 37269 Helm Dr. Corvallis 97330	Benton County Planning Commission	Letter/PDF	MarkYeager1-.pdf	What is the long term plan for leachate disposal, on average 17.5 million gallons a year, PFAS "forever chemicals" that breakdown slowly and can build up in people animals and environment		Benton County denied application to expand landfill
4a-95	11/2/21	Mark Yeager 37269 Helm Dr 97330	Benton County Planning Commission	Letter/PDF	MarkYeager2-.pdf	Closure of Coffin Butte Rd.imposes burden on transportation system and services in the surrounding area by increasing distance, travel time, increasing conflicts at driveways and intersections, interferes with RR and Ag lands through redistribution of vehicle traffic/truck trips to roads unsuitable for that use. Safety, EMS response time		Benton County denied application to expand landfill
4a-96	11/2/21	Mark Yeager 37269 Helm Dr 97330	Benton County Planning Commission	Letter/PDF	MarkYeager3a-.pdf	Coffin Butte Rd. Closure, details "process" for closing/ vacating and who has the authority		Benton County denied application to expand landfill

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4a-97	11/2/21	Mark Yeager 37269 Helm Dr 97330	Benton County Planning Commission	Letter/PDF	MarkYeager3b-.pdf	Benton County Transportation System Plan (effective March 21, 2019) Calls for widening Coffin Butte Road	Plan pages attached	Benton County denied application to expand landfill
4a-98	11/2/21	Rana Foster	Benton County Planning Commission	Letter/PDF	RanaFoster-.pdf	Long term impacts to wildlife,theatened or endangered species, Great Blue Heron Rookery, leachate comtamiation of RR well water (PFAS,& other toxins). Closure of Coffin Butte Rd impacts to health/safety, methane/ greenhouse gases, noise & light pollution, air land and water impacts.		Benton County denied application to expand landfill
4a-99	11/2/21	Rebecca Geier 38566 NW Hwy 99W 97330	Inga Williams Benton County Planning Commission	Email /PDF	RebeccaGeier-.pdf	Landfill expansion: increase in noise from landfill and truck traffic, roadside garbage, decrease in propety values, threat to Great Blue Heron		Benton County denied application to expand landfill
4a-100	11/2/21	Karen Lindsey 38974 Wiles Rd. 97330	Inga Williams Benton County Planning Commission	Email /PDF	RichardKaren Lindsey-.pdf	Closure of Coffin Butte Rd., increase traffic on surrounding roads, out of county waste		Benton County denied application to expand landfill
4a-101	11/2/21	Barb Fick 29894 Blaze Dr. 97330	Inga Williams Benton County Planning Commission	Email/PDF	BarbFick-.pdf	Noise, smell, etc. limits outdoor time, nusance birds and rodents.Hours of operation can be very disruptive. Coffin Butte road closure- safety, emergency access, would disrupt daily trips.		Benton County denied application to expand landfill

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4a-102	11/2/21	Carolyn Young	Inga Williams Benton County Planning Commission	Email/PDF	CarolynYoung-.pdf	Closure of CB Road, increased roadside trash, airborn debris causing unsafe driving conditions, air pollution / health hazard, water contamination, bad smell keeps me inside sometimes, damage to hwy 99 that is not being repaired		Benton County denied application to expand landfill
4a-103	11/2/21	Chris Gibson	Inga Williams, To Whom:	Email/PDF	ChrisGibson.pdf	Opposed to closure of Coffin Butte Road, Not opposed to expansion		Benton County denied application to expand landfill
4a-104	11/2/21	Edward Brook	Inga Williams	Email/PDF	EdwardBrook-.pdf	Landfill Methane/ global warming	OSU Climate Scientist /Atmospheric methane sources	Benton County denied application to expand landfill
4a-105	11/2/21	Josh Munger Benton County Resident	Inga Williams, Greg Verret, BC Planning Commission	Email/PDF	JoshMunger-.pdf	Don't expand over Coffin Butte Rd, redirect non-local waste, better recycling options, reduce waste		Benton County denied application to expand landfill
4a-106	11/2/21	Pam Wilson Soap Creek Valley Resident	Inga Williams,BC Commissioners, BC Planning Commissioners	Email/PDF	PamWilson-.pdf	Closure of Coffin Butte Rd.emergency ingress egress, safety	"My comments are not about the mess of trash along the road,or event the smell that permeates the valley from time to time,nor is it about the sight of the mountain of trash growing taller and taller."	Benton County denied application to expand landfill
4a-107	11/2/21	Scott Carson	Linda Ray, sent to Inga Williams	Email/PDF	ScottCarson-.pdf	Closure of Coffin Butte Rd. a safe public access		Benton County denied application to expand landfill

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4b-1	11/2/21	Nancy Whitcombe	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	loss of property values, unscreened visually, history of adjacent properties blighted, visual corridors blighted, escalation of all impacts with escalating intake		Benton County denied application to expand landfill
4b-2	11/2/21	Paul Nietfeld	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	loss of tax revenue, escalation of odor, noise, traffic and other impacts and risks of groundwater contamination with escalating intake		Benton County denied application to expand landfill
4b-3	11/2/21	Joel Geier	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	risk of groundwater contamination, especially arsenic; traffic and public safety; threats to wildlife; damage to character of the area		Benton County denied application to expand landfill
4b-4	11/2/21	Cat Newsheller	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	traffic, dump smells, safety concerns, loss of access		Benton County denied application to expand landfill
4b-5	11/2/21	Kevin Kenaga	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	loss of public asset (Coffin Butte Road), traffic concerns		Benton County denied application to expand landfill

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4b-6	11/2/21	Becky Merja	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	loss of farmland, loss of forest conservation land, impacts to area wildlife, impacts to scenic and historical resources and landscape, traffic and scenic access, smells and deteriorating air quality, risks to local groundwater and of larger watershed impacts, risk in event of earthquake, traffic safety concerns		Benton County denied application to expand landfill
4b-7	11/2/21	Rana Foster	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	geology and hydrology hazards		Benton County denied application to expand landfill
4b-8	11/2/21	Norm & Debbie Johnson	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	concerns about wildlife, archaeological and botanical impacts; visual deterioration of area character; deterioration of livability due to heavy truck traffic; risk to archaeological and greenscape resources		Benton County denied application to expand landfill
4b-9	11/2/21	Kenneth Funk	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	risk of groundwater and well contamination; property use and value reduction; loss of greenscape resources; traffic safety concerns; unjust damage to character of the area; many risks not known		Benton County denied application to expand landfill
4b-10	11/2/21	Dorothy & Russell Balisok	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	risks to safe traffic access in times of inclement weather		Benton County denied application to expand landfill

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4b-11	11/2/21	Tom Hewes	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	concerns about cancer cluster in the landfill area; concerns that landfill fumes contain environmental toxins; concerns about potential contamination of water supplies; concerns about losing scenic character of the area		Benton County denied application to expand landfill
4b-12	11/2/21	Brady and Kendra Callahan	Benton County Planning Commission	live testimony	_LU-047-Nov2-2021.mp4 video/audio, meeting minutes	concerns about noise, odor, groundwater contamination, impacts to wildlife in E.E. Wilson; concerns about traffic safety and evacuation access during fire or other disaster		Benton County denied application to expand landfill

Community Concerns Annual Report 2021: Set 5a, Written Testimonies from Nov 3 through Nov 16

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
5a-1	11/5/21	Mary Flahive	Benton County Community Development Department	email	MaryFlahive-NoAddress-.pdf	landfill filling up		Benton County denied application to expand landfill
5a-2	11/7/21	Patty Nosack	Benton County Community Development Department	email	PattyNosack-NoAddress-.pdf	odor, importing waste, blocking route		Benton County denied application to expand landfill

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5a-3	11/9/21	Mary Devine	Benton County Community Development Department	email	MaryDevine-.pdf	lack of consideration for public, money grabbing, importing trash		Benton County denied application to expand landfill
5a-4	11/9/21	Mark Yeager	Benton County Planning Commission	letter	MarkYeager-.PDF	traffic blockage, emergency evacuation	Note: date on this complaint/concern is approximate	Benton County denied application to expand landfill
5a-5	11/9/21	Mark Yeager	Benton County Planning Commission	letter	MarkYeager2-.PDF	poor application	Note: date on this complaint/concern is approximate	Benton County denied application to expand landfill
5a-6	11/10/21	Aaron Harris Chief ARF&R	Inga Williams, BC Community Development Depart.	Letter/PDF	AAronHarris1-AdairFireChief-.pdf	Closure of Coffin Butte Rd./Public Safety	Includes conditions to address inadequacies of N. route if Coffin Butte closes	Benton County denied application to expand landfill
5a-7	11/10/21	Aaron Harris	Benton County Planning Commission	letter	AaronHarris2-AdairFireChief-.pdf	public safety, Wildfire evacuation	"The proposed landfill cell haul road will provide little to no value as an emergency escape routeduring a wildfire situation. Due to the fact the gate will be locked, has increased slopes,unknown road surface type, and travels alongside a portion of forest, ARF&R sees this route as potentially dangerous during evacuations, due to wildfire"	Benton County denied application to expand landfill
5a-8	11/10/21	B. Starr McMullen	Benton County Community Development Department	letter	BStarrMcMullen-.pdf	water contamination, odor, noise	Note: date on this complaint/concern is approximate	Benton County denied application to expand landfill
5a-9	11/10/21	Cat Newsheller	Benton County Planning Commission	letter	CatNewsheller-.pdf	emergency evacuation, public safety, taxpayers and public road	"The taxpayers of Benton County pay for that road and it does not belong to Republic. It is an important road for emergency evacuations. We experienced the problems with lack of egress this past winter with Tampico Road being littered with downed power lines, as was Soap Creek Road over the Lewisburg Saddle." Note: date on this complaint/concern is approximate	Benton County denied application to expand landfill

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5a-10	11/10/21	Cheryl and Samuel Phillips	Benton County Planning Commission	letter	CherylPhillips-.pdf	concerns about access/ egress in inclement weather or for emergency evacuation; loss of any evacuation route is a burden; impact on agriculture and agricultural character of the area; concerns about well and groundwater contamination, dust/ light pollution, loss of buffer between property and landfill operations; concern that the landfill will expand beyond its currently permitted area		Benton County denied application to expand landfill
5a-11	11/12/21	Electrify Corvallis via Court Smith	Benton County Planning Commission and Community Development Department	letter	CourtSmith.pdf	methane control	"The expansion plan review should include current methane emissions and mitigation measures for the methane that is and will be produced with the Coffin Butte expansion. Methane will be a continuing condition even after the landfill ends its useful life."	Benton County denied application to expand landfill
5a-12	11/12/21	Paul Nietfield	Benton County Counsel	email	PaulNeitfield-VanceCroney-.pdf	budget discrepancy		Benton County denied application to expand landfill
5a-13	11/13/21	Sarah Goode 7652 12 Mill Rd. Shepard MT	Benton County	Letter/PDF	SarahGoode-.pdf	Water & land health issues, Well & surface water contamination, Impacts to Bit by Bit non profit clients, staff, animals & volunteers	Note: date of complaint/concern is approximate	Benton County denied application to expand landfill
5a-14	11/13/21	Debra Terry	Benton County Community Development Department	email	DebraTerry-.pdf	water contamination, accepting outside waste		Benton County denied application to expand landfill

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5a-15	11/14/21	Debbie Palmer	Benton County Community Development Department	email	DebbiePalmer-.pdf	interference with private property, environmental concern for future generations, accepting outside waste	“In summary, this application is full of holes and demonstrates an uncomfortable (as viewed from the public perspective) chumminess between the applicant and the County; there is obfuscation instead of transparency; business as usual. Where is any demonstration of consideration for the future, for future generations?”	Benton County denied application to expand landfill
5a-16	11/14/21	Patti Haggerty	Benton County Community Development Department	email	PattiHaggerty-.pdf	importing waste, traffic, emergency evacuation, groundwater contamination		Benton County denied application to expand landfill
5a-17	11/14/21	Vicki Idema	Benton County Planning Commission	letter	VickiIdema-.pdf	cancer from pollutants	Note: date on this complaint/concern is approximate	Benton County denied application to expand landfill
5a-18	11/15/21	Joel Geier	Benton County Planning Commission	letter	JoelGeier-.pdf	impact on blue heron conservation		Benton County denied application to expand landfill
5a-19	11/15/21	Ken Funk	Benton County Community Development Department	testimony	KenFunk-.pdf	human error in system design	the inevitability of human error at the Coffin Butte Landfill increases the probability of adverse events whose impacts would place undue burden on county services, seriously interfere with the use of nearby properties, and adversely and permanently affect the character of the surrounding area	Benton County denied application to expand landfill
5a-20	11/15/21	Tom Hewes	Benton County	letter	ThomasHewes-.pdf	cancer from pollutants	Note: date on this complaint/concern is approximate	Benton County denied application to expand landfill
5a-21	11/16/21	Paul Nietfeld	BC Planning Commissioners	Memorandum/ PDF	PaulNietfeld-.pdf	Landfill Life, Landfill Revenue, Erroneous SWAC recommendations, Questions for Republic Services & BC Staff. Background information		Benton County denied application to expand landfill

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5a-22	11/16/21	Robert Larkin 29124 Tampico Rd. 97330	BC Planning Commissioners	Email/PDF	RobertLarkin-.pdf	Closure of Coffin Butte Rd./Public Safety, health and welfare		Benton County denied application to expand landfill
5a-23	11/16/21	Jeffrey Kleinman	Benton County Planning Commission	testimony	JeffreyKleinman-.pdf	impact on agriculture/ forests, emergency evacuation		Benton County denied application to expand landfill
5a-24	11/16/21	Ken Eklund	Benton County Planning Commission	story	KenEklund-.pdf	corporate greed, climate change, methane, groundwater contamination		Benton County denied application to expand landfill
5a-25	11/16/21	Kevin Kanaga	Benton County Community Development Department	email	KevinKenaga-.pdf	impact to logging transportation		Benton County denied application to expand landfill
5a-26	11/16/21	Marcie Kay	Benton County Community Development Department	email	MarcieKay-.pdf	odor, landscape		Benton County denied application to expand landfill
5a-27	11/16/21	Nancy Whitcombe	Benton County Planning Commission	letter	NJWhitcombe1-.pdf	reduced life of landfill, financial risk, land use impact, agriculture impact, traffic, property value		Benton County denied application to expand landfill
5a-28	11/16/21	Kevin Kanaga	Benton County Community Development Department	email	KevinKenaga2-.pdf	more impact to transportation		Benton County denied application to expand landfill

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5b-1	11/16/21	Jeff Morrel	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns about air quality, noise, extended hours; unsafe changes to traffic patterns; lower land values and neighborhood quality of life		Benton County denied application to expand landfill
5b-2	11/16/21	Marge Popp	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	accepting waste from elsewhere in the region undercuts local incentives to conserve and recycle; erosion of trust in landfill owner raises questions of true risks of groundwater contamination, local quality of life, traffic safety, and wildlife; private corp owning the landfill prioritizes its profit over local impacts and concerns		Benton County denied application to expand landfill
5b-3	11/16/21	Grant Carlin	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	noise concerns; past non-action on noise complaints; groundwater concerns and concerns about timely compliance; impacts to historic sites; landfill owner's history of paying fines rather than clean operations; impacts on the character of the area		Benton County denied application to expand landfill

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5b-4	11/16/21	Mardi Bilsland	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns about methane emissions and other pollutants to air quality; climate damage; health risks of air pollution; increased risk from natural hazards due to road closure; non-objective studies; increased dangers to clean water and quality of life in Soap Creek Valley		Benton County denied application to expand landfill
5b-5	11/16/21	Jeff Kleinman	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	closure of traffic access and freight access; loss of emergency access; detriments to public safety		Benton County denied application to expand landfill
5b-6	11/16/21	Mark Yeager	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	road closure impacts on safety, health, environment; increased greenhouse gas and particulate emissions; rerouting and extending more than 70,000 vehicle trips annually adding over 200,000 miles annually; increases in leachate, which contain PFAS and heavy metals; concerns about future disposal of leachate; other hazard due to legacy environmental liabilities		Benton County denied application to expand landfill
5b-7	11/16/21	Joseph Crockett	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns with traffic impacts; concerns with landfill profit taking priority over public safety; groundwater contamination concerns		Benton County denied application to expand landfill

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5b-8	11/16/21	Ken Eklund	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns about methane leakage as local pollutant and as greenhouse gas; concerns about changing local natural systems and degrading character of the area through climate impacts		Benton County denied application to expand landfill
5b-9	11/16/21	Jim Fairchild	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns that private quarry extraction use in the designated landfill zone is precluding that zone's approved public intended use (landfilling), leading to impacts to air quality, groundwater risks, and other local resources		Benton County denied application to expand landfill
5b-10	11/16/21	Catherine Stearns	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns about impacts to area rural character, to highway greenway; complaint about roadside trash		Benton County denied application to expand landfill
5b-11	11/16/21	Tyrone Belgarde	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns that landfilling will preclude full extraction of the rock resources of the quarry		Benton County denied application to expand landfill

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5b-12	11/16/21	Priya Thakkar	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns about transportation safety, especially in winter; loss of emergency egress; concerns about impacts to wildlife (herons, elk, wild birds); concerns about impacts to local species by invasive species attracted by the landfill; concerns about odor and groundwater pollution; questions about regulations on the landfill not being enforced; concerns that fines do not deter the landfill from causing impacts; risks to character, livability and safety of the area; frequent strong odor with health and livability concerns; concerns that these impacts make it hard to attract workers to her business		Benton County denied application to expand landfill
5b-13	11/16/21	Doug Pollock	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns that traffic impacts will worsen cyclist and hiker safety, on Tampico Road and at the Tampico Road and Coffin Butte Road intersections with 99W		Benton County denied application to expand landfill

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5b-14	11/16/21	Adam Hyla Holdorf	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns about unprecedented transformation of a rural-natural local environment; impacts to local woodworking business and educational space; noise and other impacts from rerouted truck traffic; concern that failure elsewhere in the region to site landfills is influencing Benton County decisions about the landfill; concerns about traffic impacts on cyclist safety; concerns about both the increasing intensity and frequency of landfill odor events		Benton County denied application to expand landfill
5b-15	11/16/21	Debra Higbee-Sudyka	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	Urgent concern about climate change impacts, such as the summer's statewide heat dome and its fatalities; concern that ease of landfilling leads to larger carbon footprint and undercuts resource recovery efforts		Benton County denied application to expand landfill

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5b-16	11/16/21	Mike Houglum	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	Concerns about impacts to the scenic area; impacts on safety and traffic, especially during winter; increasing concerns about landfill odor, even at 3 miles distance away; concerns that the landfill's increasing size is changing local weather patterns; health concerns (including cancer) due to hydrogen sulfide and other air pollutants; questions about what pollutants are in landfill gas		Benton County denied application to expand landfill
5b-17	11/16/21	Lyla Houglum	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns about dust, light, noise, odor, and traffic impacts and safety, as well as human health; concerns about hazards of truck traffic on Tampico Road and alternate routes		Benton County denied application to expand landfill

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5b-18	11/16/21	Carrie Norris	Planning Commission	live testimony	_LU-047-Nov16-2021.mp4 video/audio, minutes	concerns about safety on Tampico Road, including impacts to wildlife and especially to cyclists, pedestrians, those using mailboxes, school bus stops and other local human activities; concerns about increasing impact and number of “dump days” with landfill odor; concerns about negative impact to character of the area; concerns about emergency egress; concerns about groundwater contamination, leachate, deleterious effects on area wildlife, archaeological resources		Benton County denied application to expand landfill

Community Concerns Annual Report 2021: Set 6a, Written, Live (and Other) Testimonies from Nov 17 through Dec 31

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
6a-1	11/28/21	Ken Eklund	Inga Williams	testimony, appendix to testimony	LU-21-047-CoffinButte-KEklund-methane.pdf, LU-21-047-KEklund-appx.pdf	methane, climate crisis		Benton County denied application to expand landfill

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
6a-2	11/29/21	Grant Carlin, Ken Eklund, Joel Geier, Rebecca Sherman Geier, Paul Nietfeld, Nancy Whitcombe, Mark Yeager, Lowell Bradley, Erin Bradley; attachments by Aaron Harris, Cheryl and Samuel Phillips, GHGdata website	Inga Williams, Greg Verret, Ken Kenaston, Planning Commission, Planning Staff	emailed letter with attachments	11292021 Consolidated Landfill Comments. pdf	emergency access/ egress; mileage burden and land use access burdens of closing Coffin Butte Road; permanent loss of forestland; lack of appropriate visual buffers; burden on neighboring agriculture and livability; traffic impacts on neighboring agriculture and livability; roadbuilding impacts on rural residential land; disruption of great heron rookeries; flawed studies of biological impacts; disruption of wildlife corridors and increase in wildlife-livestock conflicts; impact upon streaked horned lark, vesper sparrow and other threatened or endangered species; impacts on other wildlife and wildlife habitat; adverse impacts to air and water quality; concerns about unknown levels of landfill gas emissions; concerns about greenhouse gas emissions; concerns about adverse health effects of landfill gas, including miscarriages, neurological effects, cancer clusters, and asthma and other respiratory problems; concerns about treatment of increasing levels of leachate;	letter not included in county archive; also, resubmittal of 5a-10	Benton County denied application to expand landfill

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
6a-3	12/1/21	Nancy Whitcombe	Solid Waste Advisory Council, Benton County Staff	live testimony	120121_SWAC_196696514887311 8468.mp4, minutes	property values; health concerns (asthma); wildlife concerns; shortening landfill life; loss of county road; concerns about methane and leachate production; concern that the landfill will expand beyond its currently permitted area, and increase its inflow and wasteshed		Benton County denied application to expand landfill
6a-4	12/2/21	Joel Geier	Solid Waste Advisory Council, Benton County Staff	live testimony	120121_SWAC_196696514887311 8468.mp4, minutes	concerns about lack of independent information about the landfill (source other than the landfill owner); concerns about local loss of control over garbage intake rate		Benton County denied application to expand landfill
6a-5	12/3/21	Rana Foster	Solid Waste Advisory Council, Benton County Staff	written testimony, live testimony	120121_SWAC_196696514887311 8468.mp4, minutes	not provided	Rana wrote an email with landfill questions to SWAC member Linda Brewer, who responded; that email thread not included in county archive	unknown
6a-6	12/4/21	Ken Eklund	Solid Waste Advisory Council, Benton County Staff	live testimony	120121_SWAC_196696514887311 8468.mp4, minutes	concerns about greenhouse gas emissions at the landfill; concerns about leachate production; concerns those emissions will increase with a landfill expansion		Benton County denied application to expand landfill
6a-7	12/5/21	Kevin Kenaga	Solid Waste Advisory Council, Benton County Staff	live testimony	120121_SWAC_196696514887311 8468.mp4, minutes	concerns about the many impacts of closing Coffin Butte Road		Benton County denied application to expand landfill

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
6a-8	12/7/21	Priya Thakkar	Solid Waste Advisory Council, Benton County Staff	live testimony	120121_SWAC_1 96696514887311 8468.mp4, minutes	concerns with landfill odors and the health issues it causes for the 800 or 900 homes in the odor area; concerns that the County relies on information provided by the landfill owner rather than by independent or third parties		Benton County denied application to expand landfill
6a-9	12/8/21	Greg Storms	Solid Waste Advisory Council, Benton County Staff	live testimony	120121_SWAC_1 96696514887311 8468.mp4, minutes	concerns about where the next landfill will be sited when Coffin Butte Landfill is full		Benton County denied application to expand landfill
6a-10	12/4/21	Nancy Hyde	Benton County Board of Commissioners	letter	NancyHyde2-.pdf	increased dangers to clean water and quality of life in Soap Creek Valley; damage to character of the area; concern that the landfill will expand beyond its currently permitted area and take over more private properties	letter not included in county archive; resubmittal of 4a-19	Benton County denied application to expand landfill
	Other Testimonies							
6a-11	11/21	not recorded	Coffin Butte Landfill	not recorded	Landfill Annual Report/ ODEQ	odor	exact day not recorded	Landfill responded, documented, and reported
6a-12	12/21	not recorded	Coffin Butte Landfill	not recorded	Landfill Annual Report/ ODEQ	odor	exact day not recorded	Landfill responded, documented, and reported
6a-13	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-14	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-15	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-16	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-17	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none

Index Number	Date of Complaint /Concern	Community Member Name(s)	Who was the Complaint / Concern expressed to? (Benton County group, Republic Services, etc.)	How was the Complaint / Concern expressed? (call, email, testimony, etc.)	Source/Record of Complaint / Concern	Character of Complaint / Concern	Notes	Response
6a-18	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-19	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-20	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-21	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-22	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-23	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-24	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-25	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-26	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-27	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none
6a-28	11/21 or 12/21	not provided	Benton County	not provided	ODEQ	not provided	exact day not provided	none

– end –

#EPAInfoRequest

From: Conley, Sara (she/her/hers)
Sent: Wednesday, January 15, 2025 2:38 PM
To: Macnab, Ian
Cc: Jones-Cobb, Brandon
Subject: INFORMATION REQUEST Regarding Coffin Butte Landfill, Corvallis, Oregon

Dear Mr. 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.

Please confirm receipt of this email. Thank you for your cooperation. If you have any questions regarding this Information Request or wish to request an extension, please contact me, 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.

Thank you,

Sara Conley
(she/her)

Air Enforcement Officer
Air and Toxics Enforcement Section
Enforcement and Compliance Assurance Division
U.S. EPA Region 10
Conley.Sara@epa.gov
206-553-6914

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/Variances/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:
    a. Design Plans in effect at the Landfill since January 1, 2022.
    b. 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).
    c. Identification of, and an explanation for, areas excluded from gas collection;
    d. A description of the design of the main gas header, including:
        i. Maximum rated flow rate capacity;
        ii. Maximum operating flow rate; and
        iii. Maximum allowable pressure drop.
    e. 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):
        i. The manufacturers' expected/design life (years);
        ii. Minimum and maximum design flare temperatures (^{o}F);
        iii. The rated maximum flow rate capacity of the flare (standard cubic feet per minute, scfm); and
        iv. The blower(s) and backup blower(s) rated maximum flow rate at inlet vacuum.
    f. Most recent maximum expected gas flow rate calculations, if different from the Design Plan.
        i. Include the annual or monthly waste breakdown for every year used in the maximum expected gas flow rate calculations.
        ii. If LandGEM is used, provide a spreadsheet containing the most recent LandGEM calculation.
        iii. If LandGEM is not used, provide documentation of the method used to calculate the maximum expected gas flow rate.
        iv. 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).

<u>Gas Collection System:</u>

10. Provide the following information for the gas collection system:
    a. List of existing and historical Gas Collectors/wellheads and leachate collectors, which are or were connected to the gas collection and control system;
    b. 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 r 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 (CO_2);
        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, ^{o}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:
    a. Methane concentration;
    b. Sulfur compounds; and
    c. Hazardous air pollutant (HAP) content.

<u>Gas Control System:</u>

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:
    a. Temperature readings;
    b. Gas flow readings;
    c. Methane percentages at each flare;
    d. Operating hours on a monthly basis for each flare;
    e. Records of bypass incidents at each flare; and
    f. Monthly SO_2 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:
    a. Date(s) and description(s) of the monitoring activity, including identification of the device used;
    b. 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

Approved OMB 2020-0003
Approval expires 09/30/2027

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.

2022 Coffin Butte Landfill Community Member Concerns Annual Report

Prepared By: Bailey Payne

Preparation Date: November 26, 2024

The duties of Benton County's Disposal Site Advisory Committee (DSAC) are outlined in Oregon state law—specifically in ORS 459.325, which includes the requirement that "the committee shall prepare an annual written report summarizing the local citizens' concerns and the manner in which the owner or operator is addressing those concerns" which will be considered by the Department of Environmental Quality as part of issuing and renewing a solid waste permit.

Benton County staff and the DSAC have prepared this staff report summarizing community member concerns regarding Coffin Butte Landfill in 2022, which may be used by DSAC to meet the requirements of ORS 459.325. Concerns listed in this report have been compiled using information from the 2022 Coffin Butte Landfill & Pacific Region Compost Annual Report, complaints received by Benton County staff, complaints received by the Oregon Department of Environmental Quality and concerns presented during Benton County Disposal Site Advisory Committee and Solid Waste Advisory Council meetings.

One hundred ninety-one complaints about the Coffin Butte Landfill were reported in 2022 as detailed in Table 1. Some complaints included numerous topics while others focused on a single concern. The complaints were organized into themes as illustrated in the following chart. The Oregon DEQ notified Republic Services of 20 complaints which have been integrated into Table 1 below.

Chart 1: 2022 Community Feedback Topics

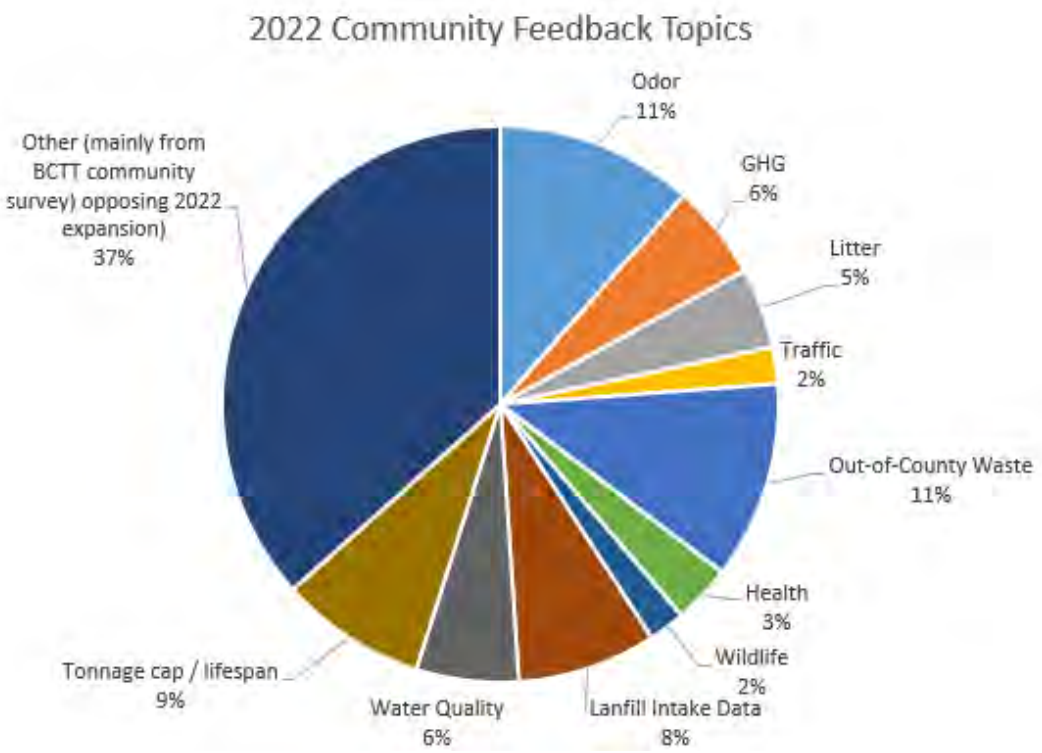


Table 1: Coffin Butte Landfill Community Concern Log 2022					
#	*Date*	*Concern Summary*	*Received By*	*Compliant / Concern Communication Method*	*Manner in which the landfill is addressing those concerns*
1	*1/24/2022*	*The toxic odor coming from the Coffin Butte Landfill managed by Republic Services is overwhelming on my property today. It causes stomach upset and lightheadedness if outside for more than a few minutes.*	*DEQ*	*Reported on DEQ's online complaint form*	*enhanced inspection planned*
2	*1/24/2022*	*Odors and gasses move into our region regularly..*	*DEQ*	*Reported on DEQ's online complaint form*	*1/25 (SG) - this is a permitted facility rerouting complaint.enhanced inspection planned*
3	*1/25/2022*	*Went outside to work in the garden around noon - odor was so disgusting that I came inside as soon as my work was done. This was especially annoying as I had much to do outside and it was a beautiful day.*	*DEQ*	*Reported on DEQ's online complaint form*	*1/27 (SGallino) - received this complaint from Wilson Wade. Reassigned to Karen White-Fallon.enhanced inspection planned*
4	*1/25/2022*	*Late morning worked outside under terrible odors and air quality that seemed unhealthy. After lunch could no longer put off walking the dogs and walked in the awful stench. I ran into a neighbor also out walking who wondered if we were doing more harm than good to our health breathing what seems like toxic air.*	*DEQ*	*Reported on DEQ's online complaint form*	*1/27 (SGallino) - received this complaint from Wilson Wade. Reassigned to Karen White-Fallon.enhanced inspection planned*
5	*1/25/2022*	*Several times each week our family drives hwy 99 Independence Hwy and hwy 20 from our Soap Creek Valley home in Benton Co. These roadways' ditches are filled with trash and fields along these routes have plastic and other garbage that has blown into them. These are routes to the Coffin Butte Landfill. The trash is never-ending and is an environmental hazard to wildlife and waterways. It is embarrassing that this continues to happen here; who is responsible for dealing with this?*	*DEQ*	*Reported on DEQ's online complaint form*	*enhanced inspection planned.*
6	*1/26/2022*	*Concerns about landfill tonnage cap, lifespan, and revenue*	*DSAC Meeting*	*Meeting, and written comment*	*Unknown*

7	*1/26/2022*	*Greenhouse gasses* *Debris escaping trucks and littering the roadway*	*DSAC Meeting*	*Meeting*	*Unknown*
8	*1/26/2022*	*Landfill accepting out-of-county waste*	*SWAC Meeting*	*Meeting*	*Benton County has no authority to limit out-of-county waste per a Supreme Court decision.*
9	*1/26/2022*	*Air quality impacts from landfill cover*	*SWAC Meeting*	*Meeting*	*Unknown*
10	*1/26/2022*	*Unknown volume/types of hazardous materials accepted at the landfill;*	*SWAC Meeting*	*Meeting*	*Unknown*
11	*1/28/2022*	*Landfill fumes once again effecting air quality. It is happening way more frequently to 2-3 a week. It's disgusting and impacts daily quality of life at home and inside the home*	*DEQ*	*Reported on DEQ's online complaint form*	*enhanced inspection planned*
12	*1/31/2022*	*Garbage trucks releasing roadside Litter and debris - Hwy 99;* *Acceptance of out-of-county waste;* *Traffic near landfill;* *Odors from landfill and PRC;*	*Benton County*	*Phone*	*Benton County provided odor complaint resources*
13	*1/31/2022*	*Commerial trucks losing material on the way to the landfill creating truck traffic* *Odors from landfill and PRC*	*North Albany*	*Email*	*Benton County provided odor complaint resources. Resident was encouraged to provide public testimony.*
14	*2/8/2022*	*It appears that some vehicle approaching or departing the Coffin Butte landfill spilled a portion of an unsecured load leaving me to dodge broken chunks of plastic and a coil of metal scrap*	*DEQ*	*Reported on DEQ's online complaint form*	*This was a drive by complaint from someone who does not live near the landfill. Additionally based upon the information provided it would not be possible to determine if the trash observed was from a private vehicle or from the landfill trucks.*
15	*2/8/2022*	*Same old problem as fog or low clouds lift in mid-day it draws a hideous cloud of noxious odor to our house*	*DEQ*	*Reported on DEQ's online complaint form*	*enhanced inspection planned*

16	*2/15/2022*	*Drove into Corvallis today and looked at trash along the roadside of Hwy99 from the landfill at Coffin Butte Road all the way to (Hospital) Elks Drive. Looked at more trash on the way home. Appears to be more trash on the East side of Hwy99. Probably due to number of vehicles heading to the landfill. Welcome to Benton County!*	*DEQ*	*Reported on DEQ's online complaint form*	*Not reported*
17	*2/23/2022*	*Request for third-party audit of materials accepted at the landfill*	*SWAC Meeting*	*Meeting*	*Unknown*
18	*2/23/2022*	*Covanta plant ash used as ADC, health/safety, landfill gas monitoring*	*SWAC Meeting*	*Written comment*	*Republic Services provided a presentation about Covanta Ash at the 4/27/22 DSAC meeting.*
19	*3/23/2022*	*Concerns the landfill causes nearby residents cancer. (Written comment)*	*SWAC Meeting*	*Written comment*	*Unknown*
20	*4/27/2022*	*Concern about landfill methane emissions*	*DSAC Meeting*	*Written comment*	*Unknown*
21	*4/27/2022*	*Concern about landfill-related traffic*	*DSAC Meeting*	*Written comment*	*Unknown*
22	*5/25/2022*	*Concern landfill is approaching maximum annual tonnage allowed*	*SWAC Meeting*	*Written comment*	*Unknown*
23	*6/1/2022*	*Odor shows up typically on beautiful fair weather days like today. Often it starts in mid-morning when any light clouds or other moisture in the air begins to lift as the day warms. Then sticks around most of the day until nightfall.*	*DEQ*	*Reported on DEQ's online complaint form*	*Not reported*

24	*6/16/2022*	*on 6/14/2022 the property owner Zachary Zeek for 775 Gerth Ave NW was notified the results of a re-inspection of a recent cleanup by Bill Goff Construction. In May of 2022 The site had a preexisting LUST number 27-04-2434. Bill Goff Construction removed a previous decommissioned 240-gallon underground heating oil tank. Goff Construction then collected worst case assessment soil samples from beneath the tank measurements indicated 3450 ppm diesel was present. Goff Construction removed 4.63 tons of impacted soil which was transported to Coffin Butte Landfill for disposal.Goff Construction subsequently collected cleanup confirmation soil samples from the tank cleanup excavation. Four soil samples were collected at a depth of 90 to 92 inches on each of the sides of the excavation. The reported results of Bill Goff Construction soil samples were three not detected for diesel and one soil sample had 231 ppm diesel. The tank which was located on the south side of the house lay in a flowerbed between the concrete walkway and the house. The excavation surface exposure was only three feet wide between the sidewalk and the house. They reportedly dug out the tank and the contaminted soil with five gallon buckets by hand without shoring. The tank was approximately 3 ft in diameter and 4 feet long.Bill Goff Construction sent the owner a certification letter for the property transaction stating the property meet DEQ Soil Matrix Standards. And a bill for $8790 saying the project is complete. My InspectionThe subsurface soil boring was completed with AMS Power Probe and GeoProbe Dual tube 2.5 inch sampler. Soil core samples were collected in 5 feet increments. The total depth of the boring was 25 feet. Groundwater bearing zone at the property was at 23 feet.After a subsurface inspection on 6/14/22 soil samples revealed that the tank had leaked and contamination remained in the excavation on the south side after reported to all removed by Bill Goff Construction. Heavy contamination was visible at 5 feet and 7.5 ft (91 inches). Soil contamination appeared to have cleaned up 14 feet depth on the south side of the excavation. The groundwater sample appeared to be clean. This site appears to have larger footprint of heating oil contamination than reported by Bill Goff Construction. The question of this complaint comes my suspicions of Bill Goff's work it appears that every heating oil cleanup he submits in the last 6 years is a Soil Matrix Cleanup every one! In 2020 i re investigated a heating oil tank cleanup at 950 SW Levens in Dallas Oregon DEQ file 27-17-0915 which Erik Anderson of Anderson Geological. Our conclusion was that Bill Goff's Soil Matrix cleanup closure certification was grossly mistaken and inaccurate.Soil samples I obtained will be going to the laboratory today*	*DEQ*	*Reported on DEQ's online complaint form*	*Had multiple conversations with Bill Goff and Karl Van Zandt. Completing extra review of a number of projects. Bill Goff came back to site and corrected errors at this site.*

25	*7/1/2022*	*The usual stench from the landfill. Once again occurring at my location as the marine clouds lift and the day warms.*	*DEQ*	*Reported on DEQ's online complaint form*	*I contacted the facility and told them to add the complaint to their complaint log and to perform an odor investigation.*
26	*7/11/2022*	*Coffin Butte Landfill not accepting cash*	*Benton County*	*Phone*	*Benton County notified Republic Services, requested further investigation*
27	*7/11/2022*	*Coffin Butte Landfill not accepting cash, after passing of SB 1565*	*Benton County*	*Phone*	*Referred to Republic Services*
28	*7/26/2022*	*Odors from Coffin Butte Landfill. Quite noticeable in the morning while we had a high pressure system and no wind.*	*DEQ*	*Reported on DEQ's online complaint form*	*I contacted the facility and told them to add the complaint to their complaint log and to perform an odor investigation.*
29	*7/27/2022*	*Concern about details of collected and shared data associated with the landfill and PRC in annual reports: Accuracy of waste county-of-origin data, C&D data is not separately reported/recorded for all vehicle types at the landfill, too little detail for vehicle data, leachate hauling data, and gravel truck hauling data (written comment, also presented at 8/24/23 DSAC meeting).*	*DSAC Meeting*	*Meeting, and written comment*	*Unknown*
30	*7/27/2022*	*Concern about landfill impacts on nearby heron rookery.*	*DSAC Meeting*	*Meeting*	*Unknown*
31	*7/27/2022*	*Concern about landfill annual report data - tonnage accuracy.*	*DSAC Meeting*	*Meeting*	*Unknown*
32	*7/27/2022*	*Concern about high arsenic levels reported in monitoring wells in the landfill annual report.*	*DSAC Meeting*	*Meeting*	*Unknown*
33	*7/27/2022*	*Concern about landfill annual report data - PRC runoff not included.*	*DSAC Meeting*	*Meeting*	*Unknown*
34	*7/30/2022*	*Coffin Butte Landfill by Republic*	*DEQ*	*Reported on DEQ's online complaint form*	*I contacted the facility and told them to add the complaint to their complaint log and to do an odor investigation.I emailed the complainant and let*

					them know that I had contacted the facility regarding the complaint.
35	*8/15/2022*	*The Coffin Butte dump smell is noticeable on occasion. Today it is really bad. To the point of making me sick to my stomach when I walk around outside.*	*DEQ*	*Reported on DEQ's online complaint form*	*I sent a message to the landfill and told them to add the complaint to the complaint log and asked them to do an investigation and to report back their findings.I also called and talked to the complainant on 8/17/2022 and said I had contacted the landfill. I asked if it could be the composting facility and was told no it smelled like the landfill not compost. The complainant will let us know if it is an issue again.*
36	*8/24/2022*	*Concern landfill is approaching maximum annual tonnage allowed, concern DEQ solid waste disposal reports filed by Coffin Butte Landfill are shorter than previous years (written comment).*	*DSAC Meeting*	*Written comment*	*Unknown*
37	*8/24/2022*	*Concern landfill impacts on nearby heron rookery.*	*DSAC Meeting*	*Meeting*	*Unknown*
38	*8/24/2022*	*Concern about landfill methane emissions.*	*DSAC Meeting*	*Meeting*	*Unknown*
39	*8/24/2022*	*Concern that reported landfill capacity is not accurate.*	*DSAC Meeting*	*Meeting*	*Unknown*
41	*8/24/2022*	*Concern about materials accepted at the landfill, recommending a characterization of accepted materials.*	*DSAC Meeting*	*Meeting*	*Unknown*
42	*10/6/2022*	*Concern about hazardous materials accepted at landfill via commercial waste collection, concern about hurdles and inaction in complaint process (written comment, duplicate of email complaint received by Benton County)*	*Benton County*	*Email*	*Complainant filed complaints with DEQ, DEQ responded during BCTT process*

43	*10/6/2022*	*Hazardous materials accepted in garbage collection from commercial facilities*	*Benton County*	*Phone*	*Unknown*
44	*10/7/2022*	*We typically smell the odor from the landfill on days when there is no wind and it is very still*	*DEQ*	*Reported on DEQ's online complaint form*	*Not reported*
45	*10/26/2022*	*Concerns about landfill closure date, fill rate, capacity, environmental cost of the landfill (including methane, PFAS, leachate, landfill gas emissions, air quality, wildlife impacts, traffic impacts, visual impacts, dust and litter, land use impacts, liner/cover maintenance, public security), regulatory and general compliance (federal, state, and local), material acceptance monitoring, material sources, accepted tonnage/intake rate, liability for remediation, quarry excavation, closure and reclamation plans, risks (fire, earthquakes, hazardous materials, PFAS, flood, power outages, multiple disasters, groundwater contamination, economic impacts*	*SWAC & DSAC Joint Work Session*	*Written comment*	*Unknown*
46	*10/26/2022*	*Concern landfill impacts on nearby heron rookery (written comment)*	*SWAC & DSAC Joint Work Session*	*Written comment*	*Unknown*
47	*10/26/2022*	*Concern about amount of recyclable materials in the landfill (written comment)*	*SWAC & DSAC Joint Work Session*	*Written comment*	*Unknown*
48	*10/26/2022*	*Concern about landfill material characterization, and methane containment*	*SWAC & DSAC Joint Work Session*	*Written comment*	*Unknown*
49	*10/26/2022*	*Concern about level of detail in landfill traffic reporting*	*SWAC & DSAC Joint Work Session*	*Written comment*	*Unknown*
50	*11/16/2022*	*This was a typical Coffin Butte landfill odor event at my home: a beautiful sunny cool morning which starts with a low-hanging fog sucking landfill odors south through the Soap Creek Valley. By midday the odors dissipate.*	*DEQ*	*Reported on DEQ's online complaint form*	*Not reported*
51	*12/7/2022*	*Concerns about rate of quarry excavation and impacts to available landfill airspace*	*SWAC & DSAC Joint Work Session*	*Meeting*	*Unknown*
52	*12/7/2022*	*Concern about various landfill business contracts/agreements increasing accepted tonnage and impacting landfill lifespan (in meeting and via written comment)*	*SWAC & DSAC Joint Work Session*	*Meeting, and written comment*	*Unknown*
53	*12/7/2022*	*Concern about landfill compliance with land use conditions of approval*	*SWAC & DSAC Joint Work Session*	*Meeting*	*Unknown*

54	*12/9/2022*	*Republic Services truck releasing roadside Litter and debris - Camp Adair Road*	*Benton County*	*Email*	*Benton County notified Republic Services, requested further investigation*
55	*12/9/2022*	*Republic truck releasing trash along Camp Adair Road*	*Benton County*	*Email*	*Sent the complaint details to Republic Services, asking for investigation and follow up for resolution, in order to prevent this from reoccurring.*
56	*12/12/2022*	*Frequent odors surrounding neighborhood and beyond from Coffin Butte landfill- emissions gas unsafe air quality and it is happening more and more frequent- weekly if not daily at times . Absolutely unacceptable. We are becoming the new armpit of Oregon. So sad.*	*DEQ*	*Reported on DEQ's online complaint form*	*Since the complaint report doses not provide additional information regarding the date time or location that is difficult to track detail for the incident. According to representative of the landfill the landfill conducts regular drives through the areas surrounding Coffin Butte and haven't detected offsite odors. Their LFG collection system have been running as designed as well. The landfill hasn't started taking any new waste streams recently that would cause odors.*
57	*12/17/2022*	*driving home experience very strong smell upon entering the Soap Creek Valley.Odor too offensive for outdoor activities*	*DEQ*	*Reported on DEQ's online complaint form*	*Not reported*

58	*12/18/2022*	*The (sadly) typical disgusting odor of Coffin Butte Landfill. See comments above about atmospheric conditions. The smelly air tends to concentrate in different strata of the atmosphere depending on the weather. Yesterday was a strong inversion and the odor was most concentrated at around 500-900 ft elevation.*	*DEQ*	*Reported on DEQ's online complaint form*	*Not reported*
59	*9/15/2022*	*Paul Nietfeld (engineer and resident living between Corvallis city limits and the landfill): Issues: Historic intake for coffin butte. Shows a graph with landfill input and a table with projections for landfill life, including Cell 6. Quarry challenge. Shared a desire to document intake, life, and quarry in a final report.*	*Benton County Talks Trash - Community Survey*	*BCTT meeting public comments*	*Logged comments*
60	*10/6/2022*	*Audrey Sterling (Community Member): Reflects that the talk in the community focuses on the idea that the landfill is full and what to do with the trash. They need to find a place for it, so the landfill does not overflow.*	*Benton County Talks Trash - Community Survey*	*BCTT meeting public comments*	*Logged comments*
61	*11/17/2022*	*Schmidt Pathman: His company promotes research on Solid Waste Management and partners with universities, national, and international organizations. Some of their concerns about landfills are: 1) the underestimation of methane produced by landfills and lessoning organic materials thrown away, and 2) lessening cross contamination of recyclable materials, which can be better achieved with the sorting system they have designed. (Pending receipt (full statement) by speaker to be placed in Appendix A of Meeting Minutes.)*	*Benton County Talks Trash - Community Survey*	*BCTT meeting public comments*	*Logged comments*
62	*12/15/2022*	*Kate Harris: (Lives in Soap Creek and kids go to school in Adair Village) Thanks the group for being here. Explains that the Adair Village water source is in an area that gets contaminated by the landfill. The contaminants go to the Corvallis treatment plant, but how do we know the water from the park is getting cleaned for all the things? What is the filtration process? We know fires at the landfill, earthquakes, even air quality is starting to be tracked, but water is a big issue too. She hopes the3focus can be on minimizing the landfill need. How can we move*	*Benton County Talks Trash - Community Survey*	*BCTT meeting public comments*	*Logged comments*

		landfill storage to drier climates, so they are not so hazardous?			
63	*12/15/2022*	*The County sells its residents short with this plan. If the Company backs out altogether, would the County run the landfill? Is BC hostage to a waste monopoly? Who is paying County staff time and effort for this greedy expansion request? The Company I hope, not our county taxpayers. The waste of community volunteer time also should be assessed to the Company. A few million a year is simply not worth it to the County -- the Company needs to offer much much much more to have taxpayers even think this is a good idea. If the Company tries to hold BC residents hostage to higher rates, let's call their bluff, let's sue them for the 1999 fire costs and everything else. BC has leverage and needs to use it. Finally, how to insure against the expected many externalities that our county residents will pay in the future. Instead of a sleepy beautiful county and small town (Corvallis), we will be known as the garbage dump of the Willamette Valley. How much is that worth?*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
64	*12/15/2022*	*Opening our dump to materials from other counties, while expedient and profitable for the operators, is a mistake. Benton County is rapidly running out of room and public use if "our" dump is becoming prohibitively expensive. In addition, the effects on neighboring properties is causing justifiable resentment.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
65	*12/15/2022*	*The County staff and commissioners have systematically failed the residents of Benton community by allowing Republic Services to profit at the expense of the health and well being of Benton County Residents. The county has decided to allow Republic Services to dramatically increase the amount of material is accepts in Coffin Butte, thereby leading to a unnecessary "need" for expansion. To right these wrongs the County and Republic Services has committed, the County must reject any large-scale increase in the footprint of Coffin Butte outside the plan to move into the Kniferiver Area north of the current landfill. The County must also stop Republic Services from spreading medical waste ashes as a "cover" on top of of trash. The County must also halt Republic Services from accepting trash from other portions of the state in the volumes that it currently is accepting.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

66	*12/15/2022*	*My main concerns are that we stop expanding Coffin Butte to accommodate other peoples' trash and that we do all that is possible to reduce our waste, including requiring waste reduction processes of all communities that contribute to Coffin Butte.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
67	*12/15/2022*	*Who is opening each trash bag and tallying the banana peels? This sounds like a waste of the millions it will cost to conduct what is simply put as a "waste audit."*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
68	*12/15/2022*	*I think the most important thing is that the SMMP be completed before any further decisions are made about expansion or changes to the county's solid waste contracts. That way decisions are made with a long term comprehensive view of the true costs and benefits of choices and their alternatives.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
69	*12/15/2022*	*Benton county can't support the amount of trash coming in. Someone should have said "no" long ago. Protect the environment, protect the quality of life of those living in Benton County (many of whom are here for the outdoor opportunities), and protect the home values of those living in proximity to coffin butte. The complexity of this topic is unnecessary. Let community members vote on how to proceed. Do we want to expand the size of coffin butte? Do we want to continue to allow other counties to dump their waste? How do we increase sustainability is something this committee can provide. Offer resources and ideas, complete community trials, then again, we can vote. Creating committee after committee and collaborating with county after county will slow down the process and prevent meaningful change.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
70	*12/15/2022*	*I am opposed to increasing the size of the current landfill. It will further impact residential homes near the landfill, and I believe that health concerns of residents who live near the landfill should be prioritized and addressed.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
71	*12/15/2022*	*Consider not expanding the landfill and phasing to other Republic sites . And absolutely NOT raising tonnage cap. Local agencies will not get increased revenue when the landfill moves but it is inevitable. Current staff should make the sustainable materials management plan and not keep draining taxpayer funds for constant consultants*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
72	*12/15/2022*	*1. Do not raise the annual cap on waste coming to the landfill. 2. Do not expand the landfill. 3. Stop wasting taxpayer dollars on outside consultants. Use county staff. Our county commissioners are highly paid. They should have been able to reach a decision by now that will benefit county residents.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

73	*12/15/2022*	*What about mining the landfill? It must have tons of usable materials. I think in the future landfills are going to be desirable assets for recovering otherwise depleted materials.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
74	*12/15/2022*	*There should be no implication that SMMP in Benton County or anywhere that sends waste here will have any impact at Coffin Butte, per se, because Republic Services and not Benton County has power over how they fill their tonnage cap prior to expansion, or lack of tonnage cap if expansion is approved. Any reduction in the contribution to that tonnage by Benton County or any other entity will have no impact on the life span of Coffin Butte or any other impacts of Coffin Butte landfill to the neighboring community because Republic Services choose to sell its services to other entities to replace tonnage reduction that may result from SMMP.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
75	*12/15/2022*	*On the topic of waste disposal in Corvallis: Why can't the city REALLY encourage everyone to put their garbage cans OUT OF PUBLIC VIEW? Get the GT involved with photos, etc. Even million dollar houses often just leave all their cans sit by the garage!!! Our city is supposed to be #! in many areas but it sure fails in this area of general beauty; The garbage company has never done much to help. I know as I have asked them to do so through the years more than once without much effect!! Please consider my plea Thanks*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
76	*12/15/2022*	*I would much prefer that a group of experts and professionals develop and work towards achievable goals vs NIMBY neighbors that want to drag out the process and add layers of bureaucracy under the guise of stakeholder equity as a delaying tactic. Not everyone has an equally valid or meaningful opinion on the intricacies of waste management.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
77	*12/15/2022*	*It seems foolish that the cost to dump sustainable materials (compost, building waste, etc.) for the average homeowners is nearly the price (sometime exceeds!) the price to dump garbage. Yard waste used to be affordable to dump and was measured by the yard - now it is weighed, and now I burn instead! Also, there are now no viable options for those that generate little trash (such as economical on-call pickup, 1x per month, etc), which actually incentivizes loading up the bin! Please don't cow-tow to Republic's gloom and doom scenarios. Benton and surrounding counties are the market - drive a deal that benefits the residents, not Republic execs. If they wish to pull out - let them! I can take my own trash and yard debris to the locations while another entity moves in to take advantage of the opportunity. And PLEASE, stop the influx of refused from out of the area and out of state - if it needs to come to Benton County, maybe have it piled in Reset Stadium.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

78	*12/15/2022*	*THE COFFIN BUTTE LANDFILL SHOULD "ONLY" TAKE REFUSE FROM BENTON COUNTY !!!!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
79	*12/15/2022*	*The workgroup should work to ensure the following: 1. That Corvallis, Albany, Salem, and other communities continue to have access to a landfill within 60 miles of where they live. 2. Minimize impacts to neighbors and environment while also recognizing there is no perfect solution. We should address and mitigate problems, not kick the can to another community. 3. Engage with community members and reach out. Understand there are hundreds of thousands of people served well by the current waste management arrangement who may not be the most vocal in their opinions and objections.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
80	*12/15/2022*	*"should the County do a better job of managing waste in the County and waste delivered to Coffin Butte?" ..the clear answer is a very loud "YES". But if the dump were not in Benton County, there likely wouldn't be the urgency or interest. The point is this is a state or regional issue. I would suggest that funding for the SMMP be from a surcharge on all waste dumped at the landfill. That way, the users of the dump are funding the study. Benton County rate payers would only be on the hook for a small percentage of the cost since Benton County residents only contribute a small percent of the volume to the dump. The money from the surcharge should be in a separate fund, not in the General Fund. This is particularly important since the Commissioners have been using solid waste fees for general fund purposes while ignoring their obligations to fund a competent waste management program. I would also suggest that the County hire outside legal council to assist in this endeavor.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
81	*12/15/2022*	*It's disheartening to see all the waste litter on the side of road shoulders on both sides of the road and thins like metal or two by four with nails he ving me a flat tire And living in Adair we get the methan smell at times , not a fan .*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
82	*12/15/2022*	*An audit could provide good information but likely no surprises. DEQ does waste composition studies and is in the process of doing that currently. It will be interesting to see if these yield similar results.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
83	*12/15/2022*	*Stop accepting all trash coming from north of Salem. This would extend the lifetime of the current footprint. Charge the landfill a hefty fee for each load of toxic leachate leaving the facility and needing treatment.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

84	*12/15/2022*	*Cap the tonnage allowed at Coffin Butte*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
85	*12/15/2022*	*I drive by coffin butte frequently and activity along Hwy 99 is often unsettling and raises questions on how well waste is handled locally. A detailed report measurements from both ORDEQ and third party confirmations (from companies with not even vague financial ties to waste management) would go a long way in easing those concerns.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
86	*12/15/2022*	*The execution of the 2020 Landfill Franchise Agreement in private, without the knowledge of affected residents of Benton County, was an egregious breach of trust of the population, and strongly influences and taints all other steps that Benton County takes regarding solid waste and related topics. It's clear that short-term monetary considerations outweighed other factors in the signing of this agreement. Residents most directly affected by negative impacts of the Landfill are effectively being thrown under the bus to support a stream of discretionary income for the County. This lack of trust and credibility will spill over to other County efforts, most notably the proposed justice center.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
87	*12/15/2022*	*Please factor in the greenhouse gas emissions from the tailpipes of trucks, especially those coming from and going to afar.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
88	*12/15/2022*	*Compost and recycling are two things I think this community value and support. There are systems available to mitigate these natural processes that ultimately can enhance the livability of the community. Having a junkyard of non biodegradable items on the edge of town is very different from composting, which ultimately creates fertile soil to help replace that lost from commercial farming, pesticides, and climate change.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
89	*12/15/2022*	*No tonnage increase allowed in any future CUP*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
90	*12/15/2022*	*The LSCL committee should clearly recommend that the annual tonnage capacity should not be raised. Frankly if the cap isn't increased then I doubt that Republic will push to expand the landfill because of the increased costs they will incur without the increased revenue from the cap increase.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

91	*12/15/2022*	*1. the landfill because of the increased costs they will incur without the increased revenue from the cap increase. It is important that we understand why the 1983 and later prohibitions against expanding south of Coffin Butte Road were not completely accepted by the county and have formed the basis for the continuing creep of expansion efforts across the road. This aspect of the history is murky and reeks of insider collusion between the county staff and corporate owners of the landfill. We have been sold down the river over and over again by the county staff and legal advisories who do not have the best interests of Benton County residents in mind.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
92	*12/15/2022*	*Just drive around new and older subdivisions in this area. The newest one in Ponderosa Ridge already has some who never put their cans out of public view!! Then drive into Oak Knoll off Western to see or NOT SEE ANY Garbage CANS ever in PUBLIC VIEW! Past Pick up time days. QUITE a DIFFERENCE!! The city/county has got to have some impact on this problem!! Create codes for all new residential areas, etc. Provide rebates for putting up a 6 foot fence panel to hide cans for existing homes, etc.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
93	*12/15/2022*	*It still doesn't seem right that Benton County should be the waste repository for all of Western Oregon without some compensation, unless other counties are willing to assume that role in the future.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
94	*12/15/2022*	*STOP ALLOWING OTHERS COUNTIES TO DUMP THEIR TRASH IN BENTON COUNTY !!!!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
95	*12/15/2022*	*The methane emissions definitely need to be studied before the landfill can be expanded.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

96	*12/15/2022*	*This regional landfill is key to a very large area surround it that the landfill services. It is key in terms of the feasibility of solid waste disposal. If this landfill is inactive or the regulations and requirements to dispose of solid waste become too expensive, the cost of solid waste disposal will and could go up a significant amount, making it difficult for citizens in its service area to dispose of their solid waste. This has a trickle-down effect from businesses whose disposal costs go up that then pass that increase on to their customer who is also getting charged an increase in their cost to dispose to the landfill as well.* *Unfortunately, illegal dumping becomes appealing. If the landfill is no longer operating or if the cost of doing business for the landfill gets too high, the next likely closest landfill is in Arlington, which is much farther away for the current customers, which will require more resources to haul solid waste from mid-western Oregon. I implore those making the decisions to be mindful of repercussions of passing regulations that increase expenses making it more difficult to dispose of solid waste. I realize the importance of long term planning, but increases to landfill costs don't happen in a vacuum.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
97	*12/15/2022*	*"Has the County been lax in monitoring and regulating the landfill and is the County poorly equipped to regulate a major, statewide landfill and to manage the adverse impacts" the very loud answer is "YES, the county is poorly equipped and quite incompetent when it comes to regulating all waste matters and has done an exceedingly poor job". If the question is "Should the County get its act together and do a professional job" the answer is YES. The County has taken in money from the landfill but has not funded adequate* *supervision, review, investigation, or implications of a growing environmental problem on the horizon. The County has not retained professional or legal assistance competent and informed on landfills but has used a generalists with no knowledge or experience with landfills. The County has ignored all warnings from their own advisory committees and knowledgeable citizens in the community. The County for years has bumbled along. The title of this section is LANDFILL SIZE/CAPACITY/LONGEVITY (LSCL). The County really has no clue and the numbers keep changing for reasons (manipulations) the County doesn't even understand. As a result, citizens have no trust at all in the County's ability to monitor or regulate the landfill or to insure it does not become an environmental liability for county residents. Obviously the landfill will be closed in the not too distant future.* *The County has no idea when or how to close the landfill and the implications of the closure other than the chicken little8strategy…the sky is*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

		falling. The County needs better leadership and management. Time for change.			
98	*12/15/2022*	*Many of these questions demonstrate a lack of understanding of how landfills operate and changes in recycling, composting and food waste initiatives in Oregon. This group has been focused on taking the lead not understanding that much of this work is in process on a statewide level. The process seems determined to be directed by landfill neighbors with a lack of knowledge or input from experts.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
99	*12/15/2022*	*The landfill should finance the ability to move into the rock quarry as soon as possible*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
100	*12/15/2022*	*I did not see an explicit statement about sharing the responsibility with community to run the landfill however, in a perfect world I would like to think that Coffin Butte could be run as though it was a public entity and not a profit center. In other words, I'm all for capitalism but the air shed, watershed, view shed, and protecting our sense of place and livability belong to the public and must be defended.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
101	*12/15/2022*	*The County should take steps to acquire better information about the methane emissions of Coffin Butte Landfill < I agree with this > because the landfill's emissions are currently not well-characterized and use this information to guide diversion programs that could limit the amount of organic waste going to the Landfill.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
102	*12/15/2022*	*Why does LLU Recommendation 1 refer to Republic Services as the manager of the landfill and associated services? Why can't Benton County put out an RFP for new landfill service providers? Do we have to continue to let Republic Services run a monopoly based on profit rather than community well-being? I oppose it. LLU 4 Recommendation appears to hide important public comment from the county board. I oppose it.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
103	*12/15/2022*	*Let's not have the fox guard the hen house, please. Subject matter experts need to be involved as third party evaluators of compiance.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
104	*12/15/2022*	*County needs the legal right to terminate the CUP if the holder of the permit fails to stay within the CUP stated limitations.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

105	*12/15/2022*	*1) These items assume that Republic Services will negotiate an acceptable contract with Benton County, which may not be the case. Other waste management corporations exist. 2) Code amendments are badly needed prior to any further CUP reviews for Coffin Butte Landfill. Both chapters 53 and 77 require reality-based updating. They are based on another era of regulation, technology, public concern, and an era of trust-based negotiating, which appears to no longer be the case. These regs were based on a much smaller corporation, not one like Republic with annual revenues exceeding $10B. 3) Any CUP conditions of approval must have clear, measurable standards, including metrics and a timetable noting monitoring periods. Failure to meet conditions would result in suspension of operations, which should be included in any contract approved.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
106	*12/15/2022*	*I also believe SWAC is not necessarily a group of people who are experts in this field, and just go with what Republic presents to them. There is no unbiased watchdog on the landfill and what is going on. I feel these question lead us to believe only republic can run the landfill, I do not believe this is true.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
107	*12/15/2022*	*I don't think Benton County should allow Republic Garbage Services to market our garbage site to Portland and SW Washington especially dead bodies!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
108	*12/15/2022*	*The legal processes ensuring compliance as listed in #57 should be rated as highly important. It seems BC has never held any of the owners of Coffin Butte to account and it appears easy for the process to point to 'some other agency… DEQ, EPA etc etc… as the ones who are responsible. Also, efforts to block public knowledge and input to the process because of 'attorney-client privilege' or other corporate privilege.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
109	*12/15/2022*	*LLU Recommendation 7 etc. Planning Officials and the Planning Commission need some latitude to use judgement. Circumstances cannot always be foreseen that impact the land use decision. Decision makers should be trusted to exercise judgement when "additional criteria" or unforeseen issues arise.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
110	*12/15/2022*	*As someone who has been involved in issues relating to the landfill for 30 years, I'm exceedingly disappointed that the commissioners have given this forum to what appear to be individuals who live near the landfill and are involved only to advance what they see as their own best interests and don't consider the general welfare of the community in their proposals.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

111	*12/15/2022*	*The following sentiment captures the majority of the BCTT public input survey responses. There were a lot like this:* *I care deeply about this process and thinks that engaging with the public around the community's waste stream is important and I cannot understand what most of these questions are asking. This is maybe the most confusing community survey I have taken in 16 years of living in Corvallis and I hope that the Benton County Talks Trash workgroup takes whatever information they receive from this survey with a huge asterisk. I would recommend scrapping any information that you glean from this survey and starting again from scratch.* *----------* *Seems like far too many recommendations for a team to effectively track. How can a team focus on this volume of verbiage? No wonder it takes so much time and effort to agree on a direction for Benton Co. The public can't be expected to read and understand the ramifications of the volume of recommendations in his survey.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
112	*12/15/2022*	*Let the public vote on all of the above - that would result in much more thought put into the recommendations!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
113	*12/15/2022*	*Too much government in an area where qualified professionals already oversee related activities.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
114	*12/15/2022*	*DEQ has experts in this area that the Benton County Planning Department does not. DEQ's evaluations and permitting process should be approved.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
115	*12/15/2022*	*I am not sure of the overarching theme here. I checked "generally agree" because I think the work group is trying to find a fix for the County's lack of transparency and openness. However, it is clear that when it has come to land use or permitting issues related to the landfill, the process has been controversial and unclear. There has also been a feeling that the voice of the public was intentionally muted, discouraged, ignored or rejected. At times, the County has proceeded without public notice and without public input. The County has devoted too few resources to waste management which in turn has led to confusion and distrust. It has not helped that the County has relied on County Council that, in instances, seems to have provided more of an advocacy role than legal consultation role.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

116	*12/15/2022*	*Landfills are among the most regulated industries in the nation. Benton County should rely on regulatory agencies rather than adding more regulations.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
117	*12/15/2022*	*This section is quite revealing on how much ambiguity is actually in the current code. Although ambiguity can be a very good thing it still needs bounds...still, moving goal posts during the game is not at all fair. It was not that long ago that we didn't worry much about the landfill or the debris on the side of the road from uncovered loads or even what materials were dumped. But things seem to be changing far more rapidly now. I believe we need to amend the code, and I believe we need to shorten the franchise agreement term to allow the community and vendors to be more responsive to needed change. I don't think "business as usual" should apply to our current situation. It comes down to a trade...what would we do if Coffin Butte became too expensive? We can't have our cake and eat it too.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
118	*12/15/2022*	*CUP recommendation 8. Why does it refer specifically to Republic Services rather than the Landfill operator? Hopefully sometime in the future Republic Services will no longer be the service provider. I oppose it. The landfill buffer for groundwater contamination seems to be an insufficient solution to such a catastrophic problem. I oppose it. The CUP subcommittee has done a good job of identifying many of necessary components of a completely broken system. Well done!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
119	*12/15/2022*	*"Actively monitor and enforce prior land-use decision Conditions of Approval for the landfill or any other land use decision." Would like more detail on this question, is it referencing only prior to 2020 decisions? How to insure against the expected many and serious externalities (costs, envir degradation, etc) that our county residents will pay in the future? Who pays for the costs of fire, disaster, groundwater contamination, lack of road access, or even noxious smells on a wedding day ruined in your backyard? Certainly the couple million a year from the Company won't cover this. It is the Benton county taxpayers and residents who pay. Thus, a fire plan, a GW contamination pan, an anything plan must include a way to assess Republic now.* *When these disasters happen, companies have a way of going bankrupt and avoiding costs. Certainly avoiding paying them in real time when the funds are needed.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
120	*12/15/2022*	*Make it easier for the public to file complaints of noise, odor, etc. by providing a user friendly link that includes a copy sent to DEQ.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

121	*12/15/2022*	*Regarding question # 75, it is not only odor. It should also concern the health effects of vaporous gasses on the of residents of Benton, Linn and Polk Counties.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
122	*12/15/2022*	*It's shocking and unacceptable that conditions for approval of a CUP are not monitored nor enforced. Also, odor is one of the biggest quality of life issue for the landfill and needs to be better addressed.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
123	*12/15/2022*	*The most surprising thing I've learned through this process was the number of important things that the county didn't monitor and enforce from their agreements with the landfill operators. Steps like the ones listed here would help ensure this doesn't happen any longer.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
124	*12/15/2022*	*#62, is particularly important - a system for tracking complaints. I know for a fact that this has never been done in an organized, transparent, and well advertised manner. #72, "purchase buffers" should be closely analyzed and scrutinized to be sure they are not de facto expansions. Purchase of land does not override land use regulations and contamination, as of groundwater, should not be allowed. Groundwater and air quality are "the commons" and do not belong to an individual or corporation. Generally, this entire survey assumes Republic Services as the slam dunk operator of the landfill, which may not be the case going forward. When coordinating with DEQ, it's good to keep in mind that large agencies (state and federal) are subject to the whims of politics, and as our political environment becomes more extreme we may want to keep that in mind. Recall the reversal of decades of environmental regulation under the last president.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
125	*12/15/2022*	*Avoid costly redundancies. Provide a way for concerns and complaints to be easily recorded and saved but no need to actively seek out.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
126	*12/15/2022*	*I want clear and transparent process! It seem to me that Republic Garbage Services has had an inside track with the county and the board of commissioners. I don't want any 1group of people make such a big decision like the expansion that Republic wants to get away with.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
127	*12/15/2022*	*Most of the recommendations seem very appropriate. I am concerned that so many of the previous accounts of interactions point only to 'Soap Creek Valley' residents. I live in the Lewisburg/Crescent Valley area and also frequently am affected by odors, am offended by the trash and traffic, and remain concerned about the region wide effects of groundwater contamination in the north county area. Also, I am very concerned about the ash deposits from the Covanta furnace and dispersal of the ash within all of our region by winds.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

128	*12/15/2022*	*Who will be paid to do all of this? Will I pay a lot more in Taxes? Will garbage rates rise out of sight? The solution is to find somewhere else to start a new mountain of waste. Our pile is way beyond too high now.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
129	*12/15/2022*	*(61) states what has long been a nagging concern of mine--at least. CUP non-compliance reported by others has long been ignored, and worst in cases where county code enforcement officials make retributory threats against the reporter. Being "nice" in Benton County seems to be all the more important than being fair, and the whole county suffers for it. (72) serves only as a cover-up of unacceptable conditions and is blatantly unfair to the county. (65,67) Recommendations should be to "determine that..." and not "determine if..." THis is all too much for an individual to carefully advise!!!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
130	*12/15/2022*	*Limit infill from outlying counties*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
131	*12/15/2022*	*CEO Recommendations 3 , 4, 5, 7 &13. Why is the notification radius 10 miles? Why not the entire county? CEO Recommendation 6. Why does it refer specifically to Republic Services rather than the Landfill operator? Hopefully sometime in the future Republic Services will no longer be the service provider.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
132	*12/15/2022*	*"Notifications for the Benton County Talks Trash (BCTT) Survey for public input on the Workgroup Report should include an email blast..." PLEASE ADD mailers to each address as many residents are older and the GT has priced itself out of circulation. Also, assess the cost of the mailers and outreach (effort and S/H) to the Company, not to the County taxpayers. This way all will start getting a realistic picture of how much the Company is costing our County over their greedy requests.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
133	*12/15/2022*	*Is there a way to modify the county's emergency alert system to include info on up-coming meetings.* *Regarding question #80. Should include all residents of the affected counties. Benton County residents will be financially responsible for the landfill's lasting effect for an extremely long period, perhaps hundreds of years.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
134	*12/15/2022*	*There was a huge deficit of communication during the last CUP process, the steps here seem like a good start to improving that communication for any future CUP.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

135	*12/15/2022*	*Why is there so much talk about a 10 or 15 mile radius of Coffin Butte? This is supposed to represent the public of Benton County, not those in Salem who have no ties to this action, other than their own political agenda.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
136	*12/15/2022*	*Please consider postcards to notify the public of surveys, public meetings, and major decision making events are open to the public as not everyone is on the email blast list. Public buildings like the library are not frequented by everyone, nor is the city webpage.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
137	*12/15/2022*	*Suggestion - First, find out how people regularly get their news about county government processes. Don't waste time on the modes nobody uses. Consider email, mail, newspaper, social media, texts, radio, local television, etc. Most importantly - Revive the Citizen Advisory Committees! (BCC 51.305) The absence of these committees is a missed opportunity to meet, educate, and engage with citizens. I believe Community Development should revitalize the CACs, staff them, and engage over important issues. In a large and contentious land use like the landfill, pre-application community meetings with the applicant should be required, listening to the citizens' concerns BEFORE an application is submitted and deemed complete. Planning in a vacuum, as we've seen, doesn't work. Planning on the ground, IN the affected community, is messy at times, but it's far better than being slammed in a Planning Commission hearing by people who resent the fact that they don't feel heard, and the planners have never even been where they live. This is how trust is built.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
138	*12/15/2022*	*Too many postcards. 2 weeks ahead seems like too long and 24 hours post meetings/decisions seems too tight, maybe not for emails or social media*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
139	*12/15/2022*	*24- 72 hours is not enough time for notifications. All of Benton County should be notified not just not up to 10 miles of the landfill. All of Benton county will deal with theses decisions to expand the landfill for future generations. The landfill is visible past 10 miles now, you can smell it past 10 miles, this was not suppose to occur. Semi- trucks bringing out of county trash move all over Benton county. I oppose many of these questions more notice should be given. People have jobs, travel, events, childcare to be dealing with and many of these notices are on too short time frame. I also oppose many of above questions, the questions should include all of Benton county to be notified by at least notice in the paper and website.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

140	*12/15/2022*	*More notifications would be good however we also need to have well written narratives available to the public in outlets such as the local newspapers such as the Gazette Times and the Corvallis Advocate, also perhaps the Eugene Register Guard. I have been dismayed at the Iowa based corporately owned Gazette Times (really the Albany Democrat Herald in disguise) promoting the viewpoints of Republic Services and name calling Benton County residents as NIMBYs. Hard to be a NIMBY when this dump has been in our backyard since World War 2. I am waiting for other counties to step up to the plate! There are lots of other buttes in western Oregon that are likely more suitable for landfill development than Coffin Butte, right on the edge of major streams draining into the Willamette River.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
141	*12/15/2022*	*I am not sure of the purpose of these survey questions. If the question is "Has the County been lax in monitoring and regulating the landfill and is the County poorly equipped to regulate a major, statewide landfill and to manage the adverse impacts" the very loud answer is "YES, the county is poorly equipped and quite incompetent when it comes to regulating all waste matters and has done an exceedingly poor job". If the question is "Should the County get its act together and do a professional job" the answer is YES. The County has taken in money from the landfill but has not funded adequate supervision, review, investigation, or implications of a growing environmental problem on the horizon. The County has not retained professional or legal assistance competent and informed on landfills but has used a generalists with no knowledge or experience with landfills. The County has ignored all warnings from their own advisory committees and knowledgeable citizens in the community. The County for years has bumbled along. The title of this section is LANDFILL SIZE/CAPACITY/LONGEVITY (LSCL). The County really has no clue and the numbers keep changing for reasons (manipulations) the County doesn't even understand. As a result, citizens have no trust at all in the County's ability to monitor or regulate the landfill or to insure it does not become an environmental liability for county residents. Obviously the landfill will be closed in the not too distant future. The County has no idea when or how to close the landfill and the implications of the closure other than the chicken little strategy...the sky is falling. The County needs better leadership and management. Time for change.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
142	*12/15/2022*	*More education about composting that keeps organic material out of the landfills is a positive step that I support. We need more organic material to maintain healthy soils and concentrating it in a landfill is bad for all around.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

143	*12/15/2022*	*LSCL #3, #7, #9 are vital actions needed to understand present and projected future states. It's very difficult to plan without metrics! Indeed, these three items, especially #9, will allow better understanding of the entire carbon footprint from start to finish. I doubt we even have a starting point for calculating that. LSCL #8 This seems to reflect upon Republic's desire to play their cards close to their chest. More power to them but I think their agendas are purposely vague, minimalistic, and secretive. Unfortunately, this builds mistrust and I wonder if that mindset played into why LSCL #4 is now necessary. LSCL #10 Absolutely. (Metrics!) LSCL #12 should be broadly coordinated it may take other jurisdictions or private entities to actually make this concept work. I did not see an explicit statement about sharing the responsibility with community to run the landfill however, in a perfect world I would like to think that Coffin Butte could be run as though it was a public entity and not a profit center. In other words, I'm all for capitalism but the air shed, watershed, view shed, and protecting our sense of place and livability belong to the public and must be defended*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
144	*12/15/2022*	*Work to reduce garbage immediately.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
145	*12/15/2022*	*Items continue to propose that the county contract with someone. I generally oppose those. When I consider the quality of outputs of the individual who has conducted the meetings and devised the process, I'd say the county doesn't have a good method for evaluating the quality and competence of contractors. Again, items address more than one issue - these are poorly written survey items. Example: The County should take steps to acquire better information about the methane emissions of Coffin Butte Landfill < I agree with this > because the landfill's emissions are currently not well-characterized and use this information to guide diversion programs that could limit the amount of organic waste going to the Landfill.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
146	*12/15/2022*	*Why can't Benton County put out an RFP for new landfill service providers? Do we have to continue to let Republic Services run a monopoly based on profit rather than community well-being? I oppose it. LLU 4 Recommendation appears to hide important public comment from the county board. I oppose it.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
147	*12/15/2022*	*How about nationalizing Coffin Butte Landfill and kicking Republic Services back to Arizona?*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

148	*12/15/2022*	*Only two choices of approval and oppose did not feel right. There is a lot of grey areas between. I also believe SWAC is not necessarily a group of people who are experts in this field, and just go with what Republic presents to them. There is no unbiased watchdog on the landfill and what is going on. I feel these question lead us to believe only republic can run the landfill, I do not believe this is true.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
149	*12/15/2022*	*It seems BC has never held any of the owners of Coffin Butte to account and it appears easy for the process to point to 'some other agency… DEQ, EPA etc etc… as the ones who are responsible. Also, efforts to block public knowledge and input to the process because of 'attorney-client privilege' or other corporate privilege.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
150	*12/15/2022*	*These recommendations are even more ridiculous that the first two sets. As someone who has been involved in issues relating to the landfill for 30 years, I'm exceedingly disappointed that the commissioners have given this forum to what appear to be individuals who live near the landfill and are involved only to advance what they see as their own best interests and don't consider the general welfare of the community in their proposals.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
151	*12/15/2022*	*COFFIN BUTTE SHOULD BE USED "ONLY" FOR BENTON COUNTY REFUSE !!!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
152	*12/15/2022*	*"Actively monitor and enforce prior land-use decision Conditions of Approval for the landfill or any other land use decision." Would like more detail on this question, is it referencing only prior to 2020 decisions? How to insure against the expected many and serious externalities (costs, envir degradation, etc) that our county residents will pay in the future? Who pays for the costs of fire, disaster, groundwater contamination, lack of road access, or even noxious smells on a wedding day ruined in your backyard? Certainly the couple million a year from the Company won't cover this. It is the Benton county taxpayers and residents who pay. Thus, a fire plan, a GW contamination pan, an anything plan must include a way to assess Republic now. When these disasters happen, companies have a way of going bankrupt and avoiding costs. Certainly avoiding paying them in real time when the funds are needed.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
153	*12/15/2022*	*It's shocking and unacceptable that conditions for approval of a CUP are not monitored nor enforced. Also, odor is one of the biggest quality of life issue for the landfill and needs to be better addressed*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

154	*12/15/2022*	*All good but not sure if postcards are really needed. Do we know how effective they actually are? Also, how was the 15 mile radius selected? Perhaps it should be greater...*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
155	*12/15/2022*	*The decisions being made affect the entire region, you should be gathering information outside of Benton County*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
156	*12/15/2022*	*Revive the Citizen Advisory Committees! (BCC 51.305) The absence of these committees is a missed opportunity to meet, educate, and engage with citizens. I believe Community Development should revitalize the CACs, staff them, and engage over important issues. In a large and contentious land use like the landfill, pre-application community meetings with the applicant should be required, listening to the citizens' concerns BEFORE an application is submitted and deemed complete. Planning in a vacuum, as we've seen, doesn't work. Planning on the ground, IN the affected community, is messy at times, but it's far better than being slammed in a Planning Commission hearing by people who resent the fact that they don't feel heard, and the planners have never even been where they live. This is how trust is built.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
157	*12/15/2022*	*Re-examine outflow of leachate and hold the landfill liable for toxic waste ending up in the Willamette River. Test for these toxins prior to treatment at the Corvallis facility and fine the responsible parties.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
158	*12/15/2022*	*I would like to know when you are going to get to the real issues like the fact that a landfill for northwest Oregon really doesn't belong in our wet environment. Or that Republic Services requires all rural customers to have weekly trash, yard waste and partial recycling pickup. We compost and have very little trash, but we do have some. Bi-weekly or monthly pickup would much better match our needs.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

159	*12/15/2022*	*Thank you for involving Benton County residents. In sum, I support the County's involvement in most items and committees. I support a bigger collaboration across many subcommittees (the turnover of the SWAC shows why, plus holding so few accountable for so much doesn't work). I support Stakeholders who have permanent residences in Benton County also being involved. I support true Benton County community participation (not outside hired guns). I do NOT support Stakeholders from outside Benton County. The only other party at the table should be the Company. I worry about costs to Benton County now, and the unequal and unfair costs county residents will pay in the future. I have no reason to trust that Republic will behave differently than any other company when it is held to account. There will be lawsuits, much time and effort expended by BC taxpayers and residents, and in the end the damages from the Landfill will still be done; in the time frame residents need to be made whole, instead they will suffer.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
160	*12/15/2022*	*Contamination of the Willamette River by leachate from the landfill needs to be studied. Risks due to taking ash from the Covanta incinerator needs to be study. Possibility of leakage into groundwater around the landfill needs to be more actively monitored, not just on Republic/VLI property but on neighboring state and private properties.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
161	*12/15/2022*	*Coffin Butte landfill will be a liability to all Oregon residents for many, many years. Short term financial gains for Benton County will never be sufficiently cover this liability. Republic Services will not be responsible for cleanup when it ultimately dissolves or declares bankruptcy, essentially taking the money and running. Republic Services, with all of its financial assets, should now be required to invest, explore and develop alternatives to accepting potentially recyclable materials especially plastics. I implore Benton County to refuse the CUP and any expansion of Coffin Butte Landfill and close it when it's currently stated capacity has been reached.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
162	*12/15/2022*	*Benton County has lost its credibility and the trust of residents through it's secretive backroom process for negotiating the 2020 landfill franchise agreement. This smacks of a simple "follow the money" scenario, with local residents being thrown under the bus and their lives being negatively compromised in the interest of short-term economic gain for both the County and Republic. The last nail in the coffin of public trust was the removal of the two neighborhood representatives from the Trash Talk working groups, both exceedingly knowledgeable and professional individuals whose contributions will be sorely missed. The lack of processes for monitoring and addressing compliance with conditions of approval for CUPs is shocking and needs to be addressed. Landfill odors are a huge problem and need to be grappled with somehow.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

163	*12/15/2022*	*You clearly needed to hire a communications firm (or someone with some common sense) to assist you, if you really intended to make a survey. I find this so symbolic of your entire Trash Talks process - which is completely out of touch with the average citizen. the process has clearly had a strong agenda right from the start. I find this whole thing APPALLING! Shame on the commissioners for supporting this (or rather using as an excuse to get them off the hook and further their agenda)! Shame on the Darren Nichols for proposing this process and pushing it! Shame on Oregon Consensus for supporting this biased and ineffective consultant (who is making loads of money off this process)! This is ALL COMPLETE RUBBISH!!!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
164	*12/15/2022*	*I do not support the expansion of the Coffin Butte Landfill. This survey is a waste of time to the public that does not support this action.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
165	*12/15/2022*	*Waste from only Benton and Polk counties should be going into our landfill. Linn and the other counties should take care of their own problems. Leachates need to be rendered harmless/non-toxic before going into streams and rivers. Medical waste incineration-produced ash needs to be rendered harmless as well. If the ash and leachates are not so treated, then Benton County Commissioners and Corvallis officials should be required to sign their names on letters to all residents downstream who draw water for drinking from the Willamette River stating the number of gallons carrying those toxins being discharged into the river every day.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
166	*12/15/2022*	*Please do not expand the landfill. Please do not allow other counties far and wide to dump their trash here. It is too easy to "pass the buck" in these situations. If each small community is responsible for their waste, they have ownership in keeping their community clean, safe, healthy, and environmentally friendly. It also reduces the environmental impact of driving garbage from county to county. The larger this landfill gets in size and in area it serves (number of cities/counties), the harder it gets to regulate and the harder it is to make sure all parties are being responsible. We do not want Corvallis known for our landfill; we want it known for our university, our community, our beautiful green space, our clean air, and our property value that holds up through thick and thin. Please make transparency and simplicity a focus of the landfill discussion.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
167	*12/15/2022*	*Past decisions with previous landfill owners or operators seem irrelevant. County Commissioners, please don't approve a CUP that raises the tonnage cap. Note that no matter how much factual information is provided, folks often already have made up their minds. If the city is considering not accepting leachate at the local water treatment plant, perhaps the phaseout of our local landfill needs to begin.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

168	*12/15/2022*	*Unfortunately most of our neighbors don't recycle properly. I think a stiffer penalty for contamination of mixed recycling is appropriate!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
169	*12/15/2022*	*I fail to understand why this is all about procedural recommendations, ignoring the issues. The issues are that Coffin Butte is possibly already damaging the water, ground and error and further expansion only makes this worse. I do not see recommendations that will lead to an honest assessment of the damage being created.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
170	*12/15/2022*	*We have followed this process closely from our earliest awareness of the renewal of the permit. This Workgroup, the process and the recommendations are a great contribution to this Permit process and future similar process for county and regional government agencies. Thank you.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
171	*12/15/2022*	*Benton County is one of the smallest counties in the state but we are taking the majority of the trash from other counties in the state and sometimes outside the state. It is time for this to stop. I do not believe Republic has been upfront from the start for their vision of our local landfill. They have purchased property which was to be used for a cell, now they do not want to use it, it's a money maker. Let's close a road instead and fill a space to be viewed for miles. Due diligence was not done on the last proposal. So many questions, and so little time to understand the larger implications to our county's citizens welfare. Air, water, evacuation routes, fire, noise pollution to just name a few. Also historical archeological significance along the ridge where they propose fill with garbage and build a road. This ridge was once used by indigenous peoples to travel to Kings valley and on to the coast. Our County needs to take a step back and realize we should be the ones to decided what our future landscape will look like not out of state multi billion dollar company who will disappear once the resource is used up. If we can now see this mountain of trash, well beyond its intended size. What will it look like if the CUP is expanded and coffin butte road is closed, they did not supply accurate pictures I wonder why? The smell now makes it to north Corvallis. Once expanded how much further, maybe to your house? I then imagine residents who are out enjoying beautiful Corvallis will have some choice words as the smell moves them inside their houses. The landfill has been on fire in last years. If Coffin Butte road was not there, this fire could have jumped through the dry grass and moved along the ridge towards residential areas.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

172	*12/15/2022*	*Republic has their agenda, make money for their stock holders and CEO. I am sure they will not be interested to help pay for the clean up of ground water including local wells for contaminated chemicals. Look at past and present contamination sites through this country. The owners all vanish once it's time to fix a problem they helped create. This could create more money out than what we take in for filling a once large hole in north Corvallis currently.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
173	*12/15/2022*	*I live less than 1/2 mile from Coffin Butte and strongly oppose the expansion south of the road due to potential ground water contamination, smell, and visual site, reduced property values, just to name a few issues. I am also opposed to Republic Services recruiting other landfills to use Benton Co. as the state landfill. There was a time when more things were recycled but now they keep reducing what they will take. Obviously it is cheaper to throw it in the landfill.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
174	*12/15/2022*	*A plan for going forward to manage and decrease overall solid waste in our county and ALL the contributing counties would be a great contribution to the current situation and that of our offspring. However the current situation needs to be dealt with and the first step is to allow only the currently approved landfill cells to be used, then to plan for an orderly shutdown of Coffin Butte. The amount of leachate being dumped into the Willamette River is astounding. Of course, in past declaration, the landfill owners said no fluids would be dumped in the waterways, but clearly that is not the case. Importantly, even if the corporate owners fulfill their obligations and tend to a closed landfill for 30 years, it is a certainty that western Oregon will still be a rainy place and WE the residents of Benton County will be dealing with massive amounts of poisonous effluents from the landfill for perhaps centuries. The time to stop digging ourselves into a worse hole of trouble is now. Use the existing landfill cells conservatively and wisely, then close down CB in a safe and sane manner. Also, Republic Services 'contractual obligations' are not Benton County residents' concern. Let RSI deal with their unwise decisions which seem to be based on steam rolling over Benton County residents through quiet (possible illegal) deals with the current Board of Supervisors. I think the removal of the garbage limits as aligned with a CUP expansion, in light of Zero public comments sought by the Board, is a serious issue that needs to be further explained and if necessary remanded to the appropriate court or state board governing violations of open meetings and public notification laws.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

175	*12/15/2022*	*Republic Services is not transparent (they pretend to not have a business plan nor to have developed options for their future business at Coffin Butte), and apparently the Benton County Board of Commissioners franchise agreement with them was developed without transparency. This action ties the hands of other county actions and the public's right to impact future decisions. The BOC agreement (in the franchise agreement) to lift the tonnage cap based on approval of the expansion raises serious concerns and limit options. The SWAC apparently fell asleep somewhere along the way. If this happens again, their involvement in decisions cannot be taken for granted.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
176	*12/15/2022*	*This entire process/controversy hinges on the question: "Do all of the residents Benton County generate waste and where do they want it to go?" Coffin Butte or Central Oregon? Dreams of zero waste are just that...dreams. of the loudly under-informed are mostly self-serving and do not recognize/accept the needs of greater Benton County. I live within the 10 mile radius of Coffin Butte and accept that the necessity of the landfill far outweighs the inconveniences resulting from its operation. Stop screwing around and accept that human nature (ie: personal benefit) will always triumph over altruism.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
177	*12/15/2022*	*And here to once again confuse things "solid waste management" and "sustainable materials management" planning are used interchangeably. No one knows what you all are really talking about, and county leadership claims no stake in the matter. I never expected to have such pathetic leadership in Benton County, nor witness such contrived legal counsel given here, or on a number of matters beside the landfill issue. Don't pretend to be developing sustainable materials management planning, it is the solid waste disposal delivered into our county, without suitable environmental controls or limitations that is polluting our water, our air, threatening our wildlife, our soils, and the habitability of an increasingly large portion of our county--all allowed because we have yet to hammer out a solid waste management plan leadership has not stressed. Pushing nearly a million dollars, and BCTT doesn't know even now what to do or clearly say about it. Maybe that is partly due to BCTT members, so- called stakeholders, who aren't representing Benton County citizens, but rather their corporate interests. No solid waste management plan after all this. Meantime legally sanctioned advisory bodies don't meet regularly, and members of one of those and the Planning Commission are removed because divergent voices are not to be heard. I hope to be proved wrong, but this BCTT process has provided the most grease I've ever seen laid down on very carefully laid skids. The end result will be county commissioners saying once again "our*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

		hands are tied and we can't act in the interests of our citizens and residents."			
178	*12/15/2022*	*Seems to me that there has been little discussion of the local and global impacts of maximizing the use of Coffin Butte as a landfill as compared to the alternatives which I assume are taking it somewhere far away and dumping it. This seems like the real issue and it's barely noted. These recommendations read like the cathartic rants of a few individuals who have an axe to grind because they feel they've been ignored for years. I hope the commissioners remember that those of us who live in other parts of the county and greater landfill "waste shed" have an interest in how the coffin butte resource is used that goes beyond being told a day in advance that it's going to smell bad tomorrow.* *It still doesn't seem right that Benton County should be the waste repository for all of Western Oregon without some compensation, unless other counties are willing to assume that role in the future.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
179	*12/15/2022*	*I know not everyone likes the landfill but unless we stop creating trash, and everyone else in the country does too, wwe need landfills. They are better than burning the trash and an existing landfill here is better than a new landfill being opened somewhere else.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
180	*12/15/2022*	*Coffine Butte Landfill is a good community partner. Not everybody lives in Corvalis and not everybody think that there is a problem. They are not the bad guy.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
181	*12/15/2022*	*Again, please give us clear and transparent answers about where our recycled waste is going and how that can be improved. The County itself needs to step up on its own carbon emission goals before shifting the focus to things like Coffin Butte, etc. Where is Benton County at in meeting its own upcoming deadline for carbon emission reductions?*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
182	*12/15/2022*	*Stop the influx of trash from ousted Benton and immediate adjacent counties. Tell Republic NO on the expansion. Drive a better deal with more economical options for residential trash/recycling/yard debris. If Republic won't pay, recruit a provider that wants the job.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
183	*12/15/2022*	*Please consider stopping trash from counties other than Benton to be dumped at Coffin Butte*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

184	*12/15/2022*	*Use the 15 years remaining of landfill life to transition to modern post-landfill waste management. Benton County should stop being the 'sin eater' for the region, taking all the region's garbage and its associated long-term problems in exchange for inadequate short-term cash. Benton County should collaborate with other waste generators in the region to devise a strategy for sustainable waste management. It's apparent that Benton County has not been dealing with the issues being engendered by the landfill, and has instead devoted its energy to denying those issues exist and suppressing evidence to the contrary. Benton County needs to begin facing the ramifications of hosting a regional landfill, which first of all means to begin collecting data not spoon-fed to them from Republic Services. Benton County has values to operate from, such as those enshrined in its 2040 Thriving Communities Initiative, but those values seem to vanish whenever solid waste management issues come up. It's counter to those values, for example, to uplift some residents at the expense of others. Benton County needs to realize that Republic Services will never work with them to create significant reductions in waste generation, especially as part of a regional initiative. Benton County needs to begin its own program to do that regionally, and to invest a share of the money it's currently making from the landfill to liberate itself from dependence on the landfill.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
185	*12/15/2022*	*If the County wants to "host" a landfill, then they need to do their job. That likely includes establishing a fully funded work unit to do the tasks necessary and as outlined above. Since the waste comes from all over the state, the cost of the work unit could be born by a surcharge on waste dumped or diversion of the host fee to a separate fund established for supervising, reporting , advising and other tasks. If an City or County wanted to "host" a major industrial site known to cause or result in environmental and land use issues, they would establish means of monitoring, regulating and enforcing standards. The County needs to do so. I would like to see an annual "landfill status report" each year similar to the annual water quality report. It would be detailed and thorough and mailed or emailed to all county addresses. The annual report could also include progress made on the SMMP.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
186	*12/15/2022*	*This open table process was overthrown by a small number of community members that do not represent the broader opinions of the county. Decisions at this scale, like the ones suggested in the recommendations, are left to qualified professionals for a reason.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
187	*12/15/2022*	*It is pretty clear that "Solid Waste Management in Benton County" is broken and needs to be fixed. The BCTT was / is a hopeful first step in getting on track. However, it is only a first step and much more needs to be done. The*	*Benton County Talks Trash -*	*BCTT community survey*	*Logged comments*

		recommendations provide some "next steps" and I am hopeful that the County will follow through.	*Community Survey*		
188	*12/15/2022*	*The development of a responsible SMMP will be a difficult task. In my opinion, the BCTT process has been weighed down by information that is subjective in many cases. Determining the future of Coffin Butte has impacts outside Benton County which should be considered. The environment does not see the imaginary lines drawn by counties. We should be considering what is really best for our future, not just inside those lines.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
189	*12/15/2022*	*So many things to think about! Benton County seems to be shouldering most?all? of the responsibility for hosting a regional landfill. In that sense is BC justly compensated? How does our landfill compare to other regions, states, vendors, providers? I imagine we are above average in terms of having a viable and responsibly run landfill in the first place but I feel as though there are many intangible and long-term effects that we may eventually come to regret. I apologize for sounding idealistic but the major problem is not due to the operations but is due to the fact that we don't have a circular economy along with a host of other positive recycling processes. We have too much packaging and too many plastic containers. It's just way too easy to toss stuff...how can we change that mindset? Thank you for asking!!*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
190	*12/15/2022*	*If inflow is limited to the abutting counties the current facilities will have a longer useful life, with less toxins present to develop future issues. The facility should not be allowed to transport toxins that are dumped into the Corvallis water treatment facility and then diluted, end up in the river. I am concerned that the city will be held liable at some point for the discharge. At the very least, the landfill needs to fund extensive treatment facilities at the Corvallis waste water plant to deal with their "contributions".*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*
191	*12/15/2022*	*the landfill was no secret when those folks bought their homes. we live in a republic not a democracy - most of these recommendations seem inspired by the latter, which is not our reality.*	*Benton County Talks Trash - Community Survey*	*BCTT community survey*	*Logged comments*

Table 2: *Concerns received by Coffin Butte Landfill (table sourced from Coffin Butte Landfill and Pacific Region Compost Annual Report 2022).*

Note that the 25 complaints noted in February in the chart to the right have been included in Table 1 above. Five of these were in 2023 and therefore not included in this report.

Month	2015	2016	2017	2018	2019	2020	2021	2022
January	1	2	0	0	0	0	0	0
February	0	0	0	0	0	2	0	25*
March	0	0	0	0	0	0	0	0
April	1	0	0	0	1	1	0	0
May	0	0	0	0	0	0	0	0
June	0	0	0	0	0	0	0	0
July	0	0	0	0	0	0	0	0
August	0	0	0	0	0	0	0	4**
September	0	0	0	0	0	0	1	0
October	0	0	0	0	0	1	0	0
November	0	0	0	0	0	0	1	0
December	0	0	0	0	0	0	1	1***

*DEQ sent single notification of 25 complaints received between 11/8/21 and 2/7/22
**DEQ sent single notification of 4 odor complaints received from 7/1/22 to 8/16/22
***DEQ sent notification of 1 odor complaint they received on 12/13/22

Community Concerns Received Since Last Meeting

Date Received	Concern Summary	Received	Response
12/11/24	Letter sent (in 2025.01.08 DSAC Meeting Packet). Her concerns related to excessive truck traffic, wondering why Republic's fleet isn't electric, safety and litter	Email	Bailey apologized that the link to the DSAC meeting on 12/11/24 wasn't working and let her know that I'd pass along her concern to the DSAC (in the meeting packet on 1/8/25) and include it in the 2024 CCAR
12/11/24	Letter sent (in 2025.01.08 DSAC Meeting Packet). Her concerns related to odors and a need for technological sensors that don't rely on the human nose.	Email	Bailey apologized that the link to the DSAC meeting on 12/11/24 wasn't working and let her know that I'd pass along her concern to the DSAC (in the meeting packet on 1/8/25) and include it in the 2024 CCAR
10/8/24	Hi! I'm not very good at computers, so hope that you get this message. I believe that the Benton County land fill shouldn't be for numerous other counties(other than maybe a few adjoining ones like Linn which maybe should pay something for access to it) who don't want a landfill in their back yard and would rather we shoulder the environmental burden. If Republic wasn't taking all that other outside trash, the land fill would be able to function until the quarry is available for expansion. I have found Republic's service to be great, but they are being greedy for additional business at our expense. The new contract should restrict where the waste comes from.	Email	Bailey emailed her instructions on how to sign up for Coffin Butte permit application updates and how to provide public comment.
12/24/24	Letter in Gazette Times, "We Must do What we can to Stop Expansion" https://gazettetimes.com/news/local/corvallis-speaks-up-letters-to-the-editor-for-the-week-of-dec-27-2024/collection_a52e48b7-a3f2-5575-93f7-2046c2f847c3.html	Letter in Gazette Times	None
12/31/24	Letter in Gazette Times: Benton County Obscures Process https://gazettetimes.com/benton-county-obscures-process/article_1c5d0515-b578-5994-b5aa-ece6ac6ba8f8.html?utm_medium=social&utm_source=email&utm_campaign=user-share	Letter in Gazette Times	None

Public Comment for DSAC 12/11/24 Meeting – Please Distribute to All DSAC Members.

Republic Services has indicated that it will monitor air quality at the landfill by training two employees in odor detection.

I have the following concerns about this plan.

1) Republic Services has a vested interest in having low incidents of bad air quality, methane leaks, etc.

2) Republic Services does not have a good track record for self-report accountability. Just one example relevant to odor detection.

> Laura McWhorter, PE, Permitting and Compliance Specialist – Air Quality, Oregon Department of Environmental Quality (DEQ) send an email to Ian Macnab, Republic Services Environmental Manager - Oregon to share a description of seven Coffin Butte odor complaints between 11.26.24 - 12.1.24 over the Thanksgiving holiday. <Quotes from that email.>
>
> > **Tuesday 11/26/24: 9:30-11:30 a.m. –** ***"Coffin Butte dump stench."***
> >
> > **Wednesday 11/27/24: 7:15 a.m. –** ***"Went outside with my cup of coffee. Hit with the smell of the landfill."***
>
> Ian Macnab's response: ***"Our odor patrols on the 26th and 27th did not detect anything. I drove through the area on my way to Corvallis on the 29th and also did not smell anything***. All systems were operating as normal last week."

3) Republic Services employees doing odor patrols on Coffin Butte landfill property, are, by definition, not recording air quality for the entire community. The odor complaints appear for Adair Village, Soap Creek Valley, and beyond. Winds, temperature, cloud/fog cover, inversion layers, elevation, location, etc, all impact **where the odor is noticeable**. For example, I live at lower elevations, and I don't always smell what my neighbors who live at higher elevations report.

> Saturday 11/30/24: 10:00 a.m. – 12:00 p.m. – **(7 miles S of landfill)** *"Sitting at my desk, when I started to smell it. It lasted for about 3 hours."*
>
> Saturday 11/30/24: 12:00 p.m. – *"Passing by the Coffin Butte landfill on Saturday afternoon, there was a terrible odor that we could smell from our car for about* ***a mile north and south of the landfill."***
>
> Sunday 12/1/24: 11:52 a.m. – *"Coffin Butte landfill toxic gases are* ***flowing south to many houses in Soap Creek Valley,*** *trapped by fog and stagnant air."*

4) Republic Services' plan to train employes to monitor air quality also has some physiological issues that aren't being taken into account:

> **Olfactory fatigue -** also known as **odor fatigue**, **odor habituation**, **olfactory adaptation**, or **noseblindness -** is the temporary and normal inability to distinguish a particular odor after a **prolonged exposure to that airborne compound**.

This term is commonly used in **wine tasting**, where one loses the ability to smell and distinguish wine bouquet after sniffing at wine(s) continuously for an extended period of time.

The term is also used in the study of **indoor air quality**, for example, in the perception of odors from people, tobacco, and cleaning agents.

Since odor detection may be an indicator that exposure to certain chemicals is occurring, **olfactory fatigue can also reduce one's awareness about chemical hazard exposure.**

Olfactory fatigue is an example of neural adaptation. The **body becomes desensitized to stimuli** to prevent the overloading of the nervous system, thus allowing it to respond to new stimuli that are 'out of the ordinary'.

Individuals experiencing olfactory fatigue may find it challenging to notice a smell they were initially sensitive to, even if the odor concentration remains constant. **This is particularly concerning when the smell is associated with potential dangers of toxic materials or leaks.**

Nose blindness develops faster in response to unpleasant smells.

Based on the way bodies function, there is **no way to prevent nose blindness**.

To reduce olfactory fatigue for Republic Services Employees, the following must occur.

- Remove the source of the odor ***(not possible to remove the source of the landfill odor),***
- Limit the duration of exposure ***(not possible for onsite employees),*** or
- Allow the affected individual to spend time in a different environment to help reset the person's olfactory receptors. Avoiding strong smells can alleviate the symptoms to regain sensitivity to a specific odor ***(not possible for onsite employees)***.

Although not related to Olfactory Fatigue, Anosmia occurs when a person's overall sense of smell is greatly reduced or even lost. This is a long-term condition. There is no way to know if this condition is a factor for landfill employees.

Resources: Healthline, Wikipedia

5) Bottom line:

To measure air quality around Coffin Butte landfill, appropriate equipment sensors, not human noses, must be set up in various locations at Coffin Butte Landfill and surrounding areas of Adair Village, Soap Creek Valley, and Corvallis at different elevations.

Continuous data needs to be reported directly to a trained, neutral party for recording and providing an easy way for the public to see data that has been collected.

Carol McClelland Fields, PhD
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STOP THE LANDFILL EXPANSION

I've read up on all the facts and the negative impact on the Coffin Butte expansion. I present to you an alternative direction that could solve this challenging problem. Transporting trash is nothing new. The state of Washington currently has two major contracts to transport nearly all of that state's trash to either Arlington, Oregon or Roosevelt, Washington via the Union Pacific Railroad (UPRR) or Burlington Northern Santa Fe Railway (BNSF) for over 30 years via containers on intermodal rail cars. Trash could still be received at Coffin Butte serving as a receiving station, but then transferred by truck to one of two trans load rail facilities. One facility at Millersburg (see below) would be a 16-mile, 26-minute distance; or to a closer rail head at Wellsdale on the Portland & Western Railroad within Camp Adair, a distance of about 1 mile. (The Camp Adair facility would have to be developed to accept container railcar loading.) Travel time to the latter location would be much shorter. The facility at Millersburg is currently vacant (see article below for the details).The transfer of all kinds of waste would solve Benton County's dilemma at Coffin Butte. The two sites listed below would address all the current issues that threaten the health and safety of everyone within Benton County and beyond, such as the high volume of methane and other harmful gases that leak out at Coffin Butte and millions of gallons of toxic leachate that leach into the Willamette River. Coffin Butte landfill is also a greenhouse gas emitter that threatens our environment. The bigger the dump gets, the bigger the problem grows. The time to act is now. Stop the Coffin Butte expansion now before it stops us. *COFFIN* Butte: the name alone is deadly.

Fact sheet for REPUBLIC SERVICES of Roosevelt, Washington

The largest private landfill in the state, Roosevelt covers an area of 2,545 acres, has a 120 million ton capacity, and a 40 year expected trash-receiving life. Ninety-seven percent of the trash arrives in shipping containers, mostly via rail from the Seattle area, to an intermodal yard in Roosevelt (owned by the same privately held waste company - Republic Services). Containers are loaded onto trucks for the haul up the hill to the landfill, and then emptied by tilting lifts that upend the container/trailer assembly. Trash also arrives from a network of nine intermodal yards that connect the landfill to sources as far away as California, Idaho, and British Columbia. Trash also comes from Alaska on barges. Empty trash trains take fruit and other goods from eastern Washington back to Seattle (in different containers). The site is also home to a power plant, which uses the methane gas produced by the decaying garbage, to produce up to 37 megawatts (enough to power 30,000 houses) annually.

Retrieved 12/23/24 from https://clui.org/ludb/site/roosevelt-regional-landfill

Fact sheet for WASTE MANAGEMENT at Arlington, Oregon

Located in Arlington, Oregon, this facility provides cost-effective services to customers in the states of Washington, Oregon, Montana, Idaho, Utah, Wyoming, Hawaii, Alaska and provinces of Western Canada. CWM Arlington also offers services nationally through Waste Management's (WM) extensive rail transportation network. In operation since 1976, this award-winning, environmentally safe hazardous waste facility boasts a stellar safety record and an unmatched technical service team with more than 20 years experience per representative. CWM Arlington adheres to strict regulations administered and overseen by the Environmental Protection Agency (EPA) Region X and the Oregon Department of Environmental Quality (ODEQ). This facility is positioned on a 1288-acre site (with 320 acres permitted for disposal operations). The site is buffered by over 11,000 acres of undeveloped property owned by Waste Management. One of the most secure treatment and disposal facilities in the world, this remote operation is built on top of layers of basalt from various

formations. The disposal cells meet very strict EPA and state guidelines, and are constructed of 60 mil High Density Polyethylene (HDPE). Additional security measures include a sophisticated leachate collection system, monitoring wells, and a state-of-the-art leak detection system.

TREATMENT AND SERVICE OPTIONS

Asbestos disposal Drum collection, treatment and transshipment Fuels blending Hazardous waste transportation Macroencapsulation Microencapsulation Non-hazardous disposal RCRA landfill disposal Rail transportation Stabilization Solidification Storage and transfer for recycling and thermal treatment Thermal desorption.

Retrieved 12/23/24 from: https://www.wmsolutions.com/locations/details/id/247

FACT ARTICLE REGARDING THE MID-WILLAMETTE VALLEY INTERMODAL FACILITY

Retrieved from https://oregoncapitalchronicle.com/2024/01/16/behind-schedule-over-budget-state-backed-rail-projects-costing-70-million-sit-idle/ on 12/23/24

UPDATED at 9:30 a.m. Tuesday, Jan. 16, 2024 with comment from the chair of the Oregon Transportation Commission

Five years ago, the state Legislature approved $51 million for two rail shipping centers in the Willamette Valley and eastern Oregon that promised to reduce truck emissions, boost agricultural exports and save farmers money.

Today, the money's been spent and neither the public, nor farmers, have benefited. The centers, essentially truck-to-rail transfer stations that were supposed to deliver onions, hay and grass seed to seaports in Seattle and Tacoma, and to major cities in the Midwest and the East Coast, sit unoccupied. Not a single truck has been taken off the road, and not a single pound of cargo has been shipped. Two companies that initially agreed to run the depots have both walked, and no one has stepped in to replace them.

Experts warned that the projects could fail. The Willamette Valley depot was not well located, and would struggle to get necessary shipping containers. Key agreements ensuring demand, rates and logistics from both rail centers were not in place.

Nevertheless, the Legislature funded the projects in 2017, with the backing of a state representative who went on to make hundreds of thousands of dollars as a consultant on the projects. The Oregon Transportation Commission, charged with reviewing project proposals, released the state funds in 2021. Since 2017, more than $70 million in public money has been spent or committed to the projects, and the experts' warnings have been borne out.

In Millersburg, the Mid-Willamette Valley Intermodal Center off Interstate 5 promised to move hay and grass seed to ports in Seattle and Tacoma via rail, taking up to 150 semi-trucks off I-5 each day. It was finished in November of 2022 – 10 months late and $10 million over budget – but it sits idle next to the thrumming interstate.

The Treasure Valley Reload Center in Nyssa, which was supposed to save onion growers $2 million per year in transportation costs to Midwest and East Coast cities, has gone $18 million over budget, fallen more than two years behind schedule and is still incomplete, the Malheur Enterprise reported. State officials earlier this year stopped work on the site and are assessing if it is still viable.

Experts told the transportation commission that Millersburg wasn't far enough from Washington seaports to make rail cost-effective and that it would need the cooperation of two major railroad companies to ensure deliveries and a steady supply of empty containers to transport agricultural goods.

In Nyssa, experts said the railroad would need to move more than just onions to be financially stable, that the volume of produce projected to move through the facility was inflated and that to be successful, Union Pacific would need to commit to an export schedule it was reluctant to offer.

In the end, the facility operators and project managers could not secure all of the necessary agreements and schedules with rail operators. In Millersburg, a lack of containers needed to move agricultural goods continues to keep the facility shuttered.

State Rep. Greg Smith, R-Heppner, urged the Legislature to fund the projects through a state grant program, then economic development groups supported by both Linn and Malheur counties hired Smith to manage the projects.

He told the Capital Chronicle that he knew from the start that the Millersburg facility would face insurmountable challenges. Despite the warnings and years of revised plans, those who backed and built the Mid-Willamette Valley Intermodal Center blamed setbacks on one another, as well as volatile market forces and a lack of better information.

"All I could do is bring them the best information I had available, and they had to make decisions," Smith said of his clients in Linn County.

An Oregon Department of Transportation official blamed the failure to get the facilities running on inexperience.

"These were new facilities, and ODOT does not have and did not have a lot of experience with these kinds of facilities," said Erik Havig, statewide policy and planning manager at the transportation department. "We did the best we could with the information we had."

The centers are the first of their kind in Oregon.

Many of the officials who've been involved for years with the Willamette Valley project say they've learned a lot since it was approved. They insist the project was not a mistake and continue to promise that it will boost agriculture exports and reduce truck emissions.

"We are not happy with how things have gone thus far, but we are determined to put this property to productive use as soon as possible," Jon Kloor, chair of the Mid-Willamette Valley Intermodal Center Board and the Linn County Economic Development Group Board, said in an email. "The basic premise that led to the Department of Transportation supporting this project and a similar project in eastern Oregon remains true today."

Three of the five transportation commission members who voted to approve the projects did not respond to Capital Chronicle emails or calls requesting an interview. Two commissioners who voted to release funding for the projects and who continue to serve on the commission today responded after the story was published. Commissioner Sharon Smith declined to comment. Chair Julie Brown said in an emailed statement that the projects were a new approach for the state and came with some risk.

"The Oregon Legislature and Oregon Transportation Commission both felt they were worth investing in," she wrote. "I believe that we are still early in the story of both of these projects. I look forward to seeing how the projects' sponsors and partners will find ways to fully realize the investment the state has made in them."

There is no plan or timeline for getting either rail center operational. The state transportation department, which distributed the funds to build both, has no practical way to recoup all the money, according to the Malheur Enterprise.

Years in the making



The Mid-Willamette Valley Intermodal Center was funded with a $25 million Connect Oregon grant from the state. Recipients must show that their project can reduce transportation costs for Oregon businesses and connect elements of the state's transportation system to boost efficiency. (Alex Baumhardt/Oregon Capital Chronicle)

The idea for an intermodal center in the Willamette Valley gained steam in a 2016 report from the Portland-based economic consultancy ECONorthwest. Analysts found that a strategically located truck-to-rail center could help hay and grass-seed growers transport their products to ports in Seattle and Tacoma at rates competitive with truck shipping and take up to 150 semi-trucks per day off I-5. The report noted that moving freight by rail instead of truck reduces greenhouse gas emissions by 75%.

A year later, the Legislature approved $25 million for a Willamette Valley rail center and $26 million for one in eastern Oregon through House Bill 2017, a $5.3 billion package of taxes and fees to fund transportation over the next decade. The bill allocated the money through a grant program called Connect Oregon, overseen by the state transportation department. To receive a Connect Oregon grant, applicants must show that their project can reduce transportation costs for Oregon businesses and connect elements of the state's transportation system to boost efficiency. In comparison, with $51 million, the state could have invested in more than 120 electric buses or 1,200 rapid charging stations for electric vehicles, based on average prices from the U.S. Department of Energy and the West Coast Electric Highway.

Twelve of the 14 members of the Legislature's Joint Committee on Transportation Preservation and Modernization, including Smith, supported the state's investment in the projects.

Soon after the Legislature approved the funding, Linn and Malheur counties contracted Smith and his consultancy, Gregory Smith & Company, to help their nonprofit economic development groups pitch projects for those Connect Oregon grants. Smith was already working as Malheur County's economic development director during the time he advocated funding the projects at the Capitol. The county paid Smith an additional $6,000 per month to manage the Treasure Valley Reload Center project.

According to the Oregon Government Ethics Commission and Oregon law, Smith did not violate any laws by working as an elected official to direct state money to projects he was eventually hired to manage as a private consultant.

A location problem

The Oregon Transportation Commission, which sets state transportation policy, was responsible for vetting plans for the projects. From 2017 to 2021, its members heard from a variety of rail and freight experts who repeatedly said the Mid-Willamette Valley project would only work if it fulfilled key requirements. Among the earliest requirements was securing the cooperation of two railroad giants – Union Pacific and BNSF – which control different sections of track needed to move goods from Millersburg to Seattle and Tacoma. Both railroads would also be needed to get a steady stream of empty containers from Chicago, Kansas City, Denver, Salt Lake City and coastal ports to Millersburg.

In the final proposal for the Mid-Willamette Valley facility, Keith Leavitt, chief trade and economic development officer for Port of Portland, wrote:

"The active participation and cooperation of both Class I railroads (Union Pacific and BNSF) is equally critical to the success of the Mid-Valley Intermodal Facility as both railroads control different segments of the mainline between the Valley and Seattle. The railroads will need to provide heavy-haul rail cars capable of handling the agricultural export loads that are generated out of the Valley from the facility."

By the time the Mid-Willamette Valley facility was approved, only Union Pacific was signed on to run trains through the facility, and there was no certainty the company would be able to get empty containers from the Midwest or the coast to Millersburg. Any mention of BNSF as a partner was eventually dropped from the project following its approval by the commission.

Despite Union Pacific getting exclusive access to the publicly funded rail project, the rate and track agreements between the company and the operators at the Mid-Willamette Valley center are confidential, according to the state transportation department.

The center also faced a location problem, as the California-based freight consultancy Tioga Group noted in an analysis in 2019 for the commission. Rail is usually only cost-effective when goods are transported 500 or more miles, according to supply chain experts. Millersburg and Seattle are 230 miles apart. That meant that trucks would remain a cheaper option for Willamette Valley farmers, the analysis said. Smith, who had helped pitch and refine the plans for Millersburg from late 2017 to the summer of 2019, said this was a concern he had flagged to the project's supporters in Linn County.

"I knew that the distance issue between Millersburg and (Seattle and Tacoma), economically, was going to be very, very hard to overcome," he told the Capital Chronicle. "After that, I mean, I didn't have anything to do with the design, I didn't have anything to do with the negotiations or contracts."

John Pascone, president of the economic development group in Linn County, refuted Smith's claim that he had expressed concerns about the location.

"Greg Smith was always high on the project and to my knowledge never expressed any doubts about its viability," Pascone said in an email to the Capital Chronicle. "He was an energetic and supportive project manager during his involvement."

Smith's work with the county officially ended in July, 2019. He pocketed between $150,000 and $200,000, according to Pascone, and his contract was not renewed. Kloor, of the Mid-Willamette Valley Intermodal Center Board, would not comment on cutting ties with Smith, while Smith said he chose to leave the Millersburg project to dedicate more time to the one in Nyssa.

'Necessary milestones'

In January 2021, the director of the Oregon Department of Transportation, Kris Strickler, recommended that the commission release the necessary funds to finish building the projects.

"At present, both project sponsors have submitted to the department documentation that demonstrates that they have met all of the necessary milestones," Strickler wrote.

A day later, two Tioga group analysts wrote a "confidential memorandum" to John Boren, the manager of the department's freight program, saying again that the Willamette Valley project lacked critical components for success.

"It appears that successful operation of the Mid-Willamette Valley Intermodal Center terminal and intermodal rail service between Millersburg and the ports of Seattle and Tacoma depends on a series of assumptions that have yet been verified," said Daniel Smith and Frank Harder. "Project success thus rests on factors that are still unresolved."

That warning did not dissuade the commission from moving forward, according to Havig of the transportation department.

"We don't remember anything from Tioga saying: 'This project or any of these projects are going to completely fail,'" Havig said.

Kevin Glenn, the department's communications director, told the Capital Chronicle that the Tioga analysts were merely highlighting challenges each facility would face and how best to address those challenges.

"They never stated that if these challenges were addressed that the facility would absolutely be successful, nor that if these challenges were not completely addressed that the proposed facility would absolutely fail," he wrote in an email.

The transportation department had over the years reimbursed the project developers periodically for money spent, but on Jan. 21, 2021, the commission agreed to release what was left of the $51 million to build the centers.

Construction on the Mid-Willamette Valley Intermodal Center took 10 months longer than anticipated and cost $10 million more than the $25 million initially approved. Linn County leaders attribute this to inflation and delays caused by COVID and used federal COVID relief dollars to pay the difference. To pay for maintenance, operations and fees on the land and buildings, Linn County leaders have used nearly $2 million from its annual economic development money from the state lottery.

Lack of responsibility



Many of the warnings that the Mid-Willamette Valley Intermodal Center could fail have been borne out. (Alex Baumhardt/Oregon Capital Chronicle)

Every warning about the Mid-Willamette Valley Intermodal Center remains valid today. There is no guaranteed supply of shipping containers. The railroad is still at a distance from seaports that makes truck shipment less costly, and the facility does not have agreements to move any Willamette Valley produce.

Two companies hired to operate each of the rail centers, including managing negotiations with the railroads, the shipping container suppliers and area agricultural producers, dropped out of their contracts to run the facilities in 2023, and no one else has stepped in to replace them.

Both the Willamette Valley and Treasure Valley projects don't make economic sense, critics say. Yet no one appears to have accepted responsibility for the projects running over budget and failing to function.

The consultants who promoted the projects have been paid. So have most of the developers. The Malheur County Development Corporation, the Linn County Economic Development Group and the board of the Mid-Willamette Valley Intermodal Center are responsible for ensuring the projects are finished and functional one day.

Linn County commissioners did not respond to a question about why they continued to support the Mid-Willamette Valley project and the economic development group, despite the projects' red flags and the extra costs, or what they plan to do now.

"That question might best be answered by the Mid-Willamette Valley Intermodal Center board of directors, but we believe this is a valuable long-term asset for the mid-valley and it will take time to roll up," spokesman Alex Paul said in an email on behalf of the commissioners.

The intermodal board's chair referred questions about why the project continued to move forward and receive funding despite the warnings to the county and the state.

“We believe Linn County and the Oregon Transportation Commission are the appropriate parties to respond to this question,” Kloor, the board chair, said in an email. “That said, we believe it is way too early to declare this project a failure.”

Officials with the state’s transportation department and the transportation commission take some responsibility.

“The ultimate decision to move forward and to construct the facility was with the (transportation) commission,” Havig of the transportation department said of the Willamette Valley center. “But I would also point out that there were clear expectations in House Bill 2017 and from the Legislature that this was a project that was strongly supported. So there was a lot of political support behind it as well.”

Smith, who is in the unique position of bearing at least partial responsibility for the projects at the legislative level and orchestrating the financing of the projects in both counties, only acknowledges responsibility for some mistakes at the Nyssa center.

His consultancy took in $15,000 a month from 2018 to 2022 for economic development work in Malheur County and for managing the Treasure Valley Project. He said if he could do it over again, he would have characterized the $26 million budget he pitched for the center as “seed money,” rather than the full cost. He abruptly resigned from his work with Malheur County last February, right before the county’s third request to the Legislature for financial help to finish the project.

Smith said he bears no responsibility for promoting a flawed plan in Millersburg.

“That was all managed by a board. It was all managed by elected officials,” he said. “I had no decision making in Millersburg.

Researched and presented by Vic Neves

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Public Comment for DSAC Meeting

Wednesday, December 11, 2024

Submitted by Virginia Scott, Citizen of Benton County Oregon

I am concerned about the truck traffic to and from the Coffin Butte Landfill for several reasons.

As self-reported by Republic Services, there are 256,000 trash truck trips to and from the Coffin Butte Landfill per year. This does not include the 20+ trips per day, 5-6 days a week, which haul the leachate from the landfill to inadequately "process" it prior to dumping this leachate in the Willamette River.

All of these truck trips produce diesel exhaust, contributing to greenhouse gases and global warming. What is Republic Service's plan to convert these trucks to an all-electric fleet in keeping with Oregon's Climate Protection Program (CPP) adopted by the Environmental Quality Commission on November 21, 2024 to reduce fossil fuel use by moving commercial trucking from diesel to electric?

What is Republic Service's plan to mitigate the wear and tear on our Oregon roads from this excessive truck traffic?

These 256,000 trash truck trips per year are producing an enormous amount of roadside garbage. Roadside garbage pollutes the waterways, creeks, streams and rivers along our Oregon roads. If you traveled highway 99, between the landfill and Monmouth, in the past few weeks you may have observed the giant yellow bags of trash the were distributed every 30 to 50 feet on both sides of the highway for 14 miles, which is roughly 4,928 commercial sized bags of garbage. This is garbage that flew off the trucks on this one stretch of road. Now consider how much more is lining the other miles of Oregon roads and highway that these truck travel as they collect the bulk of Oregon's garbage for delivery to the Coffin Butte Landfill.

What is Republic Service's plan to prevent future, and clean up past roadside garbage pollution that their 256,000 trash truck trips per year deposit?

I would like us to also consider the risk posed to other traffic, pedestrians, and bicyclists by the 256,000 trash truck trips per year and the approximate 6,240 leachate truck trips per year crisscrossing our state.

What is Republic Service's plan to mitigate these risks to our citizenry?

2023 Coffin Butte Landfill Community Member Concerns Annual Staff Report

Prepared By: Bailey Payne, Benton County Community Development Department, Solid Waste Program

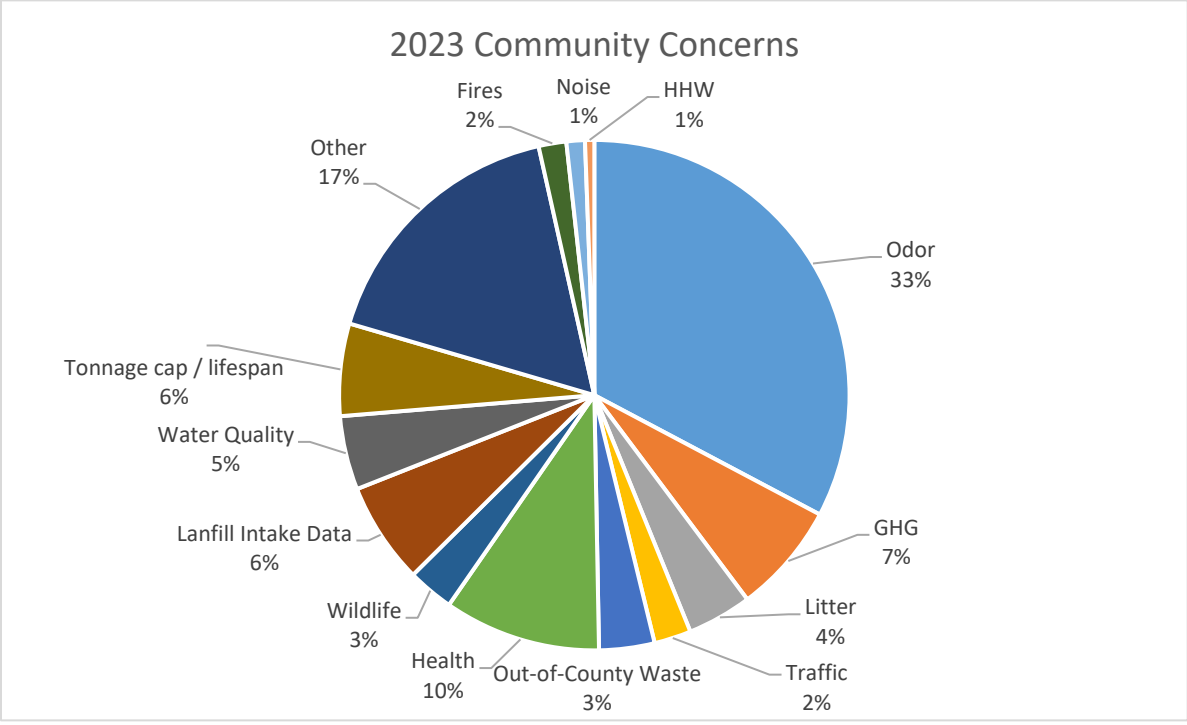
Preparation Date: January 28, 2025

The duties of Benton County's Disposal Site Advisory Committee (DSAC) are outlined in Oregon state law—specifically in ORS 459.325, which includes the requirement that "the committee shall prepare an annual written report summarizing the local citizens' concerns and the manner in which the owner or operator is addressing those concerns" which will be considered by the Department of Environmental Quality (DEQ) as part of issuing and renewing a solid waste permit.

Benton County staff and the DSAC have prepared the following staff report summarizing community member concerns regarding Coffin Butte Landfill in 2023, which may be used by DSAC to meet the requirements of ORS 459.325. Concerns listed in this report have been compiled using information from the Coffin Butte Landfill & Pacific Region Compost Annual Report 2023, comments made at Benton County Talks Trash meetings, complaints received by Benton County staff, complaints received by Republic Services, the Oregon DEQ and concerns presented during DSAC meetings.

One hundred twenty-two complaints about the Coffin Butte Landfill were reported in 2023 as detailed in the table below. Some complaints included numerous topics while others focused on a single concern. The complaints were organized into themes as illustrated in the following pie chart.

The complaints received by Benton County directly were fairly evenly distributed by topic, with odor complaints as the single topic with the most complaints. Odor complaints were one third of all of the concerns reported. In response, Coffin Butte Landfill has reported that it has expanded its methane capture system to reduce fugitive gasses from escaping. Complaints categorized as "Other" were largely comments on the Benton County Talks Trash process, service complaints and people reporting their opposition to the landfill expansion.



Coffin Butte Landfill Community Concern Log 2023

#	Date	Concern Summary	Received By:	Compliant / Concern Communication Method	Manner in which the landfill is addressing those concerns
1	5-Jan-2023	1/5/23 - Staff received Email reporting that the complainants glass and neighbors only gets picked up about 50% of the time. The big tan cart is always picked up (a different truck). The email also said that the complainant tried to contact Repbulic Services via email and phone (541.754.0444) without response. I've tried to get in touch with Republic Services about glass pickup. Nearly impossible to get a hold of them at 541.754.0444. Got no response when emailing Republic Services. So I'm contacting you since the county has a franchise agreement with Republic Services. Glass pickup is supposed to be the first full week of each month. Our glass and neighbors only gets picked up about 50% of the time. The big tan cart is always picked up (a different truck). Perhaps the glass truck person is careless - I don't know. My address is 8910 NW Wynoochee Dr, Corvallis. I'm hoping that someone from the county can put some pressure on Republic Services to do the job they are supposed to do.	Written comment	Email	1/6/23 - Daniel emailed Kenny Larson requesting more information and investigation into the issue. Daniel also responded to Mr. Bucht to let him know that Republic Services has been contacted.
2	11-Jan-2023	1/11/23 - Ken Eklund sent an email with a PDF complaint that the landifll lights go on at 4:45am each day, possibly impacting migratory birds, other wildlife, and the terms of the CUP. The conditions of the CUP, including the lights, are being examined by staff currently. Daniel forwarded this concern to Greg Verret to be investgated as a code compliance file.	Written comment	Email	2/28 - Land use issue for code compliance. In-progress
3	12-Jan-2023	1/12/23 - Rana Foster emailed saying that they smelled a strong methane smell coming from the landfill on 1/11/23 while hiking nearby.	Written comment	Email	Daniel sent an email with this information to the landfill staff, Ian MacNab and Broc Keinholtz.
4	14-Jan-2023	I was planning on going for a walk with a neighbor but could barely make it 10 steps down the driveway before I got light headed and a headache. It essentially made the outdoors of our home inhospitable. I've noticed much more odor trash and noise coming from the Coffin Butte Landfill and Knife River quarry in the last five years. On walks I've taken around our property the last couple months I've found multiple plastic bags and trash that could only have floated there from the landfill or people	DEQ	Written comment	Not reported

		traveling to and from it. It's aesthetically not pleasing and harms the soil and animal health on our property.			
5	25-Jan-2023	air stagnation causes the stench from the landfill and the composting facility to stick close to the valley floor and make its way to our locationThis happens every time we have an inversion and an air stagnation situationIt is disgusting and prevents anyone from working or exercising outside	DEQ	Written comment	Not reported
6	26-Jan-2023	1. Concerns about landfill tonnage cap, lifespan, and revenue;	DSAC Meeting	Meeting, and written comment	Unknown
7	26-Jan-2023	2. Concerns about the Republic Service trucks that are expelling greenhouse gases along with the debris escaping the trucks and littering the roadway;	DSAC Meeting	Meeting	Unknown
8	26-Jan-2023	1. landfill accepting out-of-county waste;	SWAC Meeting	Meeting	Unknown
9	26-Jan-2023	2. Air quality impacts from landfill cover;	SWAC Meeting	Meeting	Unknown
10	26-Jan-2023	3. Unknown volume/types of hazardous materials accepted at the landfill;	SWAC Meeting	Meeting	Unknown
11	26-Jan-2023	We assume this is the result of garbage dumping at Coffin Butte Landfill. Many of our neighbors have complained of the same problem especially on winter days like today.	DEQ	Written comment	Not reported
12	31-Jan-2023	Garbage trucks releasing roadside Litter and debris - Hwy 99; Acceptance of out-of-county waste; Traffic near landfill; Odors from landfill and PRC;	Benton County	Phone	Benton County provided odor complaint resources
13	31-Jan-2023	Landfill and PRC Concerns. Commerial trucks losing material on the way to the landfill creating excessive roadside debris. Experiencing a lot of garbage truck traffic. Odors from landfill and PRC.	Benton County	Written comment	Odor, Waste accumulation, traffic
14	31-Jan-2023	Same old same old. Landfill stench seems to be most noticeable when there is a shift in local atmospheric conditions. Today the high pressure system we've been under seems to be lifting and cloudiness is coming in. Along with the stench.	DEQ	Written comment	Not reported
15	1-Feb-2023	The usual odors emanating from Coffin Butte Landfill	DEQ	Written comment	Not reported
16	17-Feb-2023	Complainant reported very distinct disturbing and strong smell coming from Coffin Butte Landfill. According to the complainant the odor started around 3:30am and lasted until 9:00am before it dissipated. The odor is very caustic and smelled like bug killer or grass killer. The complainant said this is the first time he experience this odor in 40 years.	DEQ	Written comment	Not reported
17	17-Feb-2023	The air smells terrible.	DEQ	Written comment	Not reported

18	17-Feb-2023	Went to go to work and smelled that familiar acrid smell on the land fill. This smell is not an organic smell like from the compost facility. I know the difference. The smell has gotten much worse as the landfill has been bringing in garbage from all over Or. and Wa.	DEQ	Written comment	Not reported
19	22-Feb-2023	Today was the classic local weather situation in Soap Creek Valley that gives rise (pun intended) to hideous odors. Early morning fog which gradually burns off. As it starts to lift usually around 9-11 am it draws air from the north which is the airshed around Coffin Butte Landfill. If there is an inversion situation the odor is trapped all day long and often for multiple days in a row. If a coastal (usually west or southwest) breezes picks up that typically evacuates the odor. But meanwhile it is extremely offensive to be outside for any reason (yard work walking etc.).	DEQ	Written comment	Not reported
20	23-Feb-2023	1. Request for third-party audit of materials accepted at the landfill	SWAC Meeting	Meeting	Unknown
21	23-Feb-2023	2. how often is ash from the Covanta plant used as ADC. Is fly ash mixed with bottom ash? How does Republic ensure that it doesn't dry up and blow around? Would Republic be willing to foot the bill so that neighbors to the north of the landfill can be sure that their wells are safe? Has Republic done, or would they do a flyover of the landfill to find out how much the landfill is actually outgassing? What can we do to make sure that there isn't a cancer cluster around the landfill?; (Written Comment)	SWAC Meeting	Written comment	Republic Services provided a presentation about Covanta Ash at the 4/27/22 DSAC meeting.
22	25-Feb-2023	I smelled (and am smelling) the odor of composting or of landfill garbage when I go outside in my property.	DEQ	Written comment	Not reported
23	25-Feb-2023	Took dog for a walk this morning my mouth still tastes funny airways hurt.	DEQ	Written comment	Not reported
24	25-Feb-2023	Sunny clear day after the recent stormy weather. Slight north wind. OK until mid-day when the odor from the landfill permeated our airshed.	DEQ	Written comment	Not reported
25	26-Feb-2023	4/11/23 - Email to commissioners received from Jeff Thoman on 2/26/23 at 8:13pm, forwarded by Jen Brown to Daniel Redick on 2/27/23 at 6:49am. Here is the email contents (pictures and captions not included). Photos show trash debris on the road, and a specific truck, referenced as the truck releasing the litter (License Plate HV 04556, Truck #5308): Hello Republic Services and Benton County Commissioners, Today while driving my Grandson home to Salem we were driving up Highway 99 when a Semi Sized Truck pulled out from Coffin Butte 1-2 cars ahead of us and to my horror the truck spewed trash all the way to Rickreall before pulling onto Highway 22. My question is what is Republics	Written comment	Email	Daniel responded

		Accountability to this pollution? Are They Fined? Do they pick-up up trash on their own dime without passing the cost to consumers? As we all can see that the roadside is extremely littered in both directions from Coffin Butte and it is clear this is driven by poor trash containment by both Republic or its customers. This needs to improve.			
26	26-Feb-2023	Constant odor from coffin butte landfill that continues to occur more frequently and for days at a time. I wake up and open my door to a crisp mornnng covered with snow and immediately am smacked with odor from landfill (NOT the compost). It is more than discouraging and I am concerned about health risk and ground water as I have a well.	DEQ	Written comment	DUPLICATE COMPLAINT
27	26-Feb-2023	I was biking past the landfill on Coffin Butte Road when I immediately encountered a strong landfill/chemical odor. It seemed to be more intense than usual perhaps due to prevailing winds. I've gone to the landfill many times so I'm aware of the smell of "garbage". This odor seemed to be sharper than the usual "garbage smell" leading me to wonder what the chemical components of it were. It also makes me wonder why a private corporation should have the right to pollute our air with these types of emissions in a neighborhood that has a significant number of families. When people smell odors from the landfill we are essentially being treated as guinea pigs by Republic Services and DEQ. You are allowing them to put chemical compounds into our bodies with unknown cumulative risks. I would like to understand how DEQ permits this to happen and what evidence you have to show the impacts are completely benign.	DEQ	Written comment	No location or other information in this complaint.
28	26-Feb-2023	classic local weather situation in Soap Creek Valley that gives rise (pun intended) to hideous odors. Early morning fog which gradually burns off. As it starts to lift usually around 9-11 am it draws air from the north which is the airshed around Coffin Butte Landfill. If there is an inversion situation the odor is trapped all day long and often for multiple days in a row.	DEQ	Written comment	
29	26-Feb-2023	This has become a serious problem in 2022-2023 and I have experienced extreme atmospheric odors many many times. I have not reported all of them online it's simply not realistic to drop everything and complete an online form. I have experienced this for many years of living in Soap Creek Valley including before the online form so most of these problems were not reported.	DEQ	Written comment	
30	27-Feb-2023	4/12/23 - Anne Fairbother sent the BOC the following email on 2/27/23 with a complaint regarding collection services after a snow storm, and the communication. Commissioner Augerot responded on 2/27/23, I live in Pioneer Village, just off of Hwy 34 near	Written comment	Email	Daniel responded

		Decker Road. Our regularly scheduled garbage pickup day is Thursday, and glass is picked up the last Thursday of the month. Last week - Feb 23 - was the last Thursday of February. Because of the snowstorm, we did not get our garbage or glass picked up. Republic Services never contacted us to let us know if/when they would make up the missed service. I called them today (Feb 27). As usual, the number for the Corvallis office rolled over to the Republic Services Call Center in Nevada. The only thing the woman there could do for me was to schedule a missed pickup - just for me. The 3 big blue trucks plus the smaller glass truck would drive out here to pick up my garbage but would not stop at my neighbor's houses. There are about 50 houses here in Pioneer Village, so it makes no sense for all 50 of us to call individually for missed pickup service. I was told that we can put out extra garbage bags this Thursday and that they will pick them up for no extra charge because of the missed service. But we will have to wait a month, until the end of March for glass pickup! My complaints are: 1. Lack of any communication from Republic Services about the missed pickup day. 2. Having to individually ask for a "missed pickup" and not being able to do that for the entire Village. 3. Needing to wait A MONTH for the next glass pickup. 4. Inability to talk to our local office. Thank you for keeping this problem in mind when you negotiate service with Republic. I feel like we are overcharged and neglected. Not what I expect from a monopoly service with government oversight.			
31	16-Mar-2023	Same as aboveBecoming more and more frequent practically daily. It's horrible. I've lived here almost 40 years so am aware of occasional odor but this so consistent and damages way of life let alone what is going into ground water or gases in the air. Health major concern. I can't even submit daily for as often as this strong odor is present from minute I open my door in morning and now gets into the house.	DEQ	Written comment	
32	18-Mar-2023	The landfill odors have been getting stronger and more frequent over the last several months. The smell is overpowering when I walk out of my door in the morning when it is really bad. The problem seems to be getting worse not better.	DEQ	Written comment	
33	23-Mar-2023	1. concerns the landfill causes nearby residents cancer. (Written comment)	SWAC Meeting	Written comment	Unknown

34	23-Mar-2023	Paul (resident and subcommittee member): He resigns from the sub due to how his wife, Nancy, was dismissed. He offered criticism of the facilitator, including statements about his unprofessional behavior and overall engagement. He notes that Nancy brought a lot of experience to the workgroup, and yet she was dismissed because of her hard work. (For the full statement, please see Appendix B and the meeting recording provided on the project website.)	Public comment received in BCTT meeting	Public testimony	Members thanked Paul for his service and accepted his resignation
35	23-Mar-2023	Chris Workmen – (Philomath city manager): He notes the Republic has an exclusive contract with the city of Philomath, and that they do great work. He encourages the County to continue to see Republic as a partner to continue working with for community development. He also notes some concerns about timing and the report coming out. It would be problematic if the County waits to decide on the expansion until all the research and discussion is done. All development has adverse impacts, but you try to mitigate them. It is harder to do this them just saying no, but it would help a lot of people. . (For the full statement, please see Appendix B and the meeting recording provided on the project website.)	Public comment received in BCTT meeting	Public testimony	None, this was public comment at a meeting
36	23-Mar-2023	(resident and former BCTT member): He is sorry to see Paul going and would like to thank him for his role and hard work. He has a few questions for Darren: What did he mean when he said "many important things are happening behind the scenes" at the Board of Commissioners meeting, and when is this BCTT finally going to finish? . (For the full statement, please see Appendix B and the meeting recording provided on the project website.)	Public comment received in BCTT meeting	Meeting discussion	Meeting discussion
37	23-Mar-2023	Linda (certified soil scientist, works in waste management, served 10 years on SWAC, resident): She makes several points, including that functioning solid waste management is essential for a County to function, SWMS needed for a county to function, Republic has been a reliable partner to the County, and climates like ours requires special needs that Republic has provided. She also notes that the BCTT moniker was a mistake because it gives a humorous and unprofessional impression.	Public comment received in BCTT meeting	Public testimony	None, this was public comment at a meeting
38	23-Mar-2023	He appreciates that everyone, to some extent, is coming together. The County and Republic seem to be coming to the table, and he hopes more people can come to the table to help move forward. After all, the County will not stop making trash anytime soon.	Public comment received in BCTT meeting	Public testimony	None, this was public comment at a meeting
39	23-Mar-2023	I think many of the neighbors feel like we've already given enormous amounts of input that really wasn't appreciated or accepted and I just want to give one example. First I was going to say I was biking by the landfill last night at 8:30 at	Public comment received in BCTT meeting	Public testimony	None, this was public comment at a meeting

		night as I've done hundreds of times before. I smelled the smell coming off the dump on Highway 99, a strong smell and I thought about getting home and sending another report to DVQ to complain about it, but my last report about six weeks ago, I specifically asked for follow-up from DVQ as I've done in previous occasions, I've gotten nothing. As far as I'm concerned, there's no accountability on the part of DVQ. I would like to know if there was air monitoring ever done to know what chemicals are going in my body when I routinely breathe, start coming off the landfill. I'd also like to point my letter to the editor on Tuesday. It was published at the exact time. I'm not sure how to submit that, but I just bring to attention to the public, the PFAS chemicals, which are almost certainly in the effluent from the landfill and are being essentially dumped in the [inaudible 00:14:40] River to the downstream drinking water communities. The issue I wanted to share most with you today is when I first got involved in this in July of 2019, a neighbor alerted me about this expansion of landfill. There was a little public notice I eventually found, and it said that Coffin Butte would be vacated not the road, it said Coffin Butte. It also said that the road would be rerouted and you read this notice and you go, oh, it's no big deal. They're closing part of the landfill. They're going to reroute the road. I think that's part of the problem here. As many neighbors, if they were even aware of that notice, had no idea what was going on so my subsequent communication with the county staff, I just received a whole lot of pushback. They would not publish an amended notice to let people know that that was factually incorrect and that's kind of been the process I've experienced all along is my emails don't get answered. I brought this to the attention of commissioners way back, never get any answers. It's just been incredibly frustrating because these processes just seem designed to exclude the average citizen. I know I've exceeded my time, but thank you for your service and thanks for considering my input.			
40	23-Mar-2023	During the prior CUP within my comments to the planning commission, I stated the expansion cannot only be about the money. Unfortunately, it become more and more obvious it is only about the money. As I raised before why wasn't any due diligence completed prior to our commissioner signing the 2020 landfill franchise agreement. The 2020 landfill franchise agreement, it's big business. Big business that warranted one, a professional cost benefit analysis of hosting a regional landfill, a professional independent environmental impact study covering environmental impacts to date and the future environmental impacts of hosting	Public comment received in BCTT meeting	Public testimony	None, this was public comment at a meeting

		a regional landfill. BCTT suggests this in the future. Third, the Sustainable Materials Management Plan, which BCTT also suggests in the future. In the future does not provide answers now. Please work group where appropriate please consider this during polling. After the prior CUP was withdrawn, I individually invited each of our commissioners to participate in public outreach with a small group. I felt we needed their help in opposing any landfill expansion. I can tell you all we received is pushback. Our Benton County commissioners, Benton County staff and Republic Services all want an expansion. Benton County doesn't need an expansion. Don't the residents of Benton County deserve due diligence in the decision making process? I would argue we do. How can this process of considering expansion not include due diligence? It appears Benton County commissioners are only concerned about the money and due diligence may get in the way of their discretionary cash flow. We're a group. We're appropriate. Please consider all of this in your polling. Please. Commissioners, Benton County residents deserve better. Do the due diligence before moving forward. Thank you.			
41	23-Mar-2023	I used to be on the work group. I wasn't going to say anything, but on the occasion of the consideration of LU21047, the previous landfill expansion proposal that was proposed in July of 2021, one of the local opponents of that who spoke at the planning commission meeting name was Cat Newsheller. We got news two days ago that Cat had died after a long battle with cancer. There was a lot of cancer in the neighborhood around the landfill and that was one of the issues that the Planning Commission identified as being a question that they would like to have answered before there was a decision on whether to increase the size of the landfill. Landfills are not safe. That's becoming more and more clear. They don't ever discover new chemicals that are good chemicals. There are only worse chemicals and some of those chemicals are now being spread on our agricultural lands. There was even a recent CNN article about how people who live near landfills should have their blood tested for PFAS. Landfills are specifically called out as a danger for people who live nearby and no amount of money is going to bring Cat back and this is a question that really needs to be answered. It was if I had remained on the work group, I would've tried to bring it to the attention of the members. I was not in retrospect so it's really great to not be on the work group before because you guys worked really hard so thank you for that, but keep in mind that real people's lives may be at risk and	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting

		this is an unanswered question. Thank you very much.			
42	23-Mar-2023	As a concerned resident of Benton County that travels up Highway 99 regularly. I'm concerned about the rapid increase of landfill since Riverbend Landfill closed in McMinnville and I've been following the BCTT since its beginning. And by the way, thank you all I know the hundreds of hours you've spent. What I have learned during this process is that the county gave up its legal leverage to negotiate with Republic Services when it signed that 10 year landfill franchise lease in 2020. We are all in this together, the public, Republic Services, and the county to figure out how to keep the landfill from encroaching on farmland, from driving away neighbors who bought their property when Coffin Butte was smaller, significantly smaller and slated for closure in about the year 2000. So I was a little alarmed when I read the story in the Gazette Times this morning that there was a legal liability over the petition, which I as a Benton County resident have helped circulate. And let me read you the wording in the petition it says we need a plan, not a bigger landfill. By signing this position, we're telling the commissioners to oppose any expansion of Coffin Butte landfill before Benton County completes a thorough detailed waste management plan that focuses on future resilience and includes alternatives for decreasing and redistributing materials from the waste stream. So there is no legal ramification for the county to have a position that opposes landfill expansion. They have legal restrictions regarding approval of a conditional use permit, but we as concerned residents want to hear the county be responsible for what goes into the dump and work hard with Republic Services through whatever leverage they can afford at this point, to pull things out of the waste stream, to increase the recycling markets, to do the things that we've taken time and effort to spell out in the solid waste materials Plan RFP that's due to be released. But anyway, thank you all. Work hard. We've got to stop this juggernaut, there's more to trash management than expanding the landfill. Thank you.	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting
43	23-Mar-2023	I'm concerned that issues around PFAS are not addressed in the report. Leachate is included in CUPR 13, but only its impact on water, not soil. In addition to PFAS-laced leachate making its way into the Willamette River, potentially PFAS-laced bio solids are being applied as a soil amendment at the Soap Creek branch, including where cattle currently graze and on the Carson homestead. This is where the Leticia Carson Legacy Project hopes to someday have an organic farm celebrating Leticia's legacy as a	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting

		Oregon Black pioneer. These are two amongst many concerns I have about the BTCC work group process and report. Whose responsibility is it to ensure impacted people's voices are heard? The process has become so inside baseball that I can't understand it despite having tried to follow the proceedings. Community engagement is when you meet people where they are, not where you are. I ask you to please consider the impacts on the many people who are unable to engage in your process as you pull on this report and its recommendations. Thank you.			
44	23-Mar-2023	Mark, a longtime resident of Benton County. I work in Monmouth, so I drive up 99 across Adair Village, up 99 regularly. I've always thought of the news but I never really was that educated about the landfill until I got involved with writing the history of the landfill as part of the Benton County talks trash process. So I wanted to provide, while I am able to submit things as a member statement, I feel like those are just going to become another part of the huge pile of paper. So I wanted to give a little bit of oral testimony to my perspective and concerns regarding this process. One thing I want to start by saying is as we wrote the history which was largely drafted by Marge Pop, myself, with a lot of input from Ginger who is really a great help in many ways. One of the things that is really clear is while Republic's representative was as reasonable as you could ever expect, reaching consensus meant that we did not include things that we feel the public ought to know about. We did take very seriously the drive for consensus, but in the end when I look back on it, I realize consensus really means veto power. For specific areas I want to highlight that we would perhaps have done better if we had submitted a separate report rather than the consensus report of history we did. Five points. One, history of fires and fire risk. We feel were significantly downplayed. It's hard to do justice to some of that stuff, but conversations with people that were fire officials locally, it's pretty clear that there's a greater danger there than was first apparent or that we included in the history. Secondly, the significance for public services corporate decision making in increasing annual deposits that the landfill should have been developed more. In since it's the increased use of the land creates deposits in the landfill that are forcing the county to accept the south expansion, which created a greater incentive for Republic to negotiate for southward expansion and to incentivize it for the county board. I really expanded on the physical transformation of the area as lands on its trucks and lights have really transformed the Coffin Butte area from an almost bucolic area that I once knew 30 years	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting

		ago to really a full-fledged industrial zone. I go there different times a day, always the big trucks moving, litter sometimes from the trucks. But just the most important thing is as I drove down from Salem just yesterday, you can see that landfill from very far away over on Independence Road, which is not highway 99, but two miles to the east. Two other broader concerns I want to race, one is while the immediate previous decision was not perhaps conducted properly and the public, and perhaps some officials, were not well-informed of the process or the basic information concerning the expansion negotiations and the proposal that was withdrawn last year for expansion. Many of those who were involved did understand the nature of the issues and I think you can view this process as essentia redo of a decision that perhaps was valid to begin with. And finally, my last point, in the bigger picture, this process seems to ignore the core values of Benton County 2040 Thriving Communities initiative. There should be direct consideration of whether the expansion of landfill helps create the Benton County that we envision for 2040 and that has not come up anywhere. We don't have a committee regarding environment or quality of life. We have ones on economics and things like that. Thank you			
45	23-Mar-2023	I'm a North Benton County resident as a former Air Force pilot and evaluator with a civil engineering degree and a master's of public administration, a community board member and Adair Village rental property owner and a mother of three young children, I've spent years taking input from those under my responsibility to ensure health, safety, and quality of life. Many times each year, and particularly in the winter months, we are affected at our house and while the children are attending school in Adair Village by an oppressive stench, not what is coming from the PRC but one that affects our daily living and activities coming from the landfill. It causes headaches, eye irritation, and throat burning, which limits our outdoor activities and often makes me concerned for the safety of the children at the school transiting between classroom buildings, during outdoor recess, and during sports practice. In addition, the landfill leachate deposited daily at the Corvallis Wastewater treatment plant, which passes through the Municipal treatment System without additional treatment. The abnormal panel of toxins is released into the Willamette River mere miles prior to Adair Village's drinking water intake source. The Adair Village water treatment plant operates well within its required duties to treat river water prior to consumption. My grave concern is that many of the toxins deposited into the source water are not accounted for, treated,	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting

		or even tested for at this point. Both the air quality and water quality bring me concern for the safety of the tenants under our responsibility, my own children and their classmates and teachers, and the growing population of Adair Village. It is the charge of county government to ensure the health and safety of the Benton County residents to whom they are responsible and to ensure current and future livability of Benton County. I implore you as the Trash Talks work group to do everything in your power to ensure we account for all potential current and future impacts of our resident landfill prior to contemplating any future expansion. Have you seen and studied results of local air quality tests? Residual environmental toxin tests? And have proof that the drinking water of Adair village does not contain PCB, PFAS, and other chemical toxins not normally tested for in municipal water sources? If not, we need to ensure that the entirety of the sustainable materials management plan is completed prior to any expansion approval to ensure the safety of all Benton County residents. Thank you again for all of your time and efforts. We appreciate the immense efforts that have gone into this process.			
46	23-Mar-2023	So interestingly, if you were to take one day's accumulation of trash at the landfill, which is what, 10 hours of dropping trash? And you compress it into a 60 second time period, you would have six seconds of time where trash was coming from Benton County. The remainder 54 seconds, and if you want we can sit through this, the remainder 54 seconds is coming from outside of Benton County and that's amazing. What's interesting too about that is that six seconds is costing Benton County so much headache and so much time, but we're getting so little benefit from it. And so the fear factors of oh, we're going to close the dump and it's going to cost you a fortune. The reality is they are making so much money on everybody else and very little on Benton County and why are we spending so much time is because Benton County is making a whole bunch of money from that six seconds of trash. Anyway, it's just a perspective that I think is interesting to kind of think about is that so much of all of this headache that is going to live in Benton County forever and ever and ever is really only a small fraction of what Benton County is actually creating. Thank you.	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting

47	23-Mar-2023	I'm a North Benton County resident and I want to second just about everything everybody else has said prior to my speaking. I am opposed to the county moving forward on any expansion of the landfill at any level until there is an authentic citizen approved plan to manage solid waste. An authentic citizenry approved plan would include all the stakeholders, especially the neighbors who remain at risk for water, air, and ground pollution. For me, the county's motto "at your service" has come to me as "at Republic's Service" and not the citizens of the county. With all the perils risk and damages already identified and submitted over the past 18 months, how can you in good conscience proceed to consider anything less than a comprehensive and substantive future oriented plan? This plan needs to include specifics on how the county will finally hold Republic services accountable for the damages that are ongoing. Instead of spending $80,000 on a process facilitator, why aren't we getting the state-of-the-art and world-class, 21st century strategies for all the municipalities using the landfill? Other communities with landfills are facing or have faced these same dilemmas. It seems to me the county staff are more diligent in preserving the funding stream than responsibly responding to the very real concerns of the citizens who pay their taxes. If the latest identification of PFAS being dumped into the Willamette River isn't enough to change your direction, then I invite you to go down to the water treatment outflow and take a long drink day after day just as those downstream have to. I'm not a scientist or a specialist, I'm a human being who wants the smarts of scientists and specialists to be integrated into any plan. This is all part of the changes needed to impact our climate concerns and seven generations henceforth. Thank you	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting
48	3-Apr-2023	First I want to thank all the neighbors, committee members, county employees, and others involved in tackling this important issue. Looking through the vast amount of documentation that has been gathered, I'm impressed with the effort made. And these times I think we need to work together to deal with things that impact us all on a personal local level. My husband and I have been residents of the Sub Creek Valley for 33 years. Last year when Republic Services submitted their conditional use permit application, we joined with other neighbors concerned by many aspects of the proposal and hoped that having a facilitator and work group dedicated to examining the issues we would be productive. Perhaps I placed a little too much faith in the process. And it wasn't until a recent survey came out that I started really examining the website and information presented there. I	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting

		have already written an email to voice my concerns about the survey and related issues and sent it yesterday. So perhaps you've already had a chance to see it. However, I did want to make a few more comments about this process. First, I want to remind you that there are more people impacted by the landfill and its current and future activities than just a group of disgruntled neighbors crying, not in my backyard. The issue of solid waste management, whether it is household, industrial, hazardous, medical, or recycled waste, is a worldwide concern. On some levels it is very complex and expensive. Yet the long-term benefits of dealing with these issues sooner rather than later can make a huge difference in our neighborhood, our state, our world. In that vein, I notice you've included a statement honoring the Kalapuya tribe and the acknowledgement of there having been here long before the settlers came to this area. I believe that many native spiritual values honor the earth, the plants and animals, the seasons and other elements of this beautiful world that we share and consider them sacred. You cannot find documentation suggesting any input from the nearby tribes into this process and would really have appreciated seeing some. Perhaps it's not too late. Thank you for this opportunity to speak.			
49	3-Apr-2023	It appears to be setting the stage for not just one but multiple expansions. Did you notice in one of the last recommendations that you voted on just before dinner, you referred to expansions in the plural. How did that get in there and in whose interest is that? Thanks to a recent public records request by a community member who spoke earlier, we now know that some important information that is missing from the history section of the report that you really should have heard about at the start of this process, but you were informed of. She referred to a February 2019 memo between county council and an outside attorney, which mentions purchase of additional property as one of the county's goals in upcoming negotiations with Republic. Following up on that in October 2020, Republic mentioned to county council they have many more acres that will hold waste, not just local south of Coffin Butte Road. So they have still more expansions in mind beyond the one we've all been expecting and the county knows that. This is about setting the stage for landfill expansions on top of landfill expansions. During the neighborhood tour, a couple of us tried to point out how the current landfill is already creating blight. We've talked about how this has led to being properties being bought out and added to allow further sprawl of this massive operation. We like to talk about sustainability	Public comment received in BCTT meeting	Public testimony	Acknowledged at meeting

		here in Benton County, but this is about as far from sustainable as you can get. I can't blame Republic, this is their business model, but our county shouldn't be complicit and neither should you. So as you continue to vote on these topics, please bear in mind that you're not just being asked to set the table for a single expansion. This is about multiple continued expansions. Thank you.			
50	3-Apr-2023	It has recently come to light through a Freedom of Information Act request to Benton County that as early as 2020, our county attorney, Vance Croney, was discussing possibilities for largescale expansions of the Coffin Butte Landfill south of Coffin Butte Road with Republic Services local representative, Julie Jackson. The gist of this email exchange that took place between 11:23 and 11:51 AM on October 14, 2020 is presented below. The full transcript was submitted for the record to the BentonCountyTalksTrash email address this afternoon at 1:44 PM.	Email	Email	Daniel acknowledged the complaint and followed up with resident.
51	11-Apr-2023	1) Republic not emptying yard debris containers when scheduled; containers only get emptied when he calls to report container has not been emptied. 2) He has requested, and Republic has promised to, replace his damaged recyclables container. The container has not been replaced.	Benton County	Written comment	Waste Services
52	17-Apr-2023	I was cycling past the landfill when I encountered strong odors coming from the dump. As explained above I've experienced this hundreds of times over the years. I would like to know the specifics of your air monitoring/testing. How do you ensure that the fly ash used for the daily cover material does not become airborne? Have you tested the fly ash (which comes from the Covanta facility one that processes many types of hazardous material)? What trace organic compounds are in the landfill emissions? How much methane and other gases am I being exposed to? Are there any long-term health impacts associated with these emissions/pollutants? I would like answers to these questions.	DEQ	Written comment	DUPLICATE COMPLAINT
53	27-Apr-2023	1. Concern about landfill methane emissions (written comment).	DSAC Meeting	Written comment	Unknown
54	27-Apr-2023	2. Concern about landfill-related traffic (written comment).	DSAC Meeting	Written comment	Unknown
55	1-May-2023	Each day I smell landfill gases of different intensities. Today the odor is so strong that I don't want to expose myself to the gases. I am a cancer survivor and have a compromised immune system	DEQ	Written comment	
56	1-May-2023	The usual -- see my previously submitted descriptions or those of my many neighbors.	DEQ	Written comment	

57	20-May-2023	landfill odor increasing from coffin butte	DEQ	Written comment	
58	22-May-2023	Hi Daniel, There have been a number of landfill-related issues to report this week. Here is a short list. Since DSAC is still not meeting in its function to provide a forum for local residents to reports incidents and to promote a dialog with the landfill operator on addressing these problems, I am cc:ing Julie Jackson on this so that she can direct these complaints to the responsible individuals in the company. 1. Garbage flying out of truck on way to landfill: Today (5/22/20123) at 6:21 AM a northbound Republic Services truck with a large construction-type dumpster was shedding plastic bags along Hwy 99W, near the south end of Arboretum Road. After seeing at least 5 bags fly out as I approached the truck (I was headed southbound), I gave a horn blast in an attempt to alert the driver to what was happening, but the driver just kept going north at highway speed. That truck would have arrived at the scale house within a few minutes (by 6:25 AM) so perhaps scale-house records could be used to follow up with the driver. Though this type of thing happens regularly, and this is not the only Republic driver failing to secure a load, so preferably the company will take more systematic action in training drivers and checking that the load-covering systems are functioning properly. 2. Blown tire from garbage truck left in lane of travel Earlier last week (I did not note the date or time but VLI phone logs should have a record of this, I think it was 5/17), a southbound Republic Services truck (the type used for residential garbage pickup) blew the tread off its tire right in front of our house. It made a tremendously loud bang like a bomb going off. I looked outside in time to see the truck which had slowed down in front of our neighbors' house to the south, but then it sped up again and left the scene. When I ran out there I found a full tire tread was left out on the roadway, in the lane of travel for passenger cars which were having to go into the left-hand lane to avoid it, so posing a hazard for regular traffic on this highway. I dragged the tread out of the lane of travel and onto the	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.

		shoulder, then immediately called VLI's office to report the incident. After that I had to run some errands in town, and noticed that there was a trail of shredded strips of rubber -- many with sharp wires projecting -- all along the southbound shoulder of the road as far as the south end of Arboretum Road. The county (or ODOT?) just recently run a street-sweeper along the highway, and over the weekend I had also seen a local volunteer out picking up trash near the south end of Arboretum Road, so this was new debris. Since the shoulder of Hwy 99W also functions as a bicycle lane, this type of debris poses a hazard to bicyclists. Someone did come out and pick up the main section of tread by the time I returned from town, so thank you to whoever did that. However they didn't pick up the long trail of tire fragments along the shoulder to the south. Tire blowouts are also fairly common thing with trucks heading to and from the landfill. If this were to happen while a truck is passing a bicyclist or pedestrian along the highway, there could be a severe injury or even fatality. Republic Services, VLI, and the various commercial haulers should be more responsible in checking that truck tires are properly inflated and in good condition, and that trucks are not overloaded, since those conditions contribute to blowouts. There should also be driver training on what to do in the event of a blowout. There can be no doubt that this driver noticed the enormously loud explosion, so they should have stopped to address the problem (removing the hazard from the roadway and changing out the blown tire to avoid creating further hazards). Does Republic's company culture promote responsible behavior in such situations? Or are drivers so worried about keeping to their schedule, that they feel pressure to keep rolling? 3. Dump odor event on Saturday Saturday morning was a bad one for sulfurous landfill stench in Soap Creek Valley. I happened to be over there for a project monitoring endangered grassland birds, and noticed it as I was driving home, even with the windows rolled up. There were also visible clouds of dust coming off the landfill from the tipping area. I have filed an odor complaint with DEQ. 4. Garbage left exposed in tipping area after Saturday			

		A wide patch of garbage on the south face of the landfill was left uncovered after operating hours on Saturday evening, and all day Sunday. This was clearly visible from half a mile away on Camp Adair Road. Leaving garbage uncovered outside of operating hours is a problem not only in terms of odor, but also because it attracts scavengers. On Sunday I counted 14 ravens and 4 eagles scavenging in the exposed garbage. Ravens are nest predators for many songbirds including grassland birds such as meadowlarks, and eagles prey on Great Blue Heron nestlings (possibly a factor that led to failure of the heron rookery on VLI property last May). Again, this is a recurring problem, though not always reported. I believe it is out of compliance with the conditions of approval for VLI's operating license, so we should expect better diligence from VLI/Republic on this. I'll appreciate if you can add these items to the record of landfill-related issues. Thanks, Joel Geier North Benton County resident and landfill neighbor			
59	25-May-2023	1. Concern landfill is approaching maximum annual tonnage allowed	SWAC Meeting	Written comment	Unknown
60	6-Jul-2023	Complainant called hotline to report strong odor from Republic landfill in Benton Co. (Coffin Butte) stating that odor is very strong and offensive smells like hot garbage making it impossible to be outside for any period of time. Complainant requested that a complaint be logged but did not request to be contacted.	DEQ	Written comment	
61	11-Jul-2023	Coffin Butte Landfill not accepting cash	Benton County	Phone	Benton County notified Republic Services, requested further investigation

62	11-Jul-2023	Coffin Butte Landfill not accepting cash, after passing of SB 1565	Benton County	Written comment	Landfill Service
63	26-Jul-2023	Joel Geier emailed on 7/26/23 saying that intermittent "clangs" and banging is occuring on the near the property below, south of the landfill gas to energy plant. The sounds were heard in roughly 15 minute increments on 7/24, 7/25, 7/26 from 8am through early afternoon. Erin Bradley (Bit By Bit) emailed on 7/27/23 and said "The repeated intermittent pounding is causing stress on our animals, staff, and clients who are working with large animals." MAPTAXLOT: 104180001200 Tax Account: 005888 Assessment Map: 10418 Owner: VALLEY LANDFILLS INC Situs Address: 29160 COFFIN BUTTE RD CORVALLIS 97330 Joel Geier emailed again on 9/6/23 saying that the loud noises were apparently fro a drilling rig on the east side of the landfill, and that there was an unobstructed path for noise to travel from that point to the complaintant's properties (email includes map/diagram attachment). Joel's complaint states that inadequate screening is causing noise to travel, and that it violates CUP conditions, and requested screening for corrective action. Joel also requests that the landfill operator notify neighboring residents in instances of high noise impacts, similar to Knife River's notification practices.	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.
64	27-Jul-2023	1. Concern about details of collected and shared data associated with the landfill and PRC in annual reports: Accuracy of waste county-of-origin data, C&D data is not separately reported/recorded for all vehicle types at the landfill, too little detail for vehicle data, leachate hauling data, and gravel truck hauling data (written comment, also presented at 8/24/23 DSAC meeting).	DSAC Meeting	Meeting, and written comment	Unknown
65	27-Jul-2023	2. Concern about landfill impacts on nearby heron rookery.	DSAC Meeting	Meeting	Unknown
66	27-Jul-2023	3. Concern about landfill annual report data - tonnage accuracy.	DSAC Meeting	Meeting	Unknown
67	27-Jul-2023	4. Concern about high arsenic levels reported in monitoring wells in the landfill annual report.	DSAC Meeting	Meeting	Unknown
68	27-Jul-2023	5. Concern about landfill annual report data - PRC runoff not included.	DSAC Meeting	Meeting	Unknown

69	2-Aug-2023	Complaint:Redacted per ORS 192.355(4) Confidential Submissions Coffin Butte receive a waste stream from Hollingsworth and Vose Fiber Co. called Microglass Fiber. The fine particulate dust is packaged in supersacks that comes to the landfill in a roll off box. When the roll off box is dumped out the heavy supersacks explode when they hit the ground and the fine particulate dust becomes air born.	DEQ	Written comment	
70	24-Aug-2023	1. Concern landfill is approaching maximum annual tonnage allowed, concern DEQ solid waste disposal reports filed by Coffin Butte Landfill are shorter than previous years (written comment).	DSAC Meeting	Written comment	Unknown
71	24-Aug-2023	2. Concern landfill impacts on nearby heron rookery.	DSAC Meeting	Meeting	Unknown
72	24-Aug-2023	3. Concern about landfill methane emissions.	DSAC Meeting	Meeting	Unknown
73	24-Aug-2023	4. Concern that reported landfill capacity is not accurate.	DSAC Meeting	Meeting	Unknown
74	24-Aug-2023	5. Concern about landfill methane emissions.	DSAC Meeting	Meeting	Unknown
75	24-Aug-2023	6. Concern about materials accepted at the landfill, recommending a characterization of accepted materials.	DSAC Meeting	Meeting	Unknown
76	14-Sep-2023	Joel emailed on 9/14/23 that he was concerned about "medical wastes like syringes to body parts and other kinds of biohazard risks" referenced in the GT article on 9/14/23.	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.
77	14-Sep-2023	Hi Daniel, Some information here and a few questions: An article in today's Corvallis Gazette-Times has the following statement attributed to Jacob Stallings, attorney for the International Union of Operating Engineers Local 701: "Stallings said welfare negotiations are crucial, especially with recent exposures at the Coffin Butte Landfill, from medical wastes like syringes to body parts and other kinds of biohazard risks." I suppose that the mention of "body parts" refers to the most recent grisly incident where the remains of a murder victim from Clackamas County were found during a search by Oregon City police, and perhaps also the incident a year earlier, involving a murder victim from Washington county. Both of those incidents were widely reported, but I don't think the incidents involving illegal medical waste have been reported, though they should be reported by the landfill operators.	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.

		Concerns over such waste were among the reasons why SWAC and DSAC members (prior to the suspension of both, and the eventual dissolution of SWAC by the county commissioners) had been calling for an audit of waste coming to the landfill from out-of-county. So here are my questions: Question 1: Has Benton County received any notification of prohibited medical wastes such as syringes being found recently at Coffin Butte Landfill? This issue might become more acute with the passage of Oregon Senate Bill 488, which was passed and signed into law by Governor Tina Kotek at the end of the last session. See e.g. https://www.statesmanjournal.com/story/news/politics/2023/06/07/covanta-marion-municipal-waste-incinerator-emissions-oregon-senate-bill-488/70279139007/ Question 2: Recently you mentioned an "inspection" of the landfill that you were trying to schedule with the landfill operators. What was the focus of that inspection, did it happen, and what did you find? Question 3: Has Valley Landfills Inc. (or Republic Services) delivered their 2022 Annual Report on the landfill to the county, and if so, can you please make that publicly available on the county's solid-waste management web page?Question 4: Did Valley Landfills Inc. (or Republic Services) share their 2022 Annual Environmental Monitoring Report (as filed with Oregon DEQ) with Benton County, and again, if so, can you please make that publicly available on the county's solid-waste management web page? Although some of these questions should properly be taken up by DSAC, I note that DSAC still seems to be suspended de facto, as there have been no meetings in over a year, and no meeting is yet scheduled for September. So please consider these as questions from a concerned Benton County resident and landfill neighbor, whose legitimate interests are currently not being represented by a Disposal Site Advisory Committee, despite the clear stipulations of Oregon statute. Thanks and all the best, Joel			

78	27-Sep-2023	Joel Geier sent Daniel Redick the following complaint via email "An Adair Village resident, Lisa Mathis, informed me on September 24th that she is hearing heavy equipment operating on top of the landfill in early morning hours, starting around 1 am or 2 am. She says that this has become a regular occurrence in recent months. Her residence is more than 1.8 miles from the landfill. According to the conditions of approval for the 2003 CUP, the hours of operation for the landfill are supposed to be 8 a.m. to 5 p.m. on weekdays and Saturdays, and noon to 5 p.m. on Sundays. Benton County CDD has previously received complaints about pre-dawn operations from neighbors who live closer to the landfill. Now that you have a complaint that this ongoing violation of the 2003 CUP conditions is impacting residents in Adair Village at distances of up to nearly 2 miles. Please register this as an additional complaint. It is related to the previous complaint, as the problem arises from rapid growth in height of the landfill without adequate screening." Daniel emailed a response on 9/28/23, noting receipt of the complaint. Taxlot: 105130001000 Tax Account: 021463 Assessment Map: 10513 Owner: VALLEY LANDFILLS INC Situs Address: 28845 COFFIN BUTTE RD CORVALLIS 97330	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.
79	28-Sep-2023	"overpowering and pervasive to my nostrils and eyes"	Forwarded to RS from DEQ	Written comment	Not reported
80	1-Oct-2023	I went outside to eat dinner with my family and immediately recognized the smell coming from the Coffin Butte Landfill. It was overpowering and pervasive to my nostrils and also my eyes. Almost immediately I got a headache and had to think about my breathing.	DEQ	Written comment	
81	6-Oct-2023	Concern about hazardous materials accepted at landfill via commercial waste collection, concern about hurdles and inaction in complaint process (written comment, duplicate of email complaint received by Benton County)	Benton County	Email	Complainant filed complaints with DEQ, DEQ responded during BCTT process
82	6-Oct-2023	Hazardous materials accepted in garbage collection from commercial facilities	Benton County	Written comment	Waste Services
83	6-Oct-2023	10/6/22 - Doug emailed the following concerns: "Over the past ~15 years, I've also documented a large number of violations concerning waste in Corvallis school dumpsters. This includes numerous violations of Oregon's electronic waste law (e.g. a large television in a dumpster at Crescent Valley High School), and various	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.

		hazardous waste violations (e.g. 5-gallon buckets of paint, refrigerators, fluorescent light tubes, etc.)....Earlier this year, I discovered fluorescent light tubes in a large, open dumpster at Crescent Valley High School. ...I've also frequently found waste violations in dumpsters on the OSU campus and at a Philomath school. This includes significant quantities of hazardous chemicals (e.g. epoxies, paints and solvents), a refrigerator, and electronic devices. " Doug notes his complaints were received by DEQ, but did not resolve the issues. These specific complaints fall outside of the County's geographic jursidiction, with the exception of Crescent Valley High School: Taxlot: 11514B000201 Tax Account: 043699 Assessment Map: 11514B Owner: CORVALLIS SCHOOL DIST 509J Situs Address: 4444 NW HIGHLAND DR CORVALLIS 97330			
84	16-Oct-2023	I'm a union rep that represents seven mechanics that work at the Coffin Butte Landfill in Corvallis Oregon. They constantly are working around hazardous materials that are effecting the air they breathe and the operators around them.	DEQ	Written comment	
85	16-Oct-2023	Caller reported an excessive amount of potentially hazardous dust from a landfill site. Caller Redacted per ORS 192.355(4) Confidential Submissions advised they do not follow dust mitigation policy. They are concerned that the policies are not being followed, and that the material within the dust can be potentially dangerous to the public. Caller advised they have pictures of the dust leaving the site.	DEQ	Written comment	8/3/23-Aubree Minten: This is not a Haz Waste issue but is a solid waste issue. In Coffin Butte's solid waste permit section 9.14 states that the permittee must control air emissions including dust and this is not occurring with regard to a particular waste stream. The landfill is not violating an air quality standard as there is no evidence to support that the particulate matter is leaving the property boundaries and is therefore violating the solid waste permit specifically section 9.14 where they are required to control dust. Hugh Gao is the solid waste permit writer

					for Coffin Butte landfill and I am directing this complaint to him. I am also referring this to OSHA to look at worker exposure/safety the intake person for referrals at OSHA is Aileen Harmon and that is who I am referring this complaint to: Aileen.R.Harmon@dcbs.oregon.gov9/22/23 - Becky Williams: Reached out to the complainant letting them know that DEQ contacted the LF letting them know of a dust complaint received and asked for their dust suppression process which they provided. Also explained that because the complainant wants to stay anonymous the video that was provided cannot be used as evidence and therefore an enforcement cannot be issued.
86	26-Oct-2023	1. Concerns about landfill closure date, fill rate, capacity, environmental cost of the landfill (including methane, PFAS, leachate, landfill gas emissions, air quality, wildlife impacts, traffic impacts, visual impacts, dust and litter, land use impacts, liner/cover maintenance, public security), regulatory and general compliance (federal, state, and local), material acceptance monitoring, material sources, accepted tonnage/intake rate, liability for remediation, quarry excavation, closure and reclamation plans, risks (fire, earthquakes, hazardous materials, PFAS, flood, power outages, multiple disasters, groundwater contamination, economic impacts, (written comment)	SWAC & DSAC Joint Work Session	Written comment	Unknown
87	26-Oct-2023	2. Concern landfill impacts on nearby heron rookery (written comment)	SWAC & DSAC Joint Work Session	Written comment	Unknown

88	26-Oct-2023	3. Concern about amount of recyclable materials in the landfill (written comment)	SWAC & DSAC Joint Work Session	Written comment	Unknown
89	26-Oct-2023	4. Concern about landfill material characterization, and methane containment (written comment)	SWAC & DSAC Joint Work Session	Written comment	Unknown
90	26-Oct-2023	5. Concern about hazardous materials accepted at landfill via commercial waste collection, concern about hurdles and inaction in complaint process (written comment, duplicate of email complaint received by Benton County)	SWAC & DSAC Joint Work Session	(Duplicate - from 10/6/22 email) Written comment	Complainant filed complaints with DEQ, DEQ responded during BCTT process
91	26-Oct-2023	6. Concern about level of detail in landfill traffic reporting (written comment)	SWAC & DSAC Joint Work Session	Written comment	Unknown
92	31-Oct-2023	Hi Daniel, Would you please share this message with the DSAC distribution? While biking yesterday evening on Camp Adair Road (north of Corvallis), I noticed a huge cloud of smoke coming from Republic Services' composting facility ("Processing and Recovery Center" or PRC). I was concerned about the fire, so I went to see if I could find someone from Republic Services to talk to. Unfortunately, no one was in the office or at the weigh station. I've created an album with photos and videos showing the smoke coming from the smoldering file which you should be able to access here: https://photos.app.goo.gl/q59s9dimFMhVVZkZ6 (please let me know if you're unable to view the images and videos). I've attached two of the photos for reference below. The smoke from this fire was drifting over a large area south of the facility, extending roughly 2 miles south on Independence Highway. It had earlier drifted a long way to the east, along Camp Adair Road, extending to Springhill Road (before the wind shifted). The intensity of the smoke definitely made it unhealthy to breathe. I had to hold my breath while biking through the worst of it (and changed my route to avoid it). I would like to know more about this incident. Were you aware of it? I can only assume it was an unplanned (and unpermitted) incident. Does the PRC operate under a permit from DEQ? If so, does the permit allow these kinds of unplanned fires? What corrective action(s) will be taken to prevent these kinds of events in the future? Will any fines or other measures be taken to stop this	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.

		kind of pollution from happening in the future? Thanks in advance for your reply, Doug Pollock ---------- Taxlot: 104170000300 Tax Account: 005656 Assessment Map: 10417 Owner: VALLEY LANDFILLS INC Situs Address: 29891 CAMP ADAIR RD MONMOUTH 97361			
93	1-Nov-2023	We got up around 6:45 am and noticed a thick haze outside. I did not actually go outdoors until around 7:30 am and was met with strong chemical smell - I had never smelled this odor before. It seemed to dissipate around 9 am or thereabouts, but an unusual haze persisted throughout the day.	DEQ	Written comment	Forwarded complaint to permittee and requested investigation and response.
94	3-Nov-2023	In the area around the intersection of Hwy 99W and Camp Adair/Coffin Butte Roads, there were large amounts of smoke mixed with odors from possibly both PRC and the landfill. A neighbor at the same time observed that several of the compost piles at the PRC were on fire and producing massive amounts of smoke. The odors were obvious all the way north almost to Monmouth.	DEQ	Written comment	10/17 - I called the complainant and recommended they contact OSHA about worker safety concerns. They stated they've already contacted OSHA and that they want someone from DEQ to look into this issue. They are concerned about the lack of dust mitigation at the landfill. The photos they attached show white clouds of dust that appear to be kicked up from bags of microglass fibers. They said that Hugh Gao and Becky Williams are both aware of what's going on with this facility.
95	13-Nov-2023	Tip or Complaint: Mr. Orton says there are violations at Coffin Butte Landfill in Corvallis, OR. The violations are grotesque and ongoing, and he has reached out repeatedly to ODEQ and the state, but they do not seem interested. He is requesting a call back.	DEQ	Written comment	DEQ contacted the landfill regarding this issue. The landfill stated/responded on 11/13/2023: "As requested during our meeting, I'm providing a summary of how we handle dusty materials and medical waste at Coffin Butte. We have multiple practices that we

					utilize to minimize dust. First, we have a full-time water truck driver during the dry season. This person waters the roads and working face areas to minimize dust. Our operators are also trained to identify dusty loads and to let the site Operations Manager know about them. This way we can work directly with the customer to implement measure to reduce dust. This can include one or more of the following options: • Have the customer wet down the material prior to bringing it to the landfill • Packaging the material in large bags or containers to contain the dust when the load is tipped • Having the customer dump their material off to the side of our working face so that we can bury it directly in place without having to move the material with our equipment. If a customer is unwilling to work with us to reduce dust, we also have the option of rejecting future loads of material from them. Regarding the material in the white bags, while we are still permitted to accept it, we haven't actually received the material in at least a year. "

96	17-Nov-2023	11/17/23 - The complainant called and left a voicemail at 10:15am. They said the landfill stench was "pretty oppresive" from about 5am-approximately 9:45am. They could smell it from their home (27407 Writsman Creek Drive).	Phone call	Call	11/17/23 - Daniel Redick called the complainant and left a voicemail at 1:19pm, and let them know that the complaint would be recorded in Benton County records.
97	17-Nov-2023	11/17/23 - The complainant called and spoke with Daniel Redick, reporting strong landfill odors in the early morning hours. They could smell it from their home (37420 Moss Rock Road, Corvallis).	Phone call	Call	Daniel acknowledged the complaint and followed up with resident.
98	17-Nov-2023	Original complaint forwarded to DEQ from EPA Regional Tip/Complaints (original email uploaded to documents): https://ebird.org/checklist/S103247095 - Photos of birds at Coffin Butte Landfill: NOTE these photos are from Sunday February 20, 2022. Coffin Butte Landfill operations are closed on Sundays which means at the end of Saturday's operation daily cover was not applied. Coffin Butte Landfill work area left uncovered for the weekend. What the photos clearly show is no daily cover. The 5 inches of soil and or alternative cover required by what I believe to be Title 5. The absence of daily cover is not limited to this one Sunday. I have a series of time lapse photos taken with a game camera over a period of many, many weeks that shows the continuous practice of neglecting daily cover. The time lapse photos show that the only time any cover is applied is when the daily work area is moved across the landfill. Appears that Republic Services only applies cover to facilitate the movement of vehicle traffic. I would like to share the other photos as part of this complaint but in total they are too large for this Media upload. I am requesting EPA contact me regarding an unannounced site visit.	DEQ	Written comment	11/2 - I called complainant and left message. DEQ will need more information, such as an origin of the haze/odor. Complainant is located in a rural area and I don't see any businesses nearby that would generate a chemical smell or unusual haze. It could be a neighbor open burning garbage. 11/3 - The complainant called. They couldn't describe the smell. They said that they regularly smell smoke from slash piles and also experience terrible odors from Coffin Butte Landfill. But this smell was different than either of these and they have no idea where it could have originated from. It just smelled like chemicals. It didn't smell like smoke at all. There were reports that PRC (Pacific Region Composting) had a fire a few days ago and they wondered if perhaps it was from that. I recommended they keep a log with

					date/time, odor characteristics and wind direction if they continue to notice the odor to help DEQ narrow down where it's coming from. They agreed and thanked me for my time. I am closing this complaint.
99	19-Nov-2023	11/19/23 - The complainant emailed Linda Ray the following complaint: Hello Benton County, I'm writing to log in a complaint about the Coffin Butte Landfill, which blanketed its neighborhood with a strong chemical reek on the morning of November 16, 2023. I live in the landfill area. I see reports on social media that many people experienced this smell and that the reek extended as far south as North Corvallis. Can you advise me as to what the people of Benton County can do to address this? Ken Eklund	Written comment	Email	11/20/23 - Daniel Redick responded and provided additional options for filing complaints
100	19-Nov-2023	Another complainaint emailed Linda Ray at 8:59am: "I'm writing to log in a complaint about the Coffin Butte Landfill, which blanketed its neighborhood with a strong chemical reek on the morning of November 16, 2023. I live in the landfill area. I see reports on social media that many people experienced this smell and that the reek extended as far south as North Corvallis. Can you advise me as to what the people of Benton County can do to address this?" (Ken Eklund <futureeverything@writerguy.com>).	Written comment	Email	Daniel Redick responded on 11/20/23 at 8:25am with information about filing complints directly with the landfill and DEQ.

101	21-Nov-2023	"dump smell"	Direct Complaint to Republic Services - Becky LeBlanc	Written comment	Not reported
102	29-Nov-2023	"dump smell"	Direct Complaint to Republic Services - Larry LeBlanc	Written comment	Not reported
103	1-Dec-2023	12/1/23 - Larry Leblanc called and left Daniel Redick a voicemail, and said that they could smell landfill stench.	Phone call	Call	12/1/23 - Daniel Redick returned Larry's call, confirming receipt of the compaint and offered additional resources for filing odor complaints, which Larry said they were already aware of.
104	1-Dec-2023	Odor	Direct Complaint to Republic Services - Becky LeBlanc	Written comment	Not reported
105	7-Dec-2023	1. Concerns about rate of quarry excavation and impacts to available landfill airspace	SWAC & DSAC Joint Work Session	Meeting	Unknown
106	7-Dec-2023	2. Concern about various landfill business contracts/agreements increasing accepted tonnage and impacting landfill lifespan (in meeting and via written comment)	SWAC & DSAC Joint Work Session	Meeting, and written comment	Unknown
107	7-Dec-2023	3. Concern about landfill compliance with land use conditions of approval	SWAC & DSAC Joint Work Session	Meeting	Unknown
108	9-Dec-2023	Republic Services truck releasing roadside Litter and debris - Camp Adair Road	Benton County	Email	Benton County notified Republic Services, requested further investigation
109	9-Dec-2023	Republic truck releasing trash along Camp Adair Road	Benton County	Written comment	Solid Waste accumulation
110	12-Dec-2023	Odor	Direct Complaint to Republic Services - Larry LeBlanc	Written comment	Not reported
111	13-Dec-2023	Call and voice mail re: odor near the landfill at "the end of Richmond Creek Road". Odor described as "really bad" but no other details. Caller left a phone number.	Phone call	Call	Daniel Redick called the resident.
112	14-Dec-2023	"particularly nasty"	Forwarded to RS from DEQ	Written comment	Not reported

113	15-Dec-2023	"absolutely overpowering"	Forwarded to RS from DEQ	Written comment	Not reported
114	16-Dec-2023	"overwelming stench this morning"	Direct Complaint to Republic Services - Larry LeBlanc	Written comment	Not reported
115	21-Dec-2023	Caller is in North Albany area, poor air quality over the last 2 weeks due to methane leak from Coffin Butte Landfill. Caller got information via a Neighborhood Post when she asked what the odor/air quality was. Would like to file a formal complaint, also has questions on whether or not there is an update from the report by DEQ in beg November. Requesting a call back.	Phone call	Call	Daniel acknowledged the complaint and followed up with resident.
116	23-Dec-2023	I am an Area Coordinator for a local neighborhood watch group in North Albany (single family homes, apartments and other structures for the elderly - quite a large community). I am sending this email on behalf of the Watch in RE: to submitting a formal complaint based on the poor air quality in the Central Willamette Valley on/off since the beginning of November. Many in the areas surrounding the Coffin Butte landfill have been experiencing heavy chemical air for the past 3 weeks, as their has been continuing stagnate air - a huge health concern. Several in our community have asthma and are not doing well in this situation. Here is a message that was sent to a community online platform (covers all of Linn and Benton counties) for residents in this area. Two posts below are from a member to alert neighbors where the source of the bad air was/is coming from. Posts are detailed below. First post: AIR QUALITY AND AIR STAGNATION ALERTS – LANDFILL METHANE EXCEEDANCES Since early November, the residents of Corvallis, Albany, Salem and Eugene-Springfield and surrounding rural areas have been subjected to multiple days of air stagnation weather patterns. Air patterns that trap particulates and other air pollutants close to the surface where these pollutants are inhaled while being outside. Here is an example alert from the National Weather Service on Saturday, December 16 – WHAT...For the Dense Fog Advisory, visibility one quarter mile or less in areas of dense fog. For the Air Stagnation Advisory, a period of stagnant air with light winds is expected. * WHERE...Central Willamette Valley and South Willamette Valley. * WHEN...For the Dense Fog Advisory, until noon PST Sunday. For the AIR STAGNATION ADVISORY, UNTIL 4 AM PST MONDAY. * IMPACTS...Hazardous driving	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.

		conditions due to low visibility. AIR STAGNATION COULD RESULT IN THE DEVELOPMENT AND PERSISTENCE OF POOR AIR QUALITY. During these periods of air stagnation, do you experience the acrid smell in the air? Did you know that the smell is coming from the Coffin Butte dump? EPA INSPECTED THE DUMP IN JUNE 2022 AND FOUND MASSIVE METHANE LEAKS THAT VIOLATE AIR QUALITY LIMITS. Methane is an odorless gas, but it is not the only air pollutant spewing from the dump. On Highway 20 at Independence Highway on Friday December 15 around noon, the smell from the dump was absolutely overpowering. Residents are being exposed to toxic air pollution from the dump, and people living in and around Adair Village, Logsdon Ridge, and North Albany know exactly what I am talking about. Be careful when you are outside, do not exercise strenuously, and limit your outdoor activities to avoid exposure to these chemicals spewing into the air from the dump. Also, to help protect our air quality during air stagnation events, please limit car trips, outdoor burning, and woodstove use. If the air smells bad to you, please call and file an odor complaint with Benton County at 541-766-6819 , submit a written complaint to publiccomment@bentoncountyor.gov , or file odor complaint with Oregon Department of Environmental Quality at 503-229-5696 . DEQ also has an online form at https://ordeq-edms-public.govonlinesaas.com/pub/pub-rcd/ordeq/event;tab=basic . My next post will include report excerpts from the recent EPA air quality inspection conducted at the dump. Follow up: EPA FINDS MASSIVE METHANE LEAKS AT COFFIN BUTTE LANDFILL The EPA performed an ANNOUNCED clean air inspection of Coffin Butte landfill on June 23, 2022. This means that EPA TOLD THE DUMP OPERATORS in advance that EPA was coming to conduct an inspection. For background, SEM stands for Surface Emissions Monitoring, PPM is a measure of concentration and stands for Parts Per Million. Under its Air Quality Permit, Republic Services is allowed to self-monitor gas emissions from the landfill. While EPA found dozens of methane concentration exceedances, not surprisingly, Republic's self-monitoring reports only found very few exceedances and some reports didn't find any. Methane is one of the most potent greenhouse gases. Landfills that are emitting tons of methane are also emitting many other air			

		pollutants. Coffin Butte landfill is one of the largest methane emitters in Western Oregon. Information presented here is excerpted from a 14-page EPA report dated September 19, 2022. Daniel Heins, the EPA inspector, spent nearly 9 hours on site during the inspection. The EPA surface emissions monitoring inspection found: : 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: Again, quoting directly from the EPA inspection 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.” “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.” For more information on Oregon’s rules for landfill gas emissions, go to this website: https://www.oregon.gov/deq/ghgp/pages/landfill-methane-emissions-reduction.aspx Is there something being done by County and State agencies to hold Republic Services accountable for fixing the multiple violations			

		listed in the EPA report? It appears they've not held up the standards required by the state of OR and should be held to account. Please accept this email communication as a formal complaint on behalf of many in the community who have been suffering from negligent practices currently happening at Coffin Butte. If you could send an update on progress RE: holding them to account, it would be much appreciated. Thank you for your assistance in this matter. Best Regards, Area Coordinator, Blossom Crossing Neighborhood Watch			
117	23-Dec-2023	The odor from Coffin Butte Landfill was particularly nasty for these three days (12/14-12/16)	DEQ	Written comment	
118	25-Dec-2023	Email message: "December 25, 2023 dump smell is overwhelming! We are at 37072 Soap Creek Road, It also smells at 27407 Writsman Creek Dr. it was obvious this morning, this evening it is overwhelming." No request for follow, no phone number left.	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.
119	25-Dec-2023	"like rotten garbage, some sort of gas"	Forwarded to RS from DEQ	Written comment	Not reported
120	25-Dec-2023	Has been smelling like rotten garbage for at least a few hours now. 2 days ago it smelled like some sort of gas. I frequently smell a rotton odor when it gets foggy or there is an air stagnation advisory. I finally found out how/where to report this unacceptable odor, most likely caused by the local landfill.	DEQ	Written comment	Complainant did not reference what specific violations he observed, or dates or times. There are no other complaints from this individual on record in the system.
121	26-Dec-2023	the odor was intense when driving between Coffin Butte Landfill, south on Independence Hwy to Hwy 20, and all the way into Albany	DEQ	Written comment	2/2/24 sent email to Republic requesting they add the complaint to their log and get back to me with findings regarding Dec 25 and 23.
122	28-Dec-2023	Email received: "Over the past year, the smell from the dump has gotten more and more overpowering. There is no way to get away from it. The chemicals that cause the terrible smells also cause cancer when we breathe them in. With so many inversions, Coffin Butte is quickly making this whole area unlivable like the paper mill used to make Albany."	Written comment	Email	Daniel acknowledged the complaint and followed up with resident.

Community Concerns Received Since Last Meeting

Date Received	Concern Summary	Method Received	Response
1/13/25	I strongly oppose this expansion. We need to limit the amount of garbage that we bring into Coffin Butte from other parts of Oregon and not expand it to meet these needs. I am very concerned about the waters of our rivers. We have so much recreation that is dependent on our rivers, why do you want to increase the leachate that pollutes them. The proposed expansion will place an undue burden on public facilities violating BCC 53.215 (2). There will be more truck traffic on local roads. Please do not let this expansion happen.	Email	Bailey provided information about how he can make comments about the proposed expansion when the public comment period has opened.

1/14/25	In my opinion, the response from Republic Services proves that they are outright lying by daring to negate the very real experiences of those of us living in the area. It is my further opinion that if Republic Services produces logs or reports showing nothing unusual or amiss, those are likely being falsified, as it is patently illogical to believe that the methane emissions could have grown exponentially in the last year if everything were as it should be. They are clearly operating in CYA mode (Cover Your A**). That is why everyone has begun reporting complaints directly to the government agencies now, rather than to Republic Services, as R.S. have proven themselves untrustworthy in these matters. I do not personally believe that Republic Services is capable of responsibly managing the byproducts of the current landfill mass, nor should they be allowed to accept an ounce of additional landfill waste until these matters have been INVESTIGATED FULLY AND LEGITIMATELY, AND THE ONGOING ENVIRONMENTAL VIOLATIONS HAVE BEEN IDENTIFIED AND RESOLVED. There should be a judicial stay on the landfill restricting them from further intake of waste. Law-abiding, well-intentioned individuals are held accountable by the government for small mistakes regarding permitting and accidental violations of government bureaucracy, yet this deep-pocketed, out-of-state corporation is being allowed to continuously spew unhealthy chemicals into the land, air and water without a valid permit, and to date has suffered no citations for what I believe is their knowing mismanagement of the landfill. Why aren't Republic Services and its agents who misrepresent the truth of what is happening there being held criminally and civilly liable for the long-term public health and environmental	Email	This email went to the DEQ; and Senators Jeff Merkley and Wyden and Hoyl Bailey responded by letting them know how to record complaints with Benton County, how to provide public comment to the DSAC and how to the Planning Commission.

	problems they are creating? This is too noticeable and far-reaching an issue for the DEQ, Republic Services, Benton County Commissioners or Benton County SWAC/DSAC to pretend the issue isn't real. Based on my experience living near the site, it seems very clear that Coffin Butte Landfill is operating in violation of BCC 53.215 (1). Therefore, I must once again ask what is actually being done to protect the community and ecosystems surrounding the landfill from further, out-of-control methane emissions and ground/water leaching of who-knows-what? And by the way, the odor was present again January 16 and 17 when I came home from work at around 6:30 PM through bedtime, and each morning between 6 - 8AM when I left for work. Thank you for anything you do to protect our community by holding Republic Services accountable for their mismanagement of the Coffin Butte Landfill. You have the opportunity to make a positive difference in the world! Please act on the side of good in this matter.		

1/18/25	I am forwarding the following emails in an effort to ensure that Senator Wyden and Senator Merkley are informed of the ongoing, ever-increasing emissions, odor and mismanagement issues continuing at the Coffin Butte Landfill site in Benton County, Oregon. I received an email from Oregon DEQ representative Laura McWhorter, in which she attached a response from Republic Services Environmental Manager Paul Koster. The responses are incredibly superficial and insufficient to address the odor and emissions complaints. This is gas-lighting at its best. I believe Republic Services and its agents are misrepresenting the truth either outright or by omission, because the odor has indeed increased exponentially this past year, and has reached levels of intensity that have caused me nasal and throat issues if I have lingered outside too long while trying to take care of necessary tasks on my property near the landfill. The odors are also often strong enough to permeate indoor structures that don't have air filtration systems in place. That has been happening throughout the fall and winter, and as recently as this past week in January of 2025, well after the landfill's supposed steps to mitigate emissions leaks exposed in the June 2024 EPA inspection. As someone living within a mile and a half of the landfill, I can attest the problems have only worsened since the inspection. They have certainly not improved. Please ask Senators Wyden and Merkel to help protect our community from the environmental harm being perpetrated by Republic Services. I also beseech them to hold Oregon DEQ and Benton County agencies accountable for what at this point can only be considered informed complicity in allowing the Coffin Butte	Email	This email went to the DEQ; and Senators Jeff Merkley and Wyden and Hoyl Bailey responded by letting them know how to record complaints with Benton County, how to provide public comment to the DSAC and how to the Planning Commission.

	Landfill to continue operating and accepting additional landfill waste after it has been proven through inspections that they are failing to responsibly manage emissions levels resulting from the landfill mass already contained on the site. Whether it's a matter of mismanagement via incompetence or criminal intent, the landfill, its owners and agents need to be stopped immediately. I have also attached a link to a newly released news article related to the issue. I would appreciate an email address for Val Hoyle or her field representative as well, if you would be so kind as to provide that. Please be the change for those of us who don't possess your power and influence. Thank you!!!!		
1/21/25	This came in as a petition that had 15 signees. Stated that an expansion would not be in accordance with the 2040 Thriving Communities Initiative (Vibrant, Livable Cities; High Quallity Environment and Access; Community Resilience. Also states that it would be a violation of county code BCC 53.215.1 "Interfenerence with uses of adjacent property." and BCC 23.325.2 "Imposition of undue burden on public improvements, facilities, utilities or services."	Letter	
1/29/25	Susan wants to report that she can smell the dump at her house on 29th and Grant. This concerns her as well as the request for expansion. She requested that her message go to Commissioner Shepherd and Chair Wyse. She did not request a call back.	hone Call	None
1/1/2025	Coffin Butte Landfill is belching landfill gas permeating the air. I was 6.3 miles from the landfill and the stench was very noticeable.	DEQ	Forwarded complaint with a group received just after Jan 1.

1/1/2025	The Coffin Butte Landfill stench was wafting through the air. Landfill gasses 5 miles from the Landfill. Very strong odor	DEQ	Forwarded several complaints together to Republic. They have some turnover of personnel at the landfill.
1/6/2025	I went out to work in my backyard (taking advantage of my son sleeping and no rain at the moment). I was smacked in the face with a horrible landfill odor. Made my chores worse.	DEQ	Forwarded complaint to Republic, waiting on response.
1/9/2025	The somewhat sulfurous and sickening dump odor coming from the direction of Coffin Butte landfill is common at my house, particularly in the winter when there are breezes from the north.	DEQ	Forwarded complaint to Republic, waiting on response.
1/9/2025	It is not unusual for us to smell the landfill from the NW-facing side of Vineyard Mtn but we live further away on the SE facing side of the ridge. This is the first time since we moved in in 2001 that we have smelled it this strongly on the SE side of Vineyard Mountain ridge crest.	DEQ	Forwarded complaint to Republic, waiting on response.
1/12/2025	The odor from Coffin Butte landfill is consistently getting worse. It is VERY potent today. It cannot be healthy to breathe.	DEQ	Forwarded complaint to Republic, waiting on response.
1/15/2025	Methane emissions from Coffin Butte Landfill have been occurring daily. Last week I came home earlier than normal and on several days the methane odor was present as early as 3:30 PM and 4:30 PM, increasing in strength until bedtime. When I needed to spend time outdoors, it was a limiting factor because the chemical emission was strong enough to trigger headache and nausea, as well as nasal and throat problems that seem to correlate to my increasing exposure to the daily, higher levels of emissions. Something is wrong at Coffin Butte Landfill. It has never been this way in past years. They need to be investigated, fined and shut down. What is the state doing to resolve this ongoing, highly reported issue??	DEQ	Forwarded complaint to Republic, waiting on response.

1/15/2025	On 1-11-25 the odor was very overwhelming in fact even worse than the daily stink it has become. Please take action to have them control the stink. Please start issuing daily fines. How or why would they make corrections to change if there is no reproductions if no corrections are made. Please take some real actions. Please contact me with a plan of action. Thank you Sincerely Eric Harry Nittka	DEQ	Forwarded complaint to Republic, waiting on response.
1/17/2025	The methane stink was once again very strong first thing this morning. It is now almost becoming a daily issue and the strong smell is getting stronger and overwhelming at times. Please do something to get them to take care of this issue. Thank you and God bless you!	DEQ	Not reported
1/21/2025	We frequently smell odors from Republic Services' Coffin Butte landfill. This morning, the odor has been overwhelmingly disgusting; we will not let the dog stay out it smells so toxic. Depending on the time of year, and atmospheric conditions, we might smell these odors several days a week, or just weekly - sometimes it is just smells bad, sometimes it smells toxic enough to make us wonder if vulnerable wildlife or neighbors with compromised health are being seriously affected.	DEQ	Not reported
1/21/2025	Landfill gas stench permeated the air up and down Soap Creek Valley, the majority of the day.	DEQ	Not reported
1/29/25	Complaint regarding (1) air quality, (2) failure to cover garbage over the weekend, and (3) failure to maintain the slopes of the landfill in the condition promised in past land-use applications.	Email	Confirmed that these issues are included in the complaint log.

Petition re: Land Use LU-24-027

Coffin Butte Expansion

We are extremely concerned about Republic Services' attempts to expand Coffin Butte landfill.

This proposal is not in accordance with the Principles as defined in the **2040 Thriving Communities Initiative** which values:

-Vibrant, Livable communities: A landfill makes a mockery of the "vibrant, safe and livable community" which we should "strive to ensure" and is not "forward thinking". We should be implementing more long-term solutions for waste, including reducing the production of single use items and the expanding of recycling and reuse programs.

-High Quality Environment and Access: The landfill will be a toxic, environmental hazard for decades to come. Even if the existing standards, as defined by DEQ and state and local requirements, were enforced, (which is currently not the case) the plans proposed by Republic Services (including no cap on annual tonnage brought in) will only make matters worse. The current and future air, soil and water quality issues will not be resolved without enforcing current standards and limiting future expansion.

-Community Resilience: "Recovering from human caused disasters, threats and changes" is of course critical. But should we not also be preventing, or at least minimizing human caused disasters such as this land fill and Republic Services' disregard for sited emissions violations, methane leaks, PFAS dangers and pollution of the Willamette River?

Violations of BCC 53.215.1- "Interference with uses of adjacent property "

The far-reaching odors from the landfill site and the noise and destruction of Coffin Butte are ruinous of property values and make the EE Wilson Wildlife Area virtually unusable for recreating on many days.

Violations of BCC 23.325.2 – "Imposition of undue burden on public improvements, facilities, utilities or services"

Heavy truck traffic to Coffin Butte drastically increases deterioration of our roads, leaves roadsides strewn with debris and creates more tailpipe emissions near homes and schools.

Leachate from Coffin Butte is dangerous to ground water and soil, creates even more truck traffic, burdens our water treatment facilities and pollutes a major recreational feature of the area, the Willamette River.

Please DO NOT LET THIS EXPANSION PROCEED!

2024 Coffin Butte Landfill Community Member Concerns Annual Staff Report

Prepared By: Bailey Payne, Benton County Community Development Department, Solid Waste Program

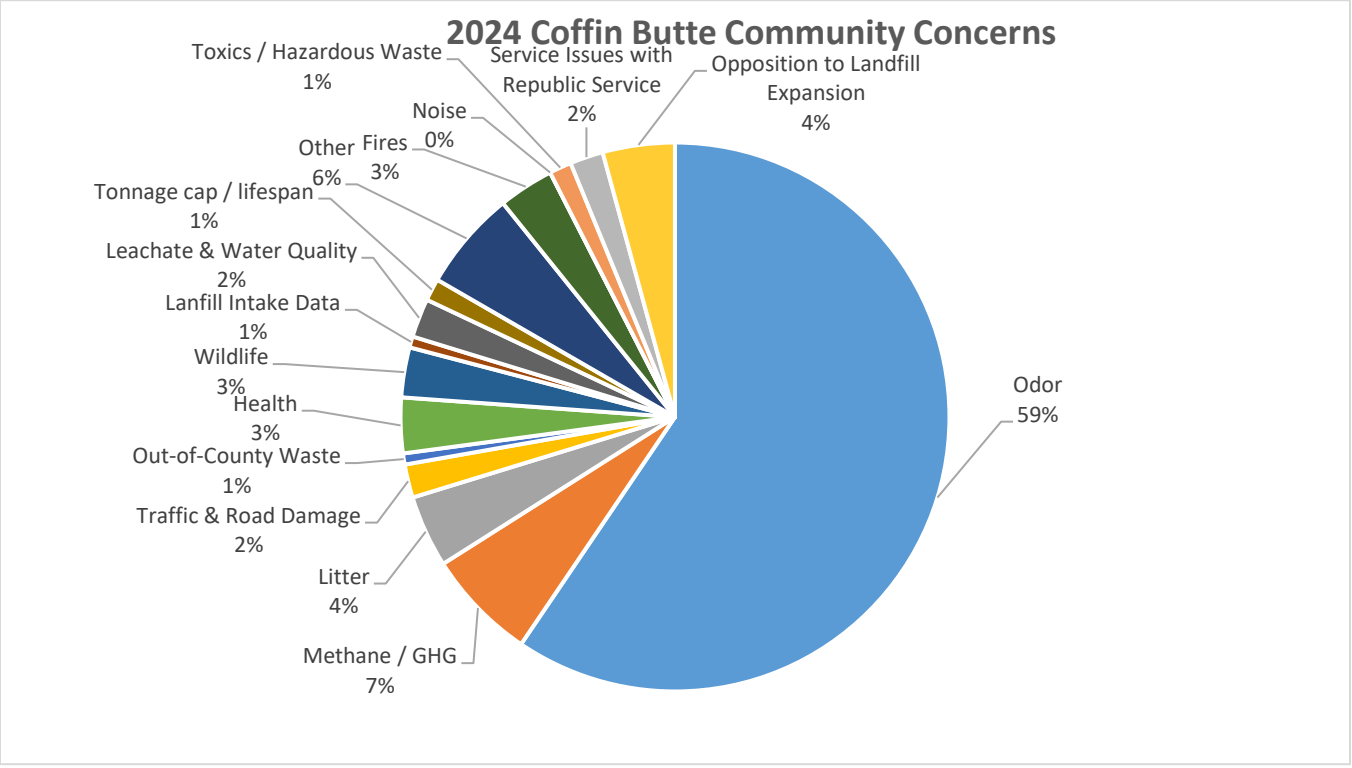
Preparation Date: February 19, 2025

The duties of Benton County's Disposal Site Advisory Committee (DSAC) are outlined in Oregon state law—specifically in ORS 459.325, which includes the requirement that "the committee shall prepare an annual written report summarizing the local citizens' concerns and the manner in which the owner or operator is addressing those concerns" which will be considered by the Department of Environmental Quality (DEQ) as part of issuing and renewing a solid waste permit.

Benton County staff and the DSAC have prepared the following report summarizing community member concerns regarding Coffin Butte Landfill in 2024, which may be used by DSAC to meet the requirements of ORS 459.325. Concerns listed in this report have been compiled using information from the complaints received by Benton County staff, complaints received by the Oregon DEQ and Republic Services and concerns presented during DSAC meetings.

Two hundred thirty-three complaints about the Coffin Butte Landfill were reported in 2024 as detailed in the table below. Some complaints included numerous topics while others focused on a single concern. The complaints were organized into themes as illustrated in the following chart.

The complaints received were fairly evenly distributed by topic, with the exception of odor complaints. Odor complaints were 59% of all of the concerns reported. In response, Coffin Butte Landfill has reported that it has expanded its methane capture system to reduce fugitive gasses from escaping and regularly makes repairs to tarps and wells.



#	Date Received	Concern Summary	Method Complaint Received	Response
1	1/11/24	Concerns about landfill odor – "Dump Day" in Adair Village and points north. "I'm at Santiam School, and I can taste it."	DSAC Chair	Not reported
2	1/11/24	Concerns about landfill odor – "take a quick drive up towards Tampico and over towards 99. Adair was stinky mid afternoon, and it's gotten worse and pretty bad right now."	DSAC Chair	Not reported
3	1/11/24	Concerns about landfill odor – "Coming back from town around 3:00 today, the dump stench around CV [Crescent Valley] was overpowering!"	DSAC Chair	Not reported
4	1/13/24	Concerns about road hazards, landfill odor – "I've been driving weekly on highway 99 S from Corvallis to Salem and have noticed a significant increase in large truck traffic coming in and out of the Coffin Butte landfill. A visible change in the landfill seems to be occurring… "Last Friday on January 12th, 2024 there was a toxic smell as a truck pulled out in front of me, and it endured for miles as I followed behind it at some distance - there was no visible back-of-truck license plate on the truck so that I might identify what the source or company was. "There seems now to be every couple of minutes a very large truck crossing onto or over Highway 99 at the Coffin Butte junction when I go by on Fridays in late mornings or early afternoons. Due to the frequency of large trucks entering and exiting, out-of-area incoming trash to the landfill seems as if it may have increased. In addition, I never used to actually smell the landfill as I passed by. However, these last 2 Fridays a strong smell was evident for quite a distance."	DSAC Chair	Not reported
5	1/28/24	Concerns about landfill odor – "I was helping 2 friends in N. Albany (one on North Heights and one on Broadway) Dump stench was present…. Sure wish we coulkd make people aware of what they are smelling or seeing."	DSAC Chair	Not reported
6	2/2/24	Concerns about landfill odor – "It's another stinky day in the neighborhood… With the wind drifting due south today, we're getting the full "dump stink" on the east side of Tampico Ridge, guessing it might be bad on the west side too."	DSAC Chair	Not reported
7	2/7/24	Concerns about landfill odor – "The landfill is stinking it up again today. Just filed another DEQ complaint."	DSAC Chair	Not reported
8	2/9/24	Concerns about landfill odor – "Yesterday late morning, stepping out of my car just north of Luckiamute River just off 99 made me cringe. I hurried inside, so I didn't have to be out there in the stink. Likely the exact scenario that caused the vineyard sale on Airlie to fall through."	DSAC Chair	Not reported
9	2/9/24	Concerns about traffic safety, landfill odor – "The Adair community is growing leaps and bounds. School age children attending Santiam Christian. School busing intertwined with garbage trucks and large tractor trailers hauling trash throughout the day. That new housing trac and a growing school being subjected to toxic air."	DSAC Chair	Not reported

10	2/9/24	Concerns about landfill odor – Soap Creek Valley – “Today is a dump day at our house”	DSAC Chair	Not reported
11	2/11/24	Concerns about landfill odor – 6:30pm, Hwy 99 by dump, "nose burning stench"	DSAC Chair	Not reported
12	2/13/24	Concerns about water quality – groundwater and runoff arsenic contamination – “We know that Coffin Butte Landfill produces leachate that is very high in arsenic. A seepage event in the early 1990s (acknowledged by Valley Landfills Inc.) resulted in high arsenic levels in one monitoring well along Coffin Butte Road, and since then several wells on the east side continue to show anomalously high arsenic.”	DSAC Chair	Not reported
13	2/17/24	Concerns about landfill odor – North Corvallis – “Can somebody please tell me what that horrible smell is here around the neighborhood market of Walmart? — post on Nextdoor”	DSAC Chair	Not reported
14	2/17/24	Concerns about landfill odor – Writsman Creek Road – “This morning I woke up to dump smell, we had a breeze coming up Soap Creek Valley (N to S) it was getting more pungent as the morning progressed.”	DSAC Chair	Not reported
15	2/24/24	Concerns about landfill odor – Coffin Butte overlook – “the odor was bad up there at times”	DSAC Chair	Not reported
16	2/25/24	Concerns about landfill odor and how Republic Services addresses those concerns – the correspondent relayed communications with Oregon DEQ: “DEQ compares odor complaints from the community to Republic Services’ odor report from the same day. I wasn’t aware that someone on R.S.’s staff periodically checks for odors at Coffin Butte, Monday through Friday, and files a report. She noted that they rarely report odors, even on days when we are complaining about especially bad stench. (I noted to her that sometimes, up here on Zeolite Rd., that weekends are just as likely to stink as weekdays!)”	DSAC Chair	Not reported
17	2/26/24	Concerns about roadside trash – Highway 99W – “I was appalled by the amount of trash along Hwy 99W on my way home from Rickreall. It caught my eye when I saw home owners standing in the ditch with bags and trash pickers stabbing plastic waste out of vegetation in their right of way. There is a lot of mostly plastic trash litter scattered all along the highway south of Monmouth from Helmick Park to the dump. These folks need to have a voice on the Disposal Site Advisory Council. I know that won't happen under the current DSAC bylaws, but they should be part of an expanded DSAC to go along with the new multi-county Solid Waste Plan.”	DSAC Chair	Not reported
18	2/26/24	Concerns about roadside trash – Independence Highway – “The roadside garbage along Independence Hwy is appalling (the section between Ryals and Hwy 20). I’ve been driving that stretch once or twice a week for the last 4 years. Despite Republic telling us that they do periodic trash pick-up days, the garbage in the ditches and in the surrounding fields is a constant and seems to be getting worse. I can only assume every heavily traveled route to Coffin Butte is lined with garbage. This is the welcome mat we put out for those driving to our area from other places….”	DSAC Chair	Not reported
19	2/27/24	Concerns about landfill odor – filing odor complaints – “the Republic Services “Odor Complaint Form” was REALLY	DSAC Chair	Not reported

		INTERESTING: I clicked on that link and it did indeed bring up a form where you can "report an odor concern" specifically attributable to the Landfill. That was a surprise! Because a little voice in the back of my mind said, *hm, last time I went to Coffin Butte Landfill's website looking for a way to complain about landfill odors, the only option was a complaint form for PRC, their composting facility. Zero options for complaining about landfill odor.* So I did a little research. Went to the website archive.org (where you can enter a URL in their "wayback machine" and see what the history of a web page is, aka see what it looked like over time). When I entered the URL for the odor complaint form, sure enough, as recently as December that URL went to a PRC odor complaint form, not a Landfill odor complaint form! Which means Republic Services having an actual place to complain about Landfill odors… is NEW as of 2024! "If you go directly to the landfill's website looking for the form... you can't find it! It is not on the "Contact Us" or "Resources" page, it's not in their FAQ... or anywhere else. It's a hidden page. So yeah they do have it, but clearly only begrudgingly. If you search for "Complaint Form" or "Odor Complaint" on their website — you get no results. THE ONLY WAY TO FIND IT right now is to search on the word "Odor"… and then and only then is there a clickable link to their "Odor Report" form."		
20	2/27/24	Concerns about landfill odor – Highway 99W – "I noticed strong odors Thursday the 22nd. We (my family and I) were driving hwy 99W northbound on the 22nd around 5:30/5:45pm-ish. I had a respiratory infection at the time which affected my sense of smell, but just before Adair Village I noticed a "weird" smell and it got stronger right as we passed the landfill."	DSAC Chair	Not reported
21	2/27/24	Concerns about landfill odor, wildlife impacts – "I was at EE Wilson on Sunday the 25th, and the smell was noticeable there. A sharp inorganic smell. Even more noticeable though were all the birds that had collected at the top of the landfill. There were several bald eagles and even some golden eagles there, as well as other raptors, hundreds of seagulls and even more crows, ravens and starlings. Sundays are a big day for them it seems, as there are no humans to disturb their dining – although from time to time a raptor would make a run and a thousand birds would explode off the working area and into the air. I know the landfill is supposed to cover the new garbage at the end of each day with dirt, but seems that didn't happen on Saturday EOD."	DSAC Chair	Not reported
22	3/5/24	Concerns about the recording and preservation of public landfill concerns – "It was told to me yesterday at the meeting by the county manager that because DSAC was not meeting, it kept the complaints from being collated – and that when DSAC begins to meet again then the process of relaying the complaints could begin again. How circular!"	DSAC Chair	Not reported
23	3/5/24	Concerns about air quality – particulate pollution – "I have an ongoing interest in Coffin Butte. Based on a conversation with Mark Yeager I pulled together the attached narrative concerning particulate pollution. It is not ready for distribution but I'd like to get your reaction to the information. I'd also like your ideas on how to get the information out to the community." Attachment:	DSAC Chair	Not reported

		research summary entitled “Coffin Butte’s Air Pollution Not Just Methane and Odors.”		
24	3/7/24	Concerns about landfill odor – “Today is another “Dump Day” — stinky, smelly especially over in Adair Village and around the school there.”	DSAC Chair	Not reported
25	3/17/24	Concerns about landfill odor – Soap Creek Valley – “Well, it is another lovely smelling dump day at the south end of the Valley. Last Thursday was also a dump stench day. Another sunny morning ruined for anything outdoors. The frequency and intensity of these dump days is absolutely unacceptable.”	DSAC Chair	Not reported
26	3/26/24	Concerns about landfill odor – North Corvallis – “A neighbor just texted me and said that the dump smell in North Corvallis (9th & Circle) today is "overpowering". — Nextdoor	DSAC Chair	Not reported
27	3/28/24	Concerns about the climate crisis / landfill greenhouse gases – correspondent sent an article,“Landfills Bake the Planet Even More Than We Realized” by Sachi Mulkey in *Grist*,” noting that the climate-data sleuths at Carbon Mapper published a study in Science that shows U.S. landfills emit methane at levels at least 40 percent higher than previously reported to the Environmental Protection Agency. “At more than half of the hundreds of garbage dumps surveyed — in the largest assessment yet of such emissions — most of the pollution flowed from leaks, creating concentrated plumes. The researchers found these super-emitting points can persist for months or even years, and account for almost 90 percent of all measured methane from the landfills. Tackling these hotspots could be a huge stride toward lowering emission rates, but blindspots in current monitoring protocols mean they often evade detection.”	DSAC Chair	Not reported
28	3/31/24	Concerns about landfill odor – Soap Creek Valley – “Yet again, another beautiful day with the heavy dump odor.”	DSAC Chair	Not reported
29	3/31/24	Concerns about landfill odor – Soap Creek Road – “ Landfill Odor 04/01/2024 – “Ken, do you have any idea why my email is being treated as spam by the County Commissioners office? It just bounces back. I have contacted them by phone and someone named Mindy is going to look at it from her end. Presumably someone is going to get back to me. I wondered if it is possible to reject email that the subject matter is “Landfill"...!"	DSAC Chair	Not reported
30	4/2/24	Concerns about climate crisis / landfill greenhouse gases – “I don’t know if you and your group have seen this article based on a recent new study on landfill emissions? The journal article they reference is here: *Quantifying methane emissions from United States landfills* study in Science”	DSAC Chair	Not reported
31	4/21/24	Concerns about landfill odor – 8:00pm, Buena Vista	DSAC Chair	Not reported
32	5/1/24	Concerns about landfill odor – 2:47pm, Adair Village	DSAC Chair	Not reported
33	5/9/24	Concerns about landfill odor – 2:45pm, Adair Village	DSAC Chair	Not reported

34	5/16/24	Concerns about landfill odor – 11am, Adair Village	DSAC Chair	Not reported
35	5/17/24	Concerns about landfill fire – relaying radio dispatches about fire at the landfill – ACTIVE FIRE AT THE LANDFILL	DSAC Chair	Not reported
36	5/22/24	Concerns about landfill odor – Soap Creek Valley – "Good morning, The dump smell is overwhelming at our place (7:45 AM)"	DSAC Chair	Not reported
37	5/22/24	Concerns about landfill odor – points south of landfill – "We live about 5 miles south of the dump as the crow flies, and we are smelling dump stink this morning!"	DSAC Chair	Not reported
38	5/22/24	Concerns about landfill odor – south of landfill – I was bcc'ed on an email to Bailey Payne, Solid Waste Coordinator: "This was at about 7:45am (Thurs 5/23/24). The smell actually began to make me feel queasy so I went back inside. I heard from a number of neighbors that they smelled it too. The landfill operators are supposed to keep odors in check but do not. It is truly scary smelling the dump (especially at your own home!) because we do not know what all pollutants we are taking into our bodies. And it is very disturbing that if you don't want to breathe those unknown things in, you feel like you have to avoid going outdoors until the "coast is clear."	DSAC Chair	Not reported
39	5/29/24	Concerns about landfill odor – "Dump Day in Adair, 2:30 pm"	DSAC Chair	Not reported
40	7/3/24	Various concerns – "Attached are my notes from the June 28th public outreach session." Attached notes raise issues with increased odor generation due to simultaneously operating 2 dump working faces; building on contaminated land without appropriate preconstruction assessment, remediation if needed and follow-up monitoring; siting landfill operations outside of the designated Landfill Zone; lack of a plan to improve landfill gas collection and monitoring; misleading claims about landfill gas emissions (by focusing on the current power generation system, RS underreports the actual carbon footprint of the landfill.)	DSAC Chair	Not reported
41	7/14/24	Concerns about air quality – landfill gas emissions – Concerns about landfill odor and greenhouse gases – "It appears that Republic is proposing two separate operations i.e. there will be a working face on the north "Quarry side" of CB Road and another working face on the south side. This could mean twice the odor problems. At the 28 June Philomath public session, I asked Ian McNabb if the two areas would be operating simultaneously. His off the cuff answer was yes, then he said he was not sure and would get back to me. No reply yet."	DSAC Chair	Not reported
42	7/21/24	Concerns about landfill monitoring and concerns for community advisory role – "Benton County land use code – chapter 24 governs the need for an advisory group to BOC for landfill operation/management, under Oregon revised statutes, chapter 459- waste management… ORS459.320 Regional Disposal Advisory site committee (public law) for counties which have regional landfills, or landfills larger then x. The Creation of Enrac without public input violates both chapter 24 of bc land use code and state of oregon chapter 459- ORS459.320." Concerns about water qualtity – toxic leachate – "PFAs and 1000's	DSAC Chair	Not reported

		of other toxins are being placed into the Willamette, for pennies by this corp, and damaging this ecosystem. State of oregon has a house bill passed which goes over PFAs. sources. oregon health authority may manage leachate under some ORS they have. And Federal level is RCRA or Clean Water Act. Over time, Short Mountain landfill and coffin butte rlf will have put x cubic feet of raw leachate into the willamette per year, for pennies on the tanker loads, which run 356 days a year to all three water plants (salem corvallis eugene-short mt)."		
43	8/6/24	Concerns about the climate impacts of greenhouse gas emissions and the water quality effects of leachate releases – "Methane is destroying the planet, so BC is currently allowing one of the largest sources of Methane in Oregon" and "I had a concern also from leachate dumped into the Willamette River at Salem and Corvallis, that 'Sorbal', the Hollingsworth and Vose nanoscale (PM2.5) fiber glass rod waste, may be able to bypass filters at both Waste Water Treatment plants in Salem and Corvallis to enter the Willamette River… The residual health impacts of RS using Sorbal are massive, as they ripple through the ecosystem and into entire cities possibly." Concerns also about the forever chemicals and long list of unknown toxics in leachate.	DSAC Chair	Not reported
44	8/10/24	Concerns about methods open to the community to communicate landfill concerns to Benton County – no avenues available – DSAC Chair to Bailey Payne: "We are [DSAC is] going to have public comment, so there really must be contact information added to the Committee webpages."	DSAC Chair	Not reported
45	8/12/24	Concerns about dump methane – "A question of interest to parents who live in Adair and the safety of their children, are they likely being impacted personally by methane on days they aren't smelling other dump fumes? Or are they likely occurring on the same days, as opposed to much more frequently?"	DSAC Chair	Not reported
46	8/12/24	Concerns about air quality – airborne PFAS – "I'm attaching a recent journal article that likely has some relevance to Coffin Butte… You folks probably heard about this issue lately as it did receive some press coverage… While I have heard Republic Services and others make short mention of PFAS "forever chemicals" in the landfill leachate, I haven't heard any discussion about the possible implications of this study: there may be as much or more PFAS emitted in gas form as in leachate. 'These findings suggest that landfill gas, a less scrutinized byproduct, serves as a major pathway for the mobility of PFAS from landfills.'"	DSAC Chair	Not reported
47	8/12/24	Concerns about uncontrolled methane releases – "Monday, Aug 12, P.M. Kezi 9 News report: Senator Merkley is working to get the EPA to move along with Methane violation process as this CUP application is underway." Concerns about future implications of hosting the landfill – "Benton County only contributes a small percentage of trash to this landfill, but BCounty is being impacted by all the Environmental costs, and financial costs on into the future, to insure and pay Republic or some other Waste Mg. firm, to maintain the landfill for 30 years or	DSAC Chair	Not reported

		less after closure." Concerns about "endless landfilling" at Coffin Butte – "The landfill owner is interested in creating more landfill cells, to the west, into Soap Creek Valley and are exploring this with Benton County." Concerns about lack of final cover over most of the landfill. Concerns about closure of Coffin Butte Road – "A trash cell, in future may be planned, to bury Coffin Butte Road, and close it permanently, in order to connect the new South Dump at some point, to Cell 5E, the current, 2024 active dump." Concerns about proper permitting for the expansion as a "new landfill."		
48	8/20/24	Concerns about landfill odor – Writsman Creek Road – "This morning the dump stench is hanging in the air!"	DSAC Chair	Not reported
49	8/22/24	General environmental concerns including greenhouse gas emissions and toxic leachate – "Coffin Butte RL is built in the wrong location, in a wet Mediterranean climate, is generating leachate which means it is also chemically, able to generating methane, as this landfill has been put on top of and up against a massive, water storing, water releasing, layered, rotting basalt geologic feature, Coffin Butte."	DSAC Chair	Not reported
50	9/2/24	Concerns about landfill odor – Adair 7:57am	DSAC Chair	Not reported
51	9/9/24	Concerns about landfill odor – Adair, 8:04am. Nose burning, and throat tickling	DSAC Chair	Not reported
52	9/10/24	Concerns about landfill odor – Adair, 7:55am. "Soggy & heavy"	DSAC Chair	Not reported
53	9/22/24	Concerns about fire – Pacific Region Compost – relaying radio dispatches – a large pile at the Pacific Region Compost is on fire. "1) no RS employees on site, despite having a burn pile today (no "watchers"). 2) I'd be curious to know what the PRC is burning in piles. If they are supposed to be composting, what are they instead disposing of by burning? "Would be interesting to see if they do a safety report every time something like this happens. Perhaps we can ask for a map of where the fire was located, how close it was to other burnable material like vegetation and fields, and ask what their permission source was to be able to burn during such a dry season (particularly leading into the 90° day tomorrow, and leaving it unattended). A homeowner would get in lots of trouble for leaving a fire not put all the way out that could reignite…"	DSAC Chair	Not reported
54	9/28/24	Concerns about fire – Pacific Region Compost – relaying radio dispatches – "Passerby called, saw brown smoke coming from a compost pile near the back of the compost facility"	DSAC Chair	Not reported

55	10/13/24	Concerns about landfill odor – just N of Sarah Helmick park/Luckiamute, nose burning, had to stay inside	DSAC Chair	Not reported
56	11/30/24	Concerns about landfill odor – Dump day here at the end of Soap Creek Valley on 12/1/24 - Likely will continue each day all week with this stagnant air + fog.	DSAC Chair	Not reported
57	12/4/24	Concerns about landfill odor and toxic PFAS area contamination – "Considering the new research that shows that municipal landfills can release similar amounts of PFAS as is found in the liquid leachate -- one of the major sources of PFAS contamination in many areas -- escaped landfill gas is likely a hazardous material that may well pose a serious threat to human health and the environment."	DSAC Chair	Not reported
58	12/13/24	Concerns about landfill odor – "Around 1:30pm Saturday Dec 14, passing the Coffin Butte landfill on Hwy 99… unbelievably bad! The smell permeated my car, and I felt queasy for a good half hour after arriving home."	DSAC Chair	Not reported
59	1/2/2024	This is more of the usual stench that we in surrounding counties are being subjected to on an ongoing basis. Over the new year's holiday weekend the active dumping area was not covered as required, and this may have contributed to the strength of the odor. It was unpleasant to be outdoors. The annual Christmas Bird Count tallied >1,000 gulls feeding on the landfill in the uncovered trash.	DEQ	Not reported
60	1/12/2024	"horrible smell of the landfill"	Forwarded to RS from DEQ	Not reported
61	1/12/2024	Constant gas odors from coffin butte landfill, disturbing quality and health. I have lived here for 40 plus years and it's now intolerable	DEQ	Complaint is about the landfill odors getting worse in general. No specific incident or event.
62	1/13/2024	Offensive air pollution from the landfill. Not sure what else you want to know.	DEQ	1/23/24 - contacted source by email and forwarded complaint, with request for response.
63	1/16/2024	Rotting Garbage and Death smell is very present. Floating debris, garbage bags and chip bags entering animal pastures.	DEQ	Met with solid waste permit writer/inspector for the Coffin Butte Landfill. The landfill has fencing to trap wind-borne debris like bags to keep them from blowing off-site, as a requirement for their operations. Trucks bringing waste to the landfill are not owned or managed by the landfill, and can often be a source

				of wind-borne materials, as well as individuals discarding materials, so the landfill may or may not be the source of these.
64	1/18/2024	"Odor"	Forwarded to RS from DEQ	Not reported
65	1/18/2024	"incredibly intense"	Forwarded to RS from DEQ	Not reported
66	1/18/2024	"odor was very obvious"	Forwarded to RS from DEQ	Not reported
67	1/18/2024	"hits you like a wet blanket and permeates into the home as well"	Forwarded to RS from DEQ	Not reported
68	1/18/2024	"really bad"	Forwarded to RS from DEQ	Not reported
69	1/18/2024	I walked out our front door and was immediately hit by the stench of the landfill. While we often experience stench from the landfill, it's significantly worse today. One factor might be that the landfill has just re-opened, after being shut down over the holiday weekend and then due to winter weather conditions. So gases generated by garbage that have been building up under "daily cover" which was then capped by snow and ice are being released by renewed activity in the tipping area.	DEQ	Sent email with all 5 of the Jan 18 complaints to Ian, including the times reported. Waiting on response.
70	1/18/2024	I live several miles south of the Coffin Butte Landfill. The stench from the landfill is incredibly intense today. Difficult to breath. The source of the smell is unmistakable. I have smelled this smell at other times over the years, but it has never been this intense.	DEQ	Sent email with all 5 of the Jan 18 complaints to Ian, including the times reported. Waiting on response.
71	1/18/2024	Coffin. Uttebmandfill odor is consistent and permeates all the way to town of Corvallis, it’s awfully going outside in your own neighborhood within miles radius. It hits you like wet blanket and permeates into the home as well	DEQ	Sent email with all 5 of the Jan 18 complaints to Ian, including the times reported. Waiting on response.
72	1/18/2024	The smell is really bad from Coffin Butte Landfill.	DEQ	Sent email with all 5 of the Jan 18 complaints to Ian, including the times

				reported. Waiting on response.
73	1/19/2024	"very apparent"	Forwarded to RS from DEQ	Not reported
74	1/19/2024	The landfill stink is very apparent today. Complaint forwarded to DEQ from LRAPA, email w/original complaint uploaded to documents - complaints intake SC	DEQ	Following up with Ian via email. Waiting on response.
75	1/22/2024	The odor from the Coffin Butte Landfill is getting increasingly worse. I am concerned for my family's health and safety.	DEQ	This complaint did not reference a specific event, but I will add this to the multiple-complaint follow up from January 18/19.
76	1/24/2024	AIR QUALITY AND AIR STAGNATION ALERTS – LANDFILL METHANE EXCEEDANCES Since early November, the residents of Corvallis, Albany, Salem and Eugene-Springfield and surrounding rural areas have been subjected to multiple days of air stagnation weather patterns. During these periods of air stagnation, residents of Corvallis, Albany, Adair Village plus other small communities in the Linn and Benton county area have been experiencing acrid and chemical smells in the air, which are turning into health issues for people who have allergies and other respiratory issues. Residents researched and found that these smells are coming from the Coffin Butte dump and an EPA inspection of this particular disposal area was done in JUNE 2022. There was found massive methane leaks that violate air quality limits. It seems these might not have been addressed and the air quality has continuously worsened. Also, several eye witnesses living in Adair Village have recently witnessed open areas of waste NOT being covered (which it was found is a daily requirement per Republic Services permit). They have also witnessed seagulls (by the hundreds) scavenging the dump and found some of these birds dead in their neighborhoods shortly after that event. On Highway 20 at Independence Highway on Friday December 15 around noon, the smell from the dump was absolutely overpowering. Residents are being exposed to toxic air pollution from the landfill, especially residents in and around Adair Village, Logsdon Ridge, and North Albany. Over the past 3 months, many in our communities (very active dog walkers and neighbors who regularly interact outside) have curbed these activities, due to health issues breathing this offensive air. The rare break (when there is a slight breeze) finds all getting out in droves, as the air clears (but ONLY temporarily). People in our Watch are talking about the need for DEQ and Benton County to honor their mission and vision statements RE: air quality to Oregonians. Many have called and sent in complaints (like this one). However, it seems that local Republic Services administrations are not being held accountable for their neglect of environmental air quality in the	DEQ	General complaint not in reference to a specific event. However, complainant is representing a neighborhood group. Additional followup needed, meeting with permit writer on Monday 2/5 as next step.

		Central Willamette Valley. There is talk of petitions and other actions by residents bring taken - if the situation continues further without resolve. I am sending this complaint on behalf of about 150 residences in only a portion of North Albany. We would think that the DEQ would honor all they claim to uphold for public air quality and would hold any business that is required to keep pollution at a minimum to account for local taxpayers. In past years, Wah Chang and the pulp plant in Millersburg were held to account when there was a continuing threat of pollution (danger to public health), so why not Republic Services? Something needs to be done soon, as taxpayers are getting upset with the lack of resolution to this ongoing situation. Redacted per ORS 192.355(4) Confidential Submissions		
77	2/3/2024	"Chemical type smell, Horrible"	Forwarded to RS from DEQ	Not reported
78	2/3/2024	"Strong smell of methane"	Forwarded to RS from DEQ	Not reported
79	2/3/2024	"foul chemical odor"	Forwarded to RS from DEQ	Not reported
80	2/3/2024	"nasty, horrible and probably not good for anyone to breathe"	Forwarded to RS from DEQ	Not reported
81	2/3/2024	"so strong"	Forwarded to RS from DEQ	Not reported
82	2/3/2024	There is a very strong smell of methane outside of my home. This odor is prevalent several days a week and has been growing worse over the last several months.	DEQ	Reported the 3 complaints from Feb 3 to Ian. Currently waiting on a response.
83	2/3/2024	I've reported this before but have yet to receive a reply. This is a frequent occurrence, whenever the wind is from the north. One factor making it a little worse today might be that large areas at the top of the landfill aren't covered by tarps, while they're supposed to be upgrading the methane collection system. Yesterday was windy and I noticed that the tarps were billowing and had come loose in several places on the east side, leaving new areas of exposed soil (or "daily cover") where landfill gases can escape. I thought DEQ and/or EPA were supposed to be getting this outfit to clean up their act -- what's happening?	DEQ	Emailed Ian about the 3 complaints filed on February 3. Waiting on response.

84	2/8/2024	"strong"	Forwarded to RS from DEQ	Not reported
85	2/8/2024	The landfill smell is strong. When we first moved here in 2020 we would smell the landfill about every few months. It's been every other week for the last year. I don't know what is contributing to this, but it's awful.	DEQ	Forwarded complaint to Republic on 2/15/24, waiting on response.
86	2/8/2024	On both Saturday, February 3 and Tuesday, February 6 the smell from Coffin Butte landfill was so strong that it bothered us as we drove in the area.	DEQ	Forwarded complaint to Republic on 2/16/24. Waiting on response.
87	2/10/2024	"awful stench"	Forwarded to RS from DEQ	Not reported
88	2/10/2024	"stinky air" "especially bad"	Forwarded to RS from DEQ	Not reported
89	2/10/2024	Odor	Forwarded to RS from DEQ	Not reported
90	2/10/2024	We live by the land fill and the sticky days are happening more and more :(	DEQ	Forwarded complaint to Republic, waiting on response.
91	2/10/2024	I recognize this stinky air quality as odor from the Coffin Butte landfill. I live in the soap creek valley and the odor is often especially bad.	DEQ	Forwarded complaint to Republic, waiting on response.
92	2/10/2024	Republic Services Coffin Butte Dump.	DEQ	Forwarded complaint to Republic on 2/16/24, waiting on response.
93	2/13/2024	"the usual Coffin Butte stench"	Forwarded to RS from DEQ	Not reported
94	2/13/2024	The usual Coffin Butte Landfill stench. This time the odor was only present above 800 ft elevation, along Vineyard Mountain Ridge. The geography of the stink is very much dependent on local air mass movement and wind direction and strength.	DEQ	Forwarded complaint to Republic, waiting on response.
95	2/14/2024	"very bad"	Forwarded to RS from DEQ	Not reported
96	2/14/2024	"usual rotting garbage odor"	Forwarded to RS from DEQ	Not reported

97	2/15/2024	"extremely strong"	Forwarded to RS from DEQ	Not reported
98	2/15/2024	The landfill smell is extremely strong. This is not compost. The landfill has a distinct odor more chemical in nature. The issue has been getting progressively worse over the last several weeks	DEQ	Forwarded complaint to Republic on 2/23, waiting on response.
99	2/20/2024	"malodorous chemical smell"	Forwarded to RS from DEQ	Not reported
100	2/20/2024	"rotting garbage"	Forwarded to RS from DEQ	Not reported
101	2/20/2024	"usual landfill stench"	Forwarded to RS from DEQ	Not reported
102	2/20/2024	All day Coffin Butte Landfill odors. Moderate levels today, and have been present for the last 3 days (Feb 17-20). Basically smells like rotting garbage.	DEQ	Forwarded complaint to Republic on 2/23, waiting on response.
103	2/20/2024	The usual rotting garbage odor that emanates from Coffin Butte landfill. I first noticed it at my home in the morning. I drove to Albany around 11am and back around 2pm. I smelled the odor from my home, all along Soap Creek Road, Tampico Rd, through Adair Village to Independence Hwy. The odor dissipated soon after I turned onto Hwy 20 toward Albany. The odor was still present when I returned home around 2.	DEQ	Complaint is referencing February 14, which has already been reported and responded to. The additional complaint is being reported, but no additional information is being requested. Called and left a message at the number provided on 2/23 at 10:42 a.m.
104	2/20/2024	The odor was especially concentrated around 700-800 ft elevation, coinciding with the bottom of the cloud deck, but still present at 500 ft. As the fog lifts, the odor often dissipates.	DEQ	Forwarded complaint to Republic, waiting on response.
105	2/22/2024	"Stinks"	Forwarded to RS from DEQ	Not reported
106	2/24/2024	"Rotting stench"	Forwarded to RS from DEQ	Not reported
107	2/24/2024	"sour, reeking stench"	Forwarded to RS from DEQ	Not reported

108	2/25/2024	While driving north on Soap Creek Road prior to the Tampico Road intersection we put our autos air on recirculate and then shut the system off but it was too late the car was already filled with the highly offensive odors. We proceeded north to Hwy 99 and just had to wait it out until we got north of Republic Services Coffin Butte Dump. It is really concerning issue especially since so many people live in the vicinity of the Dump.	DEQ	Forwarded complaint to Republic, waiting on response.
109	2/27/2024	There was on 2/24 and still is a great deal of garbage strewn along Hiway 99 from Monmouth south to the Coffin Butte Landfill. It seems likely this is the result of debris falling off garbage trucks headed to the Coffin Butte Landfill. It is unsightly but also potentially dangerous for people who are walking along the road or getting their mail (or picking up after the garbage trucks).	DEQ	After a very long telephone conversation with the complainant, who advised "there was one spot that had about 5 large plastic bags, that had to have come from a truck headed to the landfill", but no one location, just scattered mess from Monmouth to Corvallis. Everything points to excessive roadway debris, I will be closing the complaint, unfounded.
110	2/29/24	For years I have witnessed garbage flying out of the Republic Services garbage trucks. Independence Hwy is disgusting, so does Hwy 99 and all adjacent roads. These used to be lovely roads with great views but it looks no better than a 3rd world country. This has been brought up in the Next Door Neighbor app and I am not alone. Please read. https://nextdoor.com/p/G6-H2FCk_5Kd?utm_source=share&extras=NDk2ODc1MQ%3D%3D&utm_campaign=1709261818824	Email	Thanked respondant and logged complaint.
111	3/6/2024	"Reeking Stench"	Forwarded to RS from DEQ	Not reported
112	3/6/2024	This is my 2nd Environmental Violation complaint- Regarding non existent and/or lack of Daily Cover. Which is required by not only Title V air quality permit but also by Solid Waste Disposal Site Permit Municipal Solid Waste Landfill SWD P 306 Expiration Date June 30, 2030. My 1st complaint was forwarded to Oregon DEQ Western Region Hazardous/Solid Waste Permitting/Compliance 4026 Fairview Industrial Dr Salem, OR 97302. Mr. Hugh Gao was the first and only person to reply although he started to cc a Miss Becky Williams. I have to report that I feel my complaint wasn't taken seriously. Mr.Gao response was that he contacted the land regarding issue of daily cover and landfill provides us evidence that indicates the landfill is in compliance. My repeated questions about penalties went completely unanswered. Yet COMPLIANCE is half of	DEQ	According to information and photos provided by the permittee, a daily cover material was applied at the operation area of the landfill in compliance with requirements as specified in the SW permit. The landfill did not open in Sunday (Feb. 11,

		Mr.Gao's title (maybe the whole division's title). I find it absolutely unacceptable that repeated acts of noncompliance aren't penalized. Shortly thereafter without informing me Mr.Gao closed my complaint. In my opinion no action was taken. I am also not aware of any penalties levied. Above I checked Falsified in the Violation Method section since landfill stated to Mr.Gao that they are in compliance and these more recent photos evidence they are not. As mentioned above I believe this is both an air quality issue and also a Solid Waste Permitting issue hopefully you can take enforcement action on this issue. Attached photos taken February 11, 2024. I have a video that is too large a file to upload. By zooming in on the video you can see the large number of birds scavenging on the uncovered garbage		2024). A daily cover material was applied on Friday, 2/9/2024.
113	3/7/24	Coffin Butte water quality	Email	Darren asked Bailey to send this information to DEQ (done). Robert Orton's contact information was not included. Mr. Orton is a Republic employee and has given comment at a recent BOC meeting. Xan Augerot received a complaint that Republic Services is using water from the Knife River quarry which is a rock quarry that borders the Coffin Butte Landfill. The complainant is concerned that water that is collected in the quarry is being used to wash the roads around (in?) the landfill. Photos and video are documented here: G:\dev\Code Compliance\Files - Enforcement\2024
114	3/8/24	Coffin Butte odors	Email	Odor complaint. I've sent the Republic Services and DEQ complaint links.

115	3/8/24	Coffin Butte odors - Dump stench today(March 8,2024) 7:00 Am til around 11:00. The areas of concern, 27407 Writsman Creek Dr., Tampico / Trillium intersection and OSU 400 road. It was a pretty high concentration.	Email	Thanked her for contacting us and forwarded Republic Services and DEQ complaint lines. Comm. Augerot also sent the Coffin Butte complaint link.
116	3/8/2024	"5"	Direct Complaint to Republic Services - Ken Kupperman	Not reported
117	3/8/2024	"rotting garbage plus acrid chemical smell", level 8	Direct Complaint to Republic Services - Faye Yoshihara	Not reported
118	3/8/2024	Reeking stench	DEQ	Complaint completed as duplicate complaint - see complaint #2024-00491/41497 assigned to Laura McWhorter based on complaint proximity to Coffin Butte Landfill, Republic Services
119	3/8/2024	Went outside around 8:30 am to the typical rotting garbage plus chemical acrid smell we get when we drive by Coffin Butte Landfill. It was so strong that I abandoned my plan to go for a hike and I went back inside. Around 10:00 am was my last chance for exercise today and I know that sometimes the landfill odors change with elevation and wind direction. Our house is at 500ft. So despite the landfill smell being present with its signature acrid chemical smell, but reduced, I proceeded down to 350 - 400 feet where the smell was the weakest. It was still unpleasant, but not noxious as higher elevation. By the time I returned to my house around 11:30am, the smell was present, but minimal.	DEQ	Forwarded complaint to Republic, waiting on response.

120	3/8/2024	After reporting the signature Coffin Butte Landfill rotting garbage plus acrid chemical smell this morning, I wanted to add that a couple hours later when I went outside, a different smell that I associate more with PRC, was present at our house. It smelled more like silage and rotting organic matter. While I am not 100% certain the smell is from PRC, I will note it as “yes” below, as I believe this is the most likely source. I am only reporting to differentiate the smells we get from both the Landfill and PRC facilities, generally on different days. Today we got both. Some days, I drive to PRC so I can follow the smell to the source, today I did not have time to do this.	DEQ	3/15: Craig Filip (CF) received notification of this complaint via email at 1422 on 3/14, even though it was reported on 3/8. CF emailed Ian Macnab with Republic Services, Inc. about this issue. Mr. Macnab responded today, as did Operations Manager Broc Kienholz, that there were no complaints reported to them and no system upsets or other issues they could identify. CF called the complainant to convey this information, along with his contact information
121	3/10/2024	Noticed early morning Friday 3/8 on Tampico, drove 5 miles soap creek with ongoing odor, drove back Tampico and to CHS odor intensified throughout day. Some days worse than others, it is increasingly consistent	DEQ	Forwarded complaint to Republic, waiting on response.
122	3/12/2024	"landfill odor with a noxious chemical component"	Forwarded to RS from DEQ	Not reported

123	3/15/24	Bailey's comments in **blue**. Dear Bailey, Can you and Benton County work to find a better way for Rep. Ser. to provide a best management practice bill for residents in Benton County? My residential trash pick up and recycling bill lets me know nothing about what I am paying for. I'm not sure what influence Benton County has on this, but I'll certainly pass along your feedback. You can also send these comments to them directly here. As you probably know, Republic Services is a national company and their billing is out of their Phoenix office and I'd guess their billing to be similar for all of their nationwide accounts. I am interested in what Benton County Public Works does with the payment funds they get from Rep. Ser. from the public in their trash bill? I'm new to Benton County, but I believe that these funds go into the Benton County general fund, some of which is used to fund our department's programs. I am interested in what the recycling fee does and why? I'm not certain of this, but I'm guessing that a recycling fee may have been added some years ago to help recycling companies reduce contamination. I could be wrong as I'm not sure what the "recycling fee" is. Where do comingled recyclables go and does all of this material get reclaimed? The materials initially go to Republic Services' facility in Albany. The commingled recyclables are baled for more efficient shipping and sent to a Portland area material recovery facility where they separate the recycling into different materials and grades. From there, the recycling goes to manufacturers that buy it as a raw ingredient for their manufacturing of new products. Does recycling all go to Salem to Garten Foundation to be sorted? I think it depends on the market. It could go to Garten Services in Salem or one of the 6 or so MRFs in the Portland area, depending on what they pay and how much material they need. How is comingled recycling working, or is it failing or is generating more waste or is too cost prohibitive to work as comingled reclamation the few of materials we can put in the recycling bin. Should return to sorted recycling to save more materials from being landfilled? The commingled collection system has been a double-edged sword. On the one hand, it's increased recycling by about 30% which is great. The downside is that people too often put in things that aren't part of the collection system. Things like Styrofoam, hoses, plastic bags and other contaminants have increased which has also put a real strain on the system. Recycling markets took a big hit several years ago which compounded the problem. Ultimately, the best solution is to have the material used domestically, ensuring stable markets for the recyclers. Sometimes processors will run the material a second time to improve how much they're recovering, but as technology improves, these MRFs should be able to better handle it. In the meantime, it's important	Email	Bailey responded (see blue text)

		that people "recycle right." What percentage of our residential trash bill goes directly to an account for paying for the closing and maintenance for x years, of the landfill? I'm not sure about the percentage, but the Oregon Department of Environmental Quality requires that landfills have a fund set aside for closing the landfill and mitigating future environmental problems that could arise. I know that this is a topic that our solid waste committee will focus on. Rana, it sounds like you may enjoy taking the Master Recycler class. It's a great way to learn all about waste prevention, recycling, composting and disposal. Here's a link. You may also find these videos of interest: Saving Little Pieces of Our Earth: Your Curbside Recycling Journey How a Material Recovery Facility (MRF) Works – This is an excellent video that shows the process. One thing to note is that many programs include glass in the commingled. In Oregon we fortunately don't do that (glass shards are really bad for paper recyclers), so glass is collected separately.		
124	3/15/24	Website links don't work	Email	Debbie was frustrated that the links in the BCTT Final Report do not work. Sent Debbie the link to the old website that has the list of links to the solid waste documents that had been listed on the website and assured her that the links will all work again once our website has been revamped.
125	3/18/24	Coffin Butte odors	Call	Bailey acknowledged his complaint.
126	3/21/2024	Original complaint received as email by DEQ HOT Support: Hello my name is Eric Nittka, I live at 28709 Robison Rd, Monmouth, OR 97361. I've been a resident in that location for the last 12 years. The smell from the landfill was only a problem once in a great while for the first 10 years just in just this year we are consistently smelling stink from the landfill day, night, afternoon. I'm not sure why but it's getting bad. Problem number 2. The trash along the roads and highways leading to the landfill are always littered with trash. There's supposed to be a covered load ordinance, that's not being enforced. The landfill is greatly effecting the livability of our community. Please respond to me with what action will take place to see this is corrected. Thank you for your time.	DEQ	Regarding the odor portion of the complaint, I called and left a message with the complainant. The complaint about the trash blowing out of the trucks is related to solid waste rules, so I am also reassigning the complaint to them.

		Sincerely Eric Harry Nittka Original email uploaded to documents - complaint intake SC		
127	3/23/2024	"foul/gassy, for two hours"	Direct Complaint to Republic Services - Kate Schoenhals	Not reported
128	4/1/24	Coffin Butte odors	Email	Mark emailed the Benton County leadership and cc'd me complaining about the dump odor and asking how we're planning to hold Valley Landfills accountable. Commissioner Augerot responded.
129	4/1/24	Coffin Butte odors	Email	Commissioner Augerot forwarded her complaint for my records.
130	4/1/2024	Power of odor: 10	Direct Complaint to Republic Services - Elizabeth Patte	Not reported
131	4/1/2024	"incredibly bad", 10	Direct Complaint to Republic Services - Vicki Druliner	Not reported
132	4/1/2024	10, "smells like rotten eggs. But worse. More chemically."	Direct Complaint to Republic Services - Nathalie Sutherland	Not reported
133	4/2/24	Road damage (potholes) causing hazard for traffic at posted speed limit. Inde hwy from landfill to Hwy 20	Call	Sent compaint to PW (PWinfo@bentoncountyor.gov)

134	4/5/24	Numerous pot holes caused by the heavy truck traffic from Knife River.	Email	Emailed complaint to PW (PWinfo@bentoncountyor.gov) and responded to complaintant.
135	4/8/24	Coffin Butte Litter	Call	Bailey provided Craig Filip with Chp. 23 covered loads language and contact info for Kenny Larson. Craig Filip, Oregon Department of Environmental Quality, left a voicemail today. Mr. Filip said his office has received complaints about "trash being strewn on the road to and from the Coffin Butte landfill" and he would like to know if Benton County has a covered load ordinance for road transportation of materials. If the answer is yes, he would also like to know what the code citation is and who is responsible for enforcing such a requirement.
136	4/12/2024	"overpowering landfill stench"	Forwarded to RS from DEQ	Not reported
137	4/12/2024	This happened both yesterday and again today. Overpowering landfill stench as I came out of my house in the morning. I was driving out to do bird surveys so I went right by the landfill and noticed that there are still huge areas up top with no tarps, in the same area where EPA inspectors found 60+ violations of methane emissions a couple of years ago. This is extremely frustrating -- this landfill is in violation and there have been many reports, but we're not seeing any action by DEQ.	DEQ	Forwarded complaint to Republic, waiting on response.

138	5/2/2024	"Strong odors"	Forwarded to RS from DEQ	Not reported
139	5/2/2024	This just keeps happening, whenever a breeze is blowing from the north. By 7 pm the landfill is supposed to be closed for the night, so this could be an indication that they didn't adequately cover the working face, and/or that they still have a problem with leakage through their tarps. Lately I've noticed that larger areas that used to be covered by tarps are uncovered.	DEQ	Forwarded complaint to Republic on May 6, waiting on response.
140	5/23/24	A beautiful morning in Soap Creek Valley with an overwhelming dump stench hanging in the air!	Email	Sent complaint links to Republic Services & DEQ
141	5/23/24	Wanted to report this to you so you knew this goes on… For the first time (for me, anyway), I smelled the dump from right outside my own home. I live a good five miles away from the dump and am surrounded by a lot of trees which usually keep the air clean, but not this morning! My husband went out for a morning walk and texted me he smelled the dump. I hadn't been outside yet, so stepped out my front door and could smell it from my deck. This was at about 7:45am (Thurs 5/23/24). The smell actually began to make me feel queasy so I went back inside. I heard from a number of neighbors that they smelled it too. The landfill operators are supposed to keep odors in check but do not. It is truly scary smelling the dump (especially at your own home!) because we do not know what all pollutants we are taking into our bodies. And it is very disturbing that if you don't want to breathe those unknown things in, you feel like you have to avoid going outdoors until the "coast is clear." This is one of the many reasons a landfill like this should not be located so close to populated areas. When we moved here nine years ago we were given the impression that the landfill was almost full and so would be closing in the near future. On the landfill's own website in their FAQ they describe the process of how the landfill will be closed when it is “filled to capacity” so we were comforted by that. But clearly this is misleading, as they will continue to expand this dump forever if the County allows it to. I know this now, but did not when I moved here. I have made my complaint to DEQ on their form (about this morning’s odor), but wanted to be sure you were aware as well. Do you keep a log of landfill complaints, by any chance?	Email	Documented complaint and sent DEQ & RS complaint forms.
142	5/23/2024	"smell of Garbage" overwhelming	Forwarded to RS from DEQ	Not reported
143	5/23/2024	smell the dump	Forwarded to RS from DEQ	Not reported
144	5/23/2024	"coffin Butte's effluence"	Forwarded to RS	Not reported

			from DEQ	
145	5/23/2024	"trash and rotten egg"	Forwarded to RS from DEQ	Not reported
146	5/23/2024	I live approximately 5 miles south of the Coffin Butte Landfill and I needed to drive to my rental house in Adair Village this morning. I could smell Coffin Butte's effluence the entire drive to Adair. Although I smell their odor in the air once a month or so, today it was bad enough that my eyes began to sting and I had to go inside as soon as I could.	DEQ	Forwarded complaint to Republic on 5/28, waiting on response. Multiple complaints were reported on this date, including one reported directly to the landfill and forwarded to DEQ.
147	5/24/24	The smell this morning (8:15am) is not as intense as it was yesterday. But still noticeable	Email	Documented complaint
148	5/24/2024	Wednesday morning the smell of garbage from the Coffin Butte Landfill was overwhelming.	DEQ	Forwarded complaint to Republic on 5/28, waiting on response. Multiple complaints were reported on this date, including one reported directly to the landfill and forwarded to DEQ.
149	5/24/2024	I live near the Coffin Butte Landfill and the odor of trash and rotten egg was incredibly strong at my house, definitely NOT a compost smell.	DEQ	Forwarded complaint to Republic on 5/28, waiting on response. Multiple complaints were reported on this date, including one reported directly to the landfill and forwarded to DEQ.
150	7/12/2024	"landfill smell"	Forwarded to RS from DEQ	Not reported
151	7/22/24	It is long past time to address the overuse of the Coffin Butte landfill by municipalities across Oregon and Washington. It should be designated and operated as a regional landfill. At its current intake rate it will become a Superfund site which is not the legacy you should be leaving. With the CUP application now on file, please make the call as elected leaders of Benton County to restrict any expansion to future use for Benton County only.	Email	Sent her information about DSAC and ENRAC and let her know that there will be ample opportunity to provide public input.
152	7/24/2024	Noticeable unpleasant methane odor	Forwarded to RS from DEQ	Not reported
153	7/24/2024	Trash flew over the buffer property and was dropping on our property and adjacent properties. I have pictures of it in the air. Doritos bag landed on my property. Plume of something was	DEQ	7/30 - Forwarded complaint to

		moving towards my residence on SE corner of landfill buffer property		Republic, waiting on response.
154	7/26/2024	A semi tractor-trailer (Oregon "HV" license plate number 78149 on the trailer, logo on the truck cab said "Ray Trucking / Dallas OR") left the landfill via Coffin Butte Road at 13:45, turned northbound onto Highway 99W, and left a long trail of plastic, paper, and other trash which was blowing out the back end of the truck. Within the first mile the stream of trash was almost constant with 5 to 10 pieces in the air at a time, then gradually diminished but trash continued to fly out even after the truck passed Suver Junction and Old Fort - Helmick Road, all the way to the outskirts of Monmouth where the truck slowed down. Altogether I'd estimate 150 to 200 pieces of trash, which fluttered off into the ditches and into nearby fields. On my return trip from errands in Monmouth about 45 minutes later, I noticed that a field of green beans belonging to Green Spring Farms (see http://www.greenspringfarms.com/contact/) was full of similar litter 10 or more rows out into the field, on the east side of Hwy 99W south of Suver Road. It is very common to see trash flying out of trucks as they leave the landfill, but usually I don't manage to get identifying information (On many trucks that haul to the landfill, the license plates are covered in grime and unreadable, though Wheat LLC is another frequent offender). There seems to be a general problem that drivers are not stopping to clean out their trailers before they leave the landfill. I complained about this directly to the Benton County Disposal Site Advisory Committee, DSAC, in 2021 but Republic Services' representative to DSAC at that time, Ian MacNab, claimed that they have stations for truckers to stop and clean out their trailers before leaving. Obviously that practice is not being followed with any consistency.	DEQ	
155	7/30/2024	"landfill dump smell"	Forwarded to RS from DEQ	Not reported
156	7/30/2024	Landfill dump smell from coffin butte landfill	DEQ	8/6 - Forwarded complaint to Republic, waiting on response.
157	8/1/2024	On 7/25/2024 observers repeatedly witnessed large plumes of particulate matter drifting off site towards the southwest where numerous homes and businesses are located on rural residential, forest conservation, and exclusive farm use land. Commercial trash hauling trucks and much larger semi trucks kicked up particulate matter in two ways. 1) When trucks ascended or descended the gravel road up to the top of the landfill, they kicked up dust from the gravel road itself, particularly when rounding a corner. 2) When semi trucks with hydraulic lifts deposited trash loads onto the	DEQ	Not reported

		landfill's working face a plume of particulate matter emerged from the loads and traveled for a considerable distance to the southwest. These particulate matter plumes appear to be in violation of the operator's Title V permit which requires particulate matter suppression on both the gravel roads and working face depositions.		
158	8/1/2024	On 7/24/2024, a grass fire was started next to the landfill gas flares of Coffin Butte. This grass fire threatened several nearby residential structures and had numerous response barriers for local first responders from the Adair Village and Corvallis fire departments. First responders noted the fire likely was started by debris coming from the open flares. This would not be the first time such an event has occurred (see attached document page 3 paragraph 3. Note the reported fire in this document occurred prior to November 2023) Although fire response is beyond the scope of DEQ, the maintenance and operation of the flares are regulated by the Title V permit. The open flares are an air quality and fire hazard issue. Coffin Butte Landfill still has two open flares in active use, which appears to be in violation of ORS 340-239-0110 (2). Our complaint is directed at the DEQ and the fact that Republic Services, owner of Coffin Butte landfill, is not required to comply with ORS 340-239-0110 (2).	DEQ	Not reported
159	8/4/24	Upset that CB charges "environmental fee" to in-County residents	Email	The receipts documenting the overcharges for the environmental fee were from before the 2021 franchise agreement that states that this fee will not be charged to BC residents.
160	8/4/2024	dump stench	Forwarded to RS from DEQ	Not reported
161	8/8/2024	"dump smell, like driving by", "10"	Direct Complaint to Republic Services - Ryan Griffin	Not reported
162	8/8/2024	Power of odor: "9"	Direct Complaint to Republic	Not reported

			Services - Lauren Griffin	
163	8/9/2024	Piercing garbage smell	Forwarded to RS from DEQ	Not reported
164	8/9/2024	"terrible smell"	Forwarded to RS from DEQ	Not reported
165	8/9/2024	The smell of the Coffin Butte landfill is sitting on top of our property. A piercing garbage smell. My son and I stopped playing outside after the smell approached.	DEQ	Forwarded complaint to Republic on 8/16, waiting on response. Multiple complaints were reported for this date.
166	8/9/2024	Terrible smell from coffin butte landfill	DEQ	Forwarded complaint to Republic on 8/16, waiting on response. Multiple complaints were reported for this date.
167	8/18/2024	"smells like driving by the dump", 8	Direct Complaint to Republic Services - Ryan Griffin	Not reported
168	8/21/2024	Dump stench from Coffin Butte Landfill	DEQ	Emailed complainant, waiting on response.
169	8/23/24	From: allysonkhand@gmail.com Subject: Coffin Butte expansion project Hello, I am writing to inform you of the ongoing issue of the Coffin Butte landfill expansion. Plans have been underway for expansion, despite the actual need to expand. The county is not regulating the expansion. The landfill is still able to receive waste for many more years to come. Yes, it is filling up, but does not require immediate action to resolve. Republic Services has been fined millions of dollars in the past for environmental pollution. Republic Services announced a "pre application meeting" with Benton County Planning Division. The meeting was scheduled for last night and the public was NOT invited. No public were allowed, not even to observe. It is concerning to see this project be able to have a meeting without having to be transparent with the people the expansion will affect the most.	Email	Encouraged Ms. Hand to submit her concerns about Coffin Butte once the CUP is open for public comment.

		The project needs oversight. This project needs to stop. Republic Services needs to be held accountable. The Willamette Valley is full of sensitive ecosystems. The expansion of a landfill only threatens people, wildlife, and the environment. Please look into this. Please hold Republic Services accountable. Cheri Brubaker, Field Representative U.S. Representative Val Hoyle OR-04 Mobile (202) 834-3336		
170	8/23/24	August 4, 2024 8:30 -10:00 AM the smell was present. I was heading to Airlie, and first noticed it at the intersection of Soap Creek and Tampico, it persisted til I reached the 300 RD of OSU Forest. On returning home around 10:00 It was permeating the air at our home. August 21, 2024 7:00 - 10:00 the smell was potent!	Email	Responded to the complaint about the landfill odors.
171	8/23/2024	"landfill chemical stink"	Forwarded to RS from DEQ	Not reported
172	8/23/2024	Earlier today the wind was from the south (from our house toward the landfill) so we weren't smelling the odor. But after a weather front passed through this afternoon, the wind is now from the north, so we're smelling the typical landfill "chemical" stink.	DEQ	Forwarded complaint to Republic, waiting on response.
173	8/27/24	I am very much against the proposal. Before you get stuck in the weeds of all the guidelines you are supposed to focus on or disregard, ask yourself- Do you really want to be one of the people who, because of money, opened the door to degradation of the land, water, and air in our region? I have read the information on the VNEQS website, which makes it clear that NO ONE has the resources to correctly purify the leachate coming from the landfill, to make it safe for wells or for the Willamette River, the water source for many communities. In addition, in spite of systems to collect methane gas, there is still air pollution above and around the landfill area. It particularly shocks me that Republic Waste is wanting no restrictions on the amount of waste that it can accept in the future. Also that they are allowed to define what is a hazardous effect for adjoining lands. There are no simple solutions. However, I hope there are ways to restrict the amount of waste that Republic can continue to collect from all over Oregon. At the very least, Republic should be required to build a state bf the art pre-cycling center to make sure that less material enters the landfill in the first place (similar to what Lane County is doing at this time). At the very least, there needs to be required close monitoring of toxic materials that are already leaking beyond the boundaries of the landfill (with arsenic as an easy way to signal an alarm for surrounding wells and water). I'm sure if there were a vote on this, Benton county citizens would vote it down! You as our elected representative are supposed to represent our interests. Please use your conscience as well as your head to look at the situation. Thank you for your attention. From Larky Hansen, 6780 NW Mountain View Dr., Corvallis, OR	Email	Commissioner Augerot responded.

		97330 (Not close enough to have my well or air quality affected, however close enough to care about fellow citizens, including citizens of Adair Village who get their water only a few miles north of the Corvallis Wastewater facility).		
174	9/11/24	Kevin expressed concern about the potential for wildfires to come to the Coffin Butte Landfill and firest that start at the landfill	DSAC Meeting	This came as a public comment to the DSAC at their meeting on 11/11/24. The committee discussed his concerns and deliberated on next steps.
175	9/11/24	Community member, Kate Harris, opened the discussion by referring to a KLCC article published approximately one month ago, which mentioned assurances from Republic Services regarding robust monitoring and emergency management systems in place at Coffin Butte Landfill. Harris expressed concern that, despite these assurances, in real-life situations such as a recent fire, external observers (such as motorists) were the first to notice fires, which suggests a failure of the early monitoring systems. Harris quoted an SES Engineering Risk Assessment, noting that operators believed the flare may have caused a fire by igniting nearby grass. As a precaution, Republic Services created a gravel-covered buffer between the flare and grassy areas, which was believed to prevent further fire incidents. However, the fire in the summer of 2024 proved otherwise. Harris reiterated that Republic had provided multiple assurances that their fire prevention systems were adequate, but real-world incidents suggest these systems are failing. Harris suggested the need for a third-party, independent risk assessment (not funded by Republic) to provide an unbiased view of the existing risks at the landfill. Harris also noted a discrepancy in the report, which stated that no history of wildfires existed near the landfill. However, there was a wildfire in July 2023, just west of the landfill, disproving this claim.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Republic Services representative responded in the meeting.
176	9/11/24	Concern regarding Republic's expansion plans for Coffin Butte Landfill, especially regarding fires crossing Coffin Butte Road. Highlighted the increasing wildfire risk due to climate change and wind events, which could lead to embers affecting nearby properties and Adair Village.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Republic Services representative responded in the meeting: Landfill material is sometimes covered with tarps, not dirt. Community concerns were raised over fire risks associated with this practice. Republic emphasized

				their commitment to safety protocols, including reduced working face areas, availability of water, and rapid response times. They disagreed with the assertion that fire risks are increasing.
177	9/11/24	Inquiry into whether Republic has updated their safety protocols in response to climate change and increased fire risks. Republic has not made specific updates addressing climate change but follows standard protocols, including keeping buffer areas mowed and maintaining safety standards	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Republic Services representative responded in the meeting
178	9/11/24	Morrell raised concerns about a poorly managed Douglas Fir stand near the landfill, which poses a fire risk.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Republic Services noted that they would look into thinning the stand as previously recommended. There was a debate on the relevance of forested areas and other properties near the landfill in the context of fire prevention planning. Some committee members questioned if fire risk in non-landfill areas should be considered within the landfill's fire management scope. It was agreed that understanding the broader scope of land management, including forested and farmland areas, is necessary for comprehensive fire prevention planning.

179	9/11/24	Kevin Kenaga expressed dissatisfaction with the lack of public notification about the meeting. He mentioned that he had to personally reach out to the chair to learn about the meeting date. Kevin emphasized that the lack of communication undermines the committee's ability to fulfill its mission of fostering community dialogue and engagement. Kevin expressed concern over possible misinformation about the materials used in the landfill, particularly a statement that the polyethylene liner was not plastic.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. This was clarified by Republic Services staff as a misunderstanding, confirming that high-density polyethylene is indeed plastic.
180	9/11/24	Ecklund expressed long-standing systemic problems in how the DSAC and related activities are communicated, with cancellations and changes to meeting schedules without adequate notice.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Bailey agreed to better promote future meetings.
181	9/17/24	I read Ken Eklund's letter to the GT editor today, asking for input. I have some. Sometime this past year I listened to a talk offered by the Academy for Lifelong Learning that was mainly a discussion by a fellow from a European country (Germany or Netherlands or...?) covering the way European countries are replacing landfills to an amazing extent with diverse recycling and treatment methods. It was eye-opening, to say the least. The basic story was that landfills there are nearly entirely being replaced by extensive Green approaches. I attended last month's talk at the Corvallis Community Center that focused on our own landfill expansion, which I already knew was driven by financial gains for Republic Services, seemingly favored by the county supervisors because of the income the county realizes when Republic pays to handle one-third of Oregon's untreated waste in Coffin Butte. I am a chemist, retired from OSU Chem Dept., and I understand the role methane has on our planet's atmoshpere. Landfills are said to contribute about a third of the methane emissions into the atmosphere in the US. Expanding our landfill will accelerate this, looking away from the problem. I learned at the talk that should Benton County refuse to permit the expansion, which mainly serves citizens outside our county, would provide a serious encouragement to find another way...and it would NOT mean we in Corvallis would have to find immediately another way to dispose of our trash without recourse. After listening to the way Europe is directing its citizen to take a role in separating recyclables and treating trash, I want to encourage all of us to take part in that. In fact, during the evening talk, the "Toxics..." fellow from Eugene claimed that Eugene is moving in that direction (extensive separation and thermal treatment of some part of the leftovers).	Email	I thanked him for his input and suggested that he submit public comment during the public comment period which hasn't opened yet.

		Turn down the expansion (I have a yard sign!). Michael Schuyler		
182	9/19/24	Commented on difficulties finding DSAC-related information online, which used to be easily accessible. Requested more detailed and accessible information on the committee's webpage.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24.
183	9/19/24	Raised concerns about hazardous waste being deposited at the landfill, specifically incinerator ash from Marion County, and its potential environmental impacts. Also questioned whether ENRAC accepts public comment, as there is confusion about the public's ability to provide input at their meetings.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24.Ian MacNab (Committee Member): Explained that the incinerator ash has been tested and deemed non-hazardous. DEQ approved its use as cover material after a lengthy trial process over 10 years ago.
184	9/19/24	Expressed concerns regarding worker safety at Coffin Butte Landfill, referencing the August 6th Benton County Commissioner meeting and a recent OSHA inspection. Raised numerous questions (see 9/19/24 meeting minutes)	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24. Republic Services responded in the meeting.
185	9/19/24	Raised the question of the costs to Benton County for hosting the landfill, including: o Road degradation, pollution, and landfill fires. o Decrease in land values near the landfill. o Post-closure costs. • Requested any available reports addressing these costs.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24. Staff researched if such a study exists and it does not. Clarified that post-closure management is required for a minimum of 30 years after the landfill closes. Mentioned no existing comprehensive report on externalities related to the landfill but suggested further inquiry with the County.
186	9/19/24	Commented on the updated Coffin Butte Annual Report, specifically regarding new testing for the flare at the landfill. • Kevin Kenaga inquired about the testing procedure: o What is being tested? o When will the testing be available to the public?	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24. Response from Republic

				Services: o Testing is scheduled for October 22. o It is a standard procedure for flare or industrial devices to have initial source testing.
187	9/19/24	Kevin Kenaga raised concerns about the daily cover at the landfill: o The report mentions daily cover (typically 6 inches of soil), but in reality, mesh netting is used, which doesn't prevent odors or wildlife from accessing the garbage. o Kevin criticized the accuracy of the report and emphasized the environmental impact of not using adequate daily cover, including increased methane emissions	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24. Republic Services Response: o The daily cover used is a heavy-duty 200x200 foot tarp, not mesh netting, and is an approved alternative daily cover. Using tarps saves clean soil and airspace.
188	9/20/24	Complaint about exceptionally long line at Coffin Butte with 25-30 commercial trucks slowing the line down. Waited 45 min. before getting to the scale house.	Call	Called Rob and discussed the issue. Let him know that I'll send this complaint to Republic Services.
189	10/1/24	Upset that CB charged out-of-county rate because she came in a F350 truck with a u-haul back. Feels that this should have been charged the Benton County rate. She provided receipts documenting the "environmental fee" that should not be charged to Benton County residents.	Email	Asked Petra about the issue of charging an "environmental fee" to BC residents. Our contract with RS states that these fees should not be charged to BC residents. Update: The vehicle size she had doesn't qualify for the discounted rate. Bailey asked Republic to make a sign indicating what vehicles do and do not qualify. They've posted the sign and added the information on their website.
190	10/8/24	Hi! I'm not very good at computers, so hope that you get this message. I believe that the Benton County land fill shouldn't be for numerous other counties(other than maybe a few adjoining ones like Linn which maybe should pay something for access to it) who	Email	Bailey emailed her instructions on how to sign up for Coffin Butte permit

		don't want a landfill in their back yard and would rather we shoulder the environmental burden. If Republic wasn't taking all that other outside trash, the land fill would be able to function until the quarry is available for expansion. I have found Republic's service to be great, but they are being greedy for additional business at our expense. The new contract should restrict where the waste comes from.		application updates and how to provide public comment.
191	10/9/24	Mark Yeager, a Benton County resident, raised concerns about Republic Services' construction of a landfill expansion into the quarry site. He emphasized that this expansion, according to Benton County Code Chapter 77, requires a conditional use permit, which he believes has not been obtained. Yeager questioned whether DSAC was aware of the construction and if they had any comments on the issue.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 10/9/24. Ian McNabb (Republic Services representative) responded, confirming that the construction in the quarry had been publicly discussed in previous meetings and open houses.
192	10/9/2024	There was a great amount of litter on both sides of Hiway 99 between the north and south entrances to Arboretum Rd. It really looked like no one was maintaining the highway margins. I believe a lot of this garbage has escaped from garbage trucks going to Coffin Butte Landfill. I think this roadway should be kept neat and clean.	DEQ	
193	10/17/2024	Landfill stench was once again affecting recreation on E.E. Wilson Wildlife Area. With a breeze from the SW on this date, the most strongly affected area was NE of the landfill, starting from north of the archery range (about 150 yards south of the CPI substation) and for about the next 1/4 mile north of there.	DEQ	Forwarded complaint to Republic, waiting on response.
194	11/5/24	Resident sent a letter with newspaper clippings about Coffin Butte. Concerns included accepting waste beyond Linn and Benton Counties and resulting truck impact on roads.	Letter	Read the letter and reviewed the newspaper clippings. Shared the letter and clippings with DSAC (10/9/24 Meeting Minutes)
195	11/8/24	I am writing to report alarming air quality violations that occurred this week originating from Coffin Butte Landfill. On the evenings of Monday November 4th and Wednesday November 6th, I was exposed to concerning levels of methane while commuting home from work. My route takes me onto Camp Adair Road from the Independence Highway, then north on Highway 99 and onto Robison Road where my residence is located approximately 1.5 to 2 miles northwest of Coffin Butte. The timeframe of my commute has me driving through the area at approximately 5:30 to 5:45. The methane scent became noticeable as soon as I turned off Independence Highway onto Camp Adair Road, increasing in strength so that by the time I was driving past the landfill on Highway 99, the methane concentration was strong enough to give me a headache. The methane was still discernable	Email	Documented odor complaint and sent complaintant the Coffin Butte complaint information and the DEQ report form.

		when I parked my car at my residence approximately two miles northwest of the landfill. It is a huge inconvenience to have to write this email, and I want you to understand that there have been many more times when I should have made similar reports, but just didn't have the energy or time. This evening I could smell methane when doing chores outside my home, so I knew I had to take the time to report what has been occurring. In addition to the air pollution, Tuesday night Camp Adair Road was largely covered by hazardous masses of pink fiberglass insulation that I believe were part of an uncovered load heading to the landfill. In addition to posing danger to drivers along the road that evening, the insulation migrated to the vegetation where it is now scattered for hundreds of yards along the roadside ditches. This has to pose an environmental hazard for flora and fauna in the surrounding farmlands and the E.E. Wilson Wildlife Area. The quantity of landfill-related waste littering the local roadways and roadsides is deplorable, and Republic Services should be required to provide litter clean up every day. The ongoing collateral damage of the landfill is both alarming and saddening to those of us who are exposed to it on a daily basis. In my opinion, Republic Services does not deserve to do business in Oregon because they are a persistently irresponsible organization posing many hazards to the health and well-being of residents living in the vicinity of the landfill, as well as to the surrounding farmlands and their nonhuman inhabitants. Less waste is the answer we require for a healthy future, not more landfills. My neighbors, my family and I therefore thank you for everything you can do to hold Republic Services accountable for their egregious behavior toward the local environment, and for any assistance you can offer to protect your constituents from future landfill expansion.		
196	11/17/2024	Multiple problems at Coffin Butte Landfill today: (1) Very strong landfill stench impacting public recreational use of the Coffin Butte Annex of E.E. Wilson Wildlife Area. Overwhelming in the trailhead area. (2) Tarps all along the SE flank (especially right along SE corner of the "pyramid" formed by the newest landfill cell, from mid-slope up to near the top) visibly inflated by landfill gas, forming bulges in the tarp, except where held down by weights (sandbags). Not due to wind billowing, except in one ~15 foot section lower down that was moving with variations in the breeze, where the tarp had pulled loose exposing a bare patch of cover dirt perhaps 5 x 10 ft wide. Above that the tarp formed a series of taut bubbles that were not moving at all. This is in one of the areas where an EPA inspector observed similar inflation of the tarps, indicating positive pressure from below by landfill gas that is not being captured by the gas-	DEQ	Forwarded complaint to Republic. Response received from Republic. See attached document. Emailed a response, including the attached document, to the complainant as well.

		capture system. (3) On the southwest side, before today's rain started up, there was water/leachate streaming out of multiple holes in the tarps on the south-facing slope of the landfill, above the first gate west of the scale house road (above Monitoring Well 23 which has registered high arsenic levels during past seepage events. Some of this may have been runoff from water pooled on a bench higher up, but in several places it was coming out through holes in the tarps, and the tarps were dry above these leakage points. I'd estimate the flow from the biggest stream of seepage at about 15 to 20 gpm. This eventually all goes into a ditch which flows into E.E. Wilson Wildlife Area and is used as the source for a popular fishing pond. Knowing that leachate is high in arsenic as well as PFAS and other toxins, this is an environmental health concern. Many of these holes in the tarps have weeds growing through them, showing that they've existed for a long time. (4) When I checked on the back side of the dump as viewed from Wiles Road and Coffin Butte Road, I could see a large area of garbage at the tipping face that was uncovered, drawing a swarm of 400+ "sea" gulls and an estimated ten thousand of invasive European Starlings. The landfill operators are not supposed to leave trash uncovered over the weekend (this was on a Sunday morning when the dump is closed). Recently they've been pulling a tarp over the tipping face and I could see a tarp up there, but either it wasn't properly deployed or it wasn't properly secured.		
197	11/19/24	I live approximately 2 miles northwest of Coffin Butte Landfill. In the early hours of morning today there was a nauseatingly strong methane odor emanating from Coffin Butte landfill. When I went outside tonight at approximately 8:15, the odor was again strong enough to force me back into the filtered air of my home. The frequency and intensity of the methane pollution is increasing. This methane pollution is more than a nuisance to those living within range of the smell. I believe Coffin Butte Landfill poses serious environmental and public health hazards. I further believe Republic Services should be held accountable for what I see as crimes against the local environment and its inhabitants, be they human or otherwise. Below is a forwarded email with a similar report I made dating from the week of November 8th. For the record, remnants of the insulation spill I mention in that report can still be seen along Camp Adair Road today. It is important that Benton County Commissioners read that complaint since they were not included in the original email. Thank you for your consideration and support in this matter. Your constituents are trusting that our elected officials will act with integrity to protect the public from the bad-faith practices of Coffin Butte Landfill and Republic Services.	Email	Documented odor complaint and sent complaintant the Coffin Butte complaint information and the DEQ report form.

198	11/20/2024	I like 1.5 miles from coffin butte landfill. The sink from the landfill is very noticeable at least 2 times a week lately	DEQ	Forwarded complaint to Republic, waiting on response.
199	11/26/24	Heavy duty dump stench this morning. Starting at about 9:30am… still hanging in the air.	Email	Let Becky know that we're working on a more streamlined complaint process. Thanked her for reporting it.
200	11/26/2024	"Coffin Butte dump stench"	Forwarded to RS from DEQ	Not reported
201	11/26/2024	Coffin Butte dump stench	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
202	11/27/2024	"went outside with my cup of coffee. Hit with the smell of the landfill"	Forwarded to RS from DEQ	Not reported
203	11/27/2024	Went outside with my cup of coffee. Hit with the smell of the landfill.	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
204	11/30/2024	"sitting at my dest, when I stared to smell it. It lasted for a about 3 hours"	Forwarded to RS from DEQ	Not reported
205	11/30/2024	"a terrible odor that we could smell from our car for about a mile north	Forwarded to RS from DEQ	Not reported
206	12/1/24	Putrid, nose burning, eye irritating odor from landfill ocurring weekly. Very strong (distinct and pervasive) Odor Offensiveness: How disagreeable was the odor? Highly offensive	Email	Let Katy know that we're working on a more streamlined complaint process. Thanked her for reporting it.
207	12/1/2024	"odor is so bad"	Forwarded to RS from DEQ	Not reported
208	12/1/2024	"sometimes unbearable"	Forwarded to RS from DEQ	Not reported
209	12/1/2024	"toxic landfill gases"	Forwarded to RS	Not reported

			from DEQ	
210	12/1/2024	"some sort of chemical", "rotten garbage"	Forwarded to RS from DEQ	Not reported
211	12/1/2024	Coffin Butte landfill toxic gases are flowing south to many houses in Soap Creek Valley, trapped by fog and stagnant air.	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
212	12/1/2024	Passing by the Coffin Butte landfill on Saturday afternoon, there was a terrible odor that we could smell from our car for about a mile north and south of the landfill.	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
213	12/1/2024	I live near the Coffin Butte Landfill and the odor is so bad today that I can barely stand outside. It is disappointing because it is a beautiful sunny day but the smell is so bad I don't want to rake my leaves or be outside at all.	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
214	12/1/2024	This is an ongoing issue with the Coffin Butte Landfill odor, sometimes it is unbearable sometime just annoying, but always bad, and unknown what your smelling or what it is doing to you long term, we have been residents for 50 years and it continually gets worse and worse, PLEASE ISSUE A STOP!!!	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
215	12/3/2024	A typical incident regarding Republic Services' Coffin Butte Landfill - in the morning when we go out with the dog, the odors are noticeable (this time the early odor smelled like some sort of chemical). We hurry back inside, then later in the morning head outside to attend to chores. As usual, the odor at this point is unbearable, now smelling like rotten garbage. We are not able to stand being outside until early afternoon. I indicated above that these incidents occur weekly, but that is an average. Sometimes, depending on weather patterns, they can be several days in a row, or occur less frequently.	DEQ	Forwarded complaint to Republic, waiting on response.
216	12/5/2024	I just described the incident in the above statement. I'm feeling nauseous by coffin butte landfill stink. It's now becoming more than a nuisance its really a health hazard for humans and animals in the surrounding area. Please take some real action and stop this. Thank you!!!!	DEQ	Complaint is general in nature and not event-specific. Called complainant 12/6 at 10:10 a.m. as requested and left a voicemail. Spoke with this individual on 11/25 also in response to a previous complaint. 12/6 - 10:50 a.m.

				complainant returned my call and spoke with them about the landfill odor issues.
217	12/6/2024	"landfill stench"	Forwarded to RS from DEQ	Not reported
218	12/11/24	Letter sent (in 2025.01.08 DSAC Meeting Packet). Her concerns related to excessive truck traffic, wondering why Republic's fleet isn't electric, safety and litter	Email	Bailey apologized that the link to the DSAC meeting on 12/11/24 wasn't working and let her know that I'd pass along her concern to the DSAC (in the meeting packet on 1/8/25) and include it in the 2024 CCAR
219	12/11/24	Letter sent (in 2025.01.08 DSAC Meeting Packet). Her concerns related to odors and a need for technological sensors that don't rely on the human nose.	Email	Bailey apologized that the link to the DSAC meeting on 12/11/24 wasn't working and let her know that I'd pass along her concern to the DSAC (in the meeting packet on 1/8/25) and include it in the 2024 CCAR
220	12/14/2024	“like a cross between a putrid low tide and an auto repair garage”.	Forwarded to RS from DEQ	Not reported
221	12/14/2024	Around 1:30pm Saturday Dec 14 I was driving home from Salem to Soap Creek Valley and had forgotten to put my car on "recirc" while passing the Coffin Butte landfill (Hwy 99 southbound, then onto Coffin Butte Rd). I don't often drive this way, but usually turn on recirc when I do because I just don't want to breathe in whatever unknowns are in the landfill odor (which I hear about regularly from other neighbors). Once I realized what I was smelling it was too late to block it and it was absolutely awful. The smell permeated my car, and I felt queasy for a good half hour after arriving home. PLEASE NOTE: under "Odor Frequency", above, you do not provide an option for "intermittent". The only reason I do not smell it regularly is because I don't pass by it "regularly." This was not the first time I've smelled the landfill (smelled/reported it once by my home, 5 miles away), but the first time I've experienced the full-onslaught from driving by without running recirc in my car.	DEQ	Forwarded complaint to Republic, waiting on response.

222	12/20/2024	"odor" "far worse than usual"	Forwarded to RS from DEQ	Not reported
223	12/20/2024	Although this smell has occurred during recent mornings when there was an inversion, this afternoon the odor was far worse than typical. From past experience, I know this is coming from the Coffin Butte landfill to our north. I am putting my personal home address for where the incident occurred so you can see the extent of the odor.	DEQ	Forwarded complaint to Republic, waiting on response.
224	12/23/2024	landfill smell, 5	Direct Complaint to Republic Services - Maggie Livesay	Not reported
225	12/23/2024	"stench very noticeable"	Forwarded to RS from DEQ	Not reported
226	12/24/24	Letter in Gazette Times, "We Must do What we can to Stop Expansion" https://gazettetimes.com/news/local/corvallis-speaks-up-letters-to-the-editor-for-the-week-of-dec-27-2024/collection_a52e48b7-a3f2-5575-93f7-2046c2f847c3.html	Letter in Gazette Times	None
227	12/29/2024	"stench", "not one type of aroma"	Direct Complaint to Republic Services - Virginia Scott (also received forwarded from DEQ)	Not reported
228	12/29/2024	"strong methane odor"	Forwarded to RS from DEQ	Not reported
229	12/31/24	Letter in Gazette Times: Benton County Obscures Process https://gazettetimes.com/benton-county-obscures-process/article_1c5d0515-b578-5994-b5aa-ece6ac6ba8f8.html?utm_medium=social&utm_source=email&utm_campaign=user-share	Letter in Gazette Times	None
230	12/31/2024	"stink"	Forwarded to RS from DEQ	Not reported
231	12/31/2024	As I was driving past the Coffin Butte dump on Coffin Butte Road in Benton County, OR on Sunday morning the stench was so strong that I has to put the car's air on recirculate until I was well north of	DEQ	Forwarded complaint to Republic, waiting on response.

		the dump. It was equally as terrible on my return trip past the dump at about 6:30 PM on 12/29/24 and was smelly even on recirculate well past the Tampico/Soap Creek intersection. This is an issue because on moist days, like Sunday, when the car air is on recirculate, the car windows fog up which makes it dangerous to turn onto Hwy 99.		Multiple complaints were reported over the holiday week.
232	12/31 /2024	Almost every evening to early morning there is a strong methane odor originating from the Coffin Butte Landfill located north of Corvallis in Benton County Oregon. This year the odor has become strong enough to smell indoors if an air filter isn't in use. There is also a tremendous amount of litter and garbage along Camp Adair Road, Hwy 99 and other tributary roads leading to the landfill. The garbage is on the roads, in the ditches soaking in water and leaching into the ground. The air and material pollution is a hazard to humans, wildlife and plant life in the local area. There is no telling what chemicals and hazardous materials are contaminating the local biosphere.	DEQ	Forwarded complaint to Republic, waiting on response. Multiple complaints were reported over the holiday week.
233	12/31 /2024	Coffin butte landfill is releasing methane gas and stink into the atmosphere. The stink is becoming worse each day. I don't have enough time to notify you beach day of the occurrence but it is becoming much more frequent, approximately 5 days a week now.	DEQ	Forwarded complaint to Republic, waiting on response. Multiple complaints were reported over the holiday week.

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Office: (541) 766-6819

360 SW Avery Ave.
Corvallis, OR 97333
co.benton.or.us/cd

#2021PCfindings

PLANNING COMMISSION FINDINGS

NATURE OF REQUEST:	**Conditional Use Permit to expand Coffin Butte Landfill**. Republic Services is proposing: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures.
APPLICABLE CODE CRITERIA:	Benton County Code (BCC) Section 51.505, Sections 51.705 through 51.840, Sections 53.205 through 53.235, Section 60.215, Section 60.220, Chapter 77, Chapter 99. The Benton County Code can be found at this link: **https://www.co.benton.or.us/planning/page/development-code**
PROJECT LOCATION:	• 29000 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1107 • 29160 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1200 • 28972 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 1101 • Township 10 S, Range 4 W, Section 18, Tax Lot 1104 • Township 10 S, Range 4 W, Section 18, Tax Lot 1108 • 29175 Coffin Butte Road; Township 10 S, Range 4 W, Section 18, Tax Lot 801
APPLICANT:	**Republic Services**
PROPERTY OWNER:	**Valley Landfills Inc.**
ZONE DESIGNATION:	Landfill Site (LS), and Forest Conservation (FC)
COMPREHENSIVE PLAN DESIGNATION:	Landfill Site, Forestry
CAC PLANNING AREA:	North Benton (not active)
STAFF CONTACT:	Inga Williams, inga.williams@co.benton.or.us
FILE NUMBER:	LU-21-047

This matter came before the Planning Commission in public hearings held November 2 and November 16, 2021. At the November 16 meeting:

- the applicant was provided the opportunity to submit additional written evidence up to 5 PM on November 19th;
- per statute, the record was held open so that the public could to submit further written testimony until 5 PM on the 29th; and
- per statute, the applicant was allowed one additional week, until 5 PM on December 6, to submit final written argument.

On December 7, 2021, the Planning Commission returned to deliberate on the application. At the meeting on the 7th, the Planning Commission considered the record as a whole, then deliberated and reached a decision. The decision of the Planning Commission is to **DENY** the Applicant's request for a Conditional Use authorization to expand Coffin Butte Landfill based upon the following findings of fact.

FINDINGS

General Conditional Use Criteria - Chapter 53

53.215 Criteria. 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;

Uses on adjacent property:

Many residents of the area testified that the odor and noise has continually gotten worse over the years. Some testified that they have to seek shelter inside to avoid the noise and smell. They warn that the levels expected in the future will affect their rural residential uses. Some farmers have testified that getting workers to work in the stench has been an issue.

Odor: Methane emission rules do not capture the impacts to the character and use of the area because many people testified that the smell inhibits them from going outside and enjoying the use of their property. Property owners within miles of the site stated they could smell the landfill. The current mitigation of an earthen cap over cells does not mitigate smell and smell reflects emissions of other gases such as Volatile Organic Compounds (VOCs) and hydrogen sulfide. The same mitigation is proposed for the expansion and if it currently does not mitigate the odor then it cannot be used as a mitigation for the future and be expected to minimize the concern.

Bad air quality: People living in areas with poor air quality does pose serious interference with livability. Risk of health concerns is likely with the landfill expansion; enough so nearby residents speak out about it. Some residents point to increasing cancer clusters in their neighborhood and suggest that poor air quality may be responsible. One nearby resident pointed to studies in Europe that tied poor air quality in the proximity of landfills to bad health issues. The applicant noted they cannot control all of the releases of VOCs or hydrogen sulfide and these gases are understood to be potent carcinogens. The applicant did not address the long-term effects of those gases in varying concentrations in different weather situations but the Planning Commission certainly heard from people that they can smell these.

Noise: The noise study contracted by the applicant has been criticized as faulty and inadequate. Proposed mitigations do not seem feasible and such conditions couched as "whenever feasible" or "if permitted by safety conditions" are not stringent enough. Further concern of noise from banging truck gates, loud noises from unloading, was not addressed. Point noises are often the most debilitating and background noise is easier to live with. The proposed Condition of Approval PA-7 (A) is inadequate to address this concern. To base approval on the applicant's assurance that future studies will ensure compliance would be inappropriate.

Much of the applicant's response to these issues is to rely on subsequent review and approval by Oregon Dept. of Environmental Quality (DEQ); however, there is no ability for the Planning Commission to review the situation after DEQ's approval to ensure that DEQ's standards were adequate to prevent the proposed use from seriously interfering with uses on adjacent property.

Conclusion: The proposed use <u>does seriously interfere</u> with uses on adjacent property.

The character of the area:

<u>Increase in landfill area</u>

Residents of the area point to the change in the character of the area. The minimal footprint of the landfill in previous years has and will be changed to a dominant footprint. The proposed expansion

will increase that interference in a number of ways. A whole valley will be filled with garbage. Modification of the fundamental topography at this scale, turning a valley into a ridgeline and burying the valley under 100 feet of garbage seriously interferes with the character of the area. This level of impact could not have been reasonably anticipated by any existing resident or past prospective purchaser. No condition could mitigate this level of change to the character of the area; therefore, the application fails to meet this criterion.

Open space and views of the cascades will disappear. The agricultural production from fields have gone away. The livability of the area because of noise, odors, and the visibility of the garbage pile will continue to degrade. One resident testified that their view of the dump has steadily increased to the point that it is now noticed and commented on by her children, and it is expected to increase more if the expansion is allowed.

Closure of Coffin Butte Road

The closure of Coffin Butte Road seriously affects those that use this road and the proposed Conditions of Approval do not lower the impact below the level of serious. The proposed mitigations for a closure may not be feasible or, if implemented, may seriously interfere with uses on adjacent property or seriously interfere with the character of the area. Improvement to Tampico Road would drastically alter the character of the area. Traffic will increase on Tampico Rd, and no amount of leveling and grading will be sufficient to make Tampico Road a better egress route without substantially altering the character of the area. These improvements will also increase certain dangers on Tampico Road by enabling traffic to travel it faster and increase risks to non-motorized users.

Staff and the applicant conclude that the Tampico Rd corridor would be heavily impacted by the increased passenger traffic and changes to the nature of every day traffic to include freight, agriculture, and forestry heavy equipment. Increasing truck traffic on Tampico will negatively affect the area. It may be widened, but sight issues will remain. This will increase risks to non-motorized users of the road from increased traffic. No amount of widening will change the underlying topography and hazards inherent in it; yet widening would further damage the local community character with no guarantee of success.

Conclusion: The proposed use does seriously interfere with the character of the area.

The purpose of the zone:

Purpose of Conservation Zone

The applicant has not met the burden of proof that the proposal will not interfere with the purpose of the Forest Conservation zone for protection of the wildlife resources. The Conditions of Approval requiring further study of Great Blue Heron (GBH) rookeries do not provide us with timely information to determine if the criteria is met nor if mitigation is possible. Further, testimony regarding threatened Streaked Horn Lark populations, Oregon Vesper Sparrow populations, and wildlife movements in the area of the landfill expansion point to the need for more wildlife investigations before action is taken in this area.

Proposed Condition of Approval PA-4 only addresses GBH concerns. Either that condition should be expanded to include other wildlife or additional conditions should be added. There is also concern that the applicant has limited ability to hire qualified consultants. The inventory of GBH nesting activity by their hired consultant has been challenged by residents with compelling photographic evidence.

Buffering and Zoning

The proposed landfill expansion relies heavily on the buffering of noise, odor, sight, and other nuisances by adjacent property owned by the applicant. Some of this buffering is provided by properly zoned land. However, some of the adjacent land is zoned Rural Residential (tax lots 10419001600 and 104180001200). Rural Residential zoning has no provisions for landfill buffering or for the extension of the landfill's grading footprint. The buffering of the landfill site and proposed grading plan for the new haul road under this CUP shows the new haul road positioned on the lot boundary of tax lot 104180001107 (zoned LS) and tax lot 10419001600 (zoned RR-10) and the land graded in the RR-10 zone. If the landfill requires a buffer to operate and extend grading, that buffer becomes part of the landfill use. As such, it should require appropriate zoning; a zone change or Conditional Use Permit if necessary. If the landfill cannot operate without establishing an illegal use on residentially-zoned lands, then reconsideration of this expansion location is necessary.

Conclusion: The proposed use <u>does seriously interfere</u> 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;

<u>Closure of Coffin Butte Road</u>

This is an undue burden because Coffin Butte Road is used as a bicycle and walking route, log truck and freight haul road, an emergency egress by the neighborhoods to the south and west, and is used by Adair Rural Fire Protection District for public safety and fire access. The closure of Coffin Butte Road seriously affects facilities and services.

Closure of Coffin Butte Road results in the loss of the most direct, safe evacuation route in case of inclement weather or wildfire; it eliminates the best (paved, flat, one curve) and shortest egress from the Soap Creek Valley. Closure of Coffin Butte Road results in the permanent loss of one of only three routes out of the Valley. In addition, the Coffin Butte Road closure results in the loss of the only locally available, direct east/west crossing of Hwy 99W, creating additional traffic conflicts on Hwy 99W at Camp Adair Road, Tampico Road, and Robison Road.

Based on community testimony, during the February 2021 ice storm Coffin Butte road was the only egress for several days. There is testimony dated November 23, 2021, from Chief Aaron Harris to Joe Bessmen and email from County Emergency Manager Bryan Lee dated Nov. 23, 2021, to Julie Jackson, and later that day forwarded to County staff, indicating that they both felt that the loss of Coffin Butte Road would be an impact on public safety.

The Adair Rural Fire Protection District Board advises, "this route should not be closed" and "closure of Coffin Butte Road would be detrimental to public safety". Proposed Conditions of Approval to mitigate this road’s loss through improvement to the northern route will not be "superior to Coffin Butte Road with regards to evacuation routes and public safety".

Closing Coffin Butte Road for this conditional use would remove an important route, replacing it with a lesser, compromised route or routes.

<u>Leachate</u>

Leachate from the proposed expansion is planned to be hauled off-site and disposed at the Corvallis Wastewater Treatment Facility (CWTF). The increased volume of leachate hauled will increase tanker truck loads to Corvallis and burden the transportation corridor and create an undue burden on the CWTF. The treated leachate from CWTF is released into the Willamette River and poses water quality concerns. The applicant has presented no leachate plan to account for this increased volume and continued maintenance and disposal for the future.

Conclusion: The proposed use <u>does impose an undue burden</u> on public improvements, facilities, or services available to the area:

Conditional Use Criteria for the Forest Conservation Zone - Chapter 60

60.220 Conditional Use Criteria. (1) A use allowed under BCC 60.205 or 60.215 may be approved only upon findings that the use: (a) Will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands; (b) Will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and (c) Complies with criteria set forth in BCC 53.215 and 53.220.

There will be increased transportation costs to local farm and forestry operations from the closure of Coffin Butte Road. One commercial forester commented that their harvesting operations use Coffin Butte Road as a major haul route and that closure of the road would affect their forestry operation. "Closing Coffin Butte Road and replacing it with an alternative will add time and cost." Another commercial forester commented that closing Coffin Butte Road would create problems for them in increased costs and safety issues.

Adair Rural Fire and Rescue uses Coffin Butte Road for public safety and fire access. Alternative routes take more time for fire response and are narrower. "The closure of Coffin Butte Road will negatively impact the response time from the Substation to the northern/northeastern areas of our fire district and North Albany automatic aid response areas." It will also create an increase in fire suppression costs and increase risk to fire suppression personnel because of the increase in transportation time to reach a fire.

Conclusion: The proposed use <u>will force a significant change</u> in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands, and <u>will significantly increase</u> fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

Conditional Use Criteria for the Landfill Site Zone - Chapter 77

77.310 Conditional Use Review. (1) The applicant for a conditional use permit shall provide a narrative which describes:

*****

(c) Provisions for screening of the site from public roads and adjacent property;

The staff discussion in the staff memorandum of November 29, 2021, concluded that screening is appropriate for this application. Pages 2-5 propose screening mitigation activities (tree planting), but even those would not be sufficient. Proposed condition of approval OA-6 and OA-7 for screening are not adequate to address screening of the site from public roads or adjacent property. It will be impossible to adequately screen the view of this mountain of garbage. Since no mitigation is possible, we must deny the application for non-compliance to the criteria.

Conclusion: Provisions for screening of the site from public roads and adjacent property is inadequate.

PLANNING OFFICIAL: _____ Date of Decision: December 7, 2021

From: carolalex fischler
To: Benton Public Comment
Subject: oppose/deny LU-24-027
Date: Monday, April 21, 2025 11:09:19 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners:

My name is Carol Fischler, and I live at 1107 NW 36th Street

I strongly oppose Republic Services's Conditional Use Permit application LU-24-027 to expand the Coffin Butte Landfill and urge the Planning Commission to deny this application.

The landfill has already seriously degraded the appearance of the area and made the air essentially unbreathable, imposing an undue burden on public resources in violation of Benton County Code 53215 (1) and (2). Further expansion will only exacerbate a negative situation which affects the entire Corvallis area. I live in Northwest Corvallis, many miles from the landfill, but even here it is not at all unusual to smell the dump when the wind is in the right direction. In addition, the leachate that escapes from the dump and is eventually conveyed to the Willamette River is distributing toxins from this site to the entire Willamette watershed. If Republic Services cannot control the destructive forces of leachate and pollution while the landfill is at its current size, how can it possibly do so if the landfill is expanded? We owe it to our children and grandchildren to not destroy the environment we will pass on to them. I do not know what can be done to repair the damage that has already been done, but clearly it would be madness to allow that damage to increase by expanding the area of the landfill.

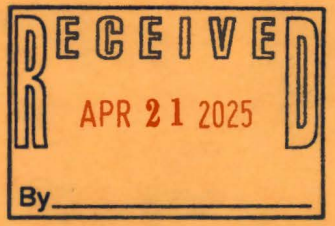
We need to invest in waste reduction, recycling and circular economy solutions, not expanding landfills that perpetuate pollution and place a long term burden on local communities.

Please reject LU-24-027. We need to explore better ways to deal with trash disposal, ways that will protect the health and future of Benton County.

Yours truly, Carol Fischler, Corvallis, Or 97330

Mid-Willamette Bird Alliance
PO Box 148
Corvallis, Oregon 97339

HAND DELIVERED



Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, Oregon 97333-1139

MID-WILLAMETTE BIRD ALLIANCE

Date: April 14, 2025

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

RECEIVED
APR 21 2025
By

To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

We appreciate the opportunity to comment on the future of the Coffin Butte Landfill, a county planning decision of great concern to our human community, and to the wildlife communities dependent on habitats that lie within and proximate to the parcels of this Conditional Use Permit (CUP) application. Since our inception in 1972 as Audubon Society of Corvallis, our more than 300 members support conservation of birds, other native wildlife, and natural habitats through science, education, and recreational activities made available freely to all.

We oppose any further expansion of the Coffin Butte Landfill and urge the Planning Commission to reject this application. We believe the Planning Commission will find that the Applicant, Republic Services, does not provide evidence to conclude that conditional use permit issuance would not violate County Development Code criteria and Comprehensive Plan policies. Further, based on its current performance, Republic Services cannot be expected to demonstrate that it can assure the County of its future compliance with any conditions that the county might issue.

We assert that any approval of Application LU-24-027 would directly violate Benton County Code criteria 53.215(1) and 53.215(2). We further assert that such a decision would violate or otherwise evade County Comprehensive Plan policies 5.1.2, 5.1.5, 5.2.1, 5.3.1, 5.4.1, 5.4.2, 5.4.3, 5.6.7, 5.7.4, 5.8.2, 5.9.1, 5.9.4, 5.9.5, 5.9.7, 6.1.2, 6.5.7 and 6.5.8. In addition, as Benton County has committed to a Prairie Species Habitat Conservation Plan (HCP) under Section 10 of the U.S. Endangered Species Act, covered species protections and long-term actions committed to by Benton County under the accompanying Prairie Conservation Strategy must not be further compromised by permitting further expansion of the Coffin Butte Landfill. Such approval would also directly counter state-wide goals for species and county-identified priority habitats under the E.E. Wilson Wildlife Management Plan and the Oregon Conservation Strategy.

Audubon Society of Corvallis, dba Mid-Willamette Bird Alliance
P. O. Box 148, Corvallis, Oregon 97339-0148
https://audubooncorvallis.org • audubon.corvallis@gmail.com

Rationale

We have come to this position through careful study of guiding documents relevant to the decision process before you. Over-arching guidance is supplied through Oregon State Land Use Laws, particularly in the promulgation of State and County Land Use Goals. Tiered to statewide land use planning goals, current Benton County Comprehensive Plan Implementation states: "The policies of the Comprehensive Plan serve as the basis for the implementing regulations of the Development Code." Its purpose from the Introduction Guide #2 is, "To guide public decisions on land use changes as reviewed through implementing regulations such as zoning and land division ordinances, such as the Development Code." (pg. Intro-11)

Benton County Comprehensive Plan Goal 5 Overview: Natural Resources, Scenic & Historic Areas, Open Spaces

"Protection of these diverse natural resources calls for a variety of approaches....
Natural areas, scenic areas and open space are to be managed to preserve their essential character, through Benton County's direct management of its lands and by encouraging private landowners to manage appropriately.
Ecosystem components such as wetlands and riparian areas provide multiple utility functions benefiting humans and the environment, and require cooperation among landowners in order to maintain healthy systems. Inventory, analysis and development of protection plans and landowner education programs guide the management of these important resources....
Protection of groundwater resources and wildlife habitat requires the cooperation and participation of local, state and federal agencies. Benton County's policies support the work of those agencies through collaboration on land use decisions and promotion of conservation efforts."
"The statewide planning program directs counties to inventory natural resources and identify significant sites for which protection plans are to be developed. In some cases, significant sites have been identified by state or federal agencies. Interagency coordination and cooperation with local, state and federal programs is particularly important in the implementation of the Goal 5 policies."[i]

***Goal 5.9 Wildlife Habitat**: To conserve and protect wildlife habitats and to promote habitat management that maintains wildlife diversity.*

Policies

5.1.2 *Benton County shall work to maintain and enhance ecological health of valued natural areas throughout the county by preserving and restoring natural habitats and maintaining the integrity and stability of these areas.*

Our Finding:

The continuance and expansion of the Coffin Butte Landfill disrupts Oregon's recovery efforts at the E.E. Wilson Wildlife Area, by directly attracting avian predators (such as common raven) to the area with nests of imperiled species of concern (streaked horned lark, Oregon vesper sparrow, western meadowlark), by

attracting invasive Eurasian starlings that displace cavity nesting species of concern (western bluebird, purple martin), and by further compromising wetland, riparian and open water habitats for multiple fish and wildlife species with air and waterborne contaminants. The great blue heron heronry on landfill property may have been abandoned due to bald eagle nest predation or to human cause, but now appears to be established on E.E. Wilson lands immediately adjacent to Highway 99W, where newly fledged herons will experience a far higher risk to road-killed losses. Counter to 5.1.2, Benton County has not worked to preserve the recognized heronry on the applicant's land, nor if by approving this application will it be able to work to preserve and restore the natural habitat of E.E. Wilson or maintain its integrity and stability.

5.1.5 *Benton County shall work with watershed councils, land managers, property owners, and others to protect, maintain, and/or enhance healthy functioning ecosystems and watersheds through conservation incentive programs including property tax benefits, income tax credits, regulatory streamlining, direct funding, voluntary agreements, and technical assistance.*

5.3.1 *Benton County shall work with public and private organizations, landowners, and the general public to identify, record, and protect valued scenic and open space resources.*

5.4.1 *Benton County shall recognize the need for protection of open spaces, especially along natural drainage courses.*

5.4.2 *Benton County shall promote private land stewardship of farm and forest lands, respect private property rights, and work with non-profit groups and others to maintain a comprehensive system of connected open spaces that will protect the most valued natural, scenic, and recreational areas of the county.*

5.4.3 *Benton County shall work to protect ecological and hydrological functions of open space, promoting best management practices and green infrastructure.*

5.4.4 *To protect valued open spaces, Benton County shall use a variety of methods such as land purchase, conservation easements, riparian protection ordinance, open space tax deferrals, gifts and donations, and density transfers.*

5.6.7 *Benton County's riparian planning process shall place particular emphasis on identifying and protecting headwater areas from adverse impacts of development.*

5.7.4 *Benton County shall work with others to conserve and protect natural functions of the county's most important wetland habitats.*

5.9.1 *Benton County shall actively participate with appropriate local, state, and federal agencies to identify, conserve, and protect fish and wildlife habitat.*

5.9.4 *In making land use decisions, Benton County shall protect identified sensitive wildlife habitat types and wildlife corridors from adverse impacts.*

5.9.5 *Benton County shall notify the Oregon Department of Fish and Wildlife (ODFW) early in the review process and collaborate with that agency regarding zone and plan amendments, conditional use permits, and subdivision and series partition applications in areas that include habitat types identified by ODFW as Habitat*

Conservation Priorities: in-stream habitat, native prairie grasslands, oak woodlands and savannas, riparian floodplains and wetlands.

5.9.7 *Benton County shall coordinate with Oregon Department of Fish and Wildlife to minimize conflicts between transportation infrastructure and wildlife migration routes.*

Our Finding:
Local and seasonal movements of Roosevelt elk between the Soap Creek watershed and E.E. Wilson must cross Hwy 99W, and pose an ongoing serious risk to both vehicle traffic and to elk. We are not aware of any discussions between Benton County, ODFW, and ODOT regarding this conflict, and are concerned that any continued expansion of landfill operations southward, while Adair Village expands northward, will disrupt movement corridors and exacerbate conflict, all without addressing any underlying causal factors.
We would expect that ODFW, which maintains the South Willamette Watershed District office and E.E. Wilson Wildlife Area office near the Coffin Butte Landfill, will have already been "worked with" or "coordinated with" early in the staff review process of this application. However we have no evidence of this during the extended absence of any open public advisory body discussions concerning ongoing county landfill or solid waste disposal practices and issues.

5.8.2 *Benton County shall require developers to provide sufficient information to enable Benton County to evaluate whether a proposed use could adversely affect the sustainability of aquifer production when reviewing land use applications.*

Our Finding:
Despite historical ground and surface water contamination on record, and leading up to and during staff review time of this application, evidence has indicated that the east leachate storage pond south of Coffin Butte Road had possibly developed a liner rupture which may have allowed leachate to pass into surface and ground water. Neither Benton County nor Republic Services have reported this possible discharge at any public forum, in any newsletter, or to any advisory body. Such information must be included in landfill site documentation, and not buried *<u>while potential landfill expansion is under public review.</u>*

6.1.2 *In cooperation with appropriate agencies, Benton County shall manage its air, water and land resources to insure their protection, conservation, restoration, or enhancement.*

6.5.7 *Benton County shall maintain a committee that advises the Board of Commissioners on solid waste and disposal site issues.*

6.5.8 *Benton County shall assure safe, accessible, and environmentally sound disposal of solid waste at the Coffin Butte Regional Sanitary Landfill.*

Our Finding:
By policy, Benton County is required to ("shall") manage its air, water and land resources to insure their protection or conservation. Regulatory efforts to do so at the Coffin Butte Landfill and its surroundings have been insufficient, resulting in interference with restoration and enhancement efforts being attempted by others adjacent to the landfill site.
For a considerable period of time recently, Benton County abolished both its Solid Waste Advisory Council and Disposal Site Advisory Council. Maintaining such committees is the lifeblood of the democratic process, and allows all community members to collectively engage towards a more sustainable future.
County government cannot assure anyone of a safe, accessible and environmentally sound disposal of solid waste in the absence of transparency in its Coffin Butte Landfill policy planning and implementation.

E.E. Wilson Wildlife Area Management Plan[ii]
As a wildlife and habitat conservation organization with deep roots in the community, MWBA is also aware of the establishment, purposes, and management of E.E. Wilson Wildlife Area, immediately adjacent to, east of, and downslope of Coffin Butte Landfill and its proposed expansion. Our members recreate there regularly and assist in its volunteer efforts and citizen science projects. Benton County recognizes all its eastern portion with Open Space zoning, identifies it as key expansion habitat for two HCP covered species, and lists all of the management area habitats as priorities. The full text of the E.E. Wilson Wildlife Area Management Plan may be viewed or downloaded here: https://www.dfw.state.or.us/wildlife/management_plans/wildlife_areas/docs/ee_wilson.pdf

"The Oregon Conservation Strategy is an overarching state strategy for conserving fish and wildlife. It provides a shared set of priorities for addressing Oregon's conservation needs. The Conservation Strategy brings together the best available scientific information, and presents a menu of recommended voluntary actions and tools for all Oregonians to define their own conservation role."[iii]
In Benton County, E.E. Wilson Wildlife Area manages one-half of all Strategy Components, manages four of Oregon's eleven key Strategy Habitats, harbors dozens of Oregon Strategy Species, and falls within an important Conservation Opportunity Area (Corvallis Area Forests and Balds). Meanwhile the adjacent Coffin Butte Landfill and its proposed expansion carry all of statewide landscape threats to conservation that Benton County can by choice work to improve: Barriers to Animal Movement, Invasive Species, Water Quality and Quantity, and Land Use Changes. https://oregonconservationstrategy.org/

The Benton County Prairie Species Habitat Conservation Plan (HCP) and its Appendix E Prairie Conservation Strategy (PCS) provides our concluding reference. [iv] HCPs offer non-federal landowners an incidental take permit over a multi-decade period in exchange for a commitment to ensure HCP-covered species are provided sufficient habitat for their

persistence, even with an expected level of individual losses. Seven imperiled species are covered under this HCP agreement, and three are relevant for consideration in this CUP application: Fender's blue butterfly, Kincaid's lupine, and Nelson's checkermallow. E.E. Wilson management has worked to establish both these plant species with the expectation that Fender's blue butterflies may populate this area.

Covered Species; Fender's Blue butterfly (PCS pg. 22)

> *"USFWS has identified Finley National Wildlife Refuge as a potential Fender's blue butterfly network. Additionally, E.E. Wilson has the potential to support Fender's blue butterfly and could form a network with Kincaid's lupine patches currently existing along the Soap Creek drainage and along the Benton/Polk county border. Creating stepping stone patches less than 1 km apart in north Benton County will require coordination and cooperation between USFWS, ODFW, Oregon National Guard, Oregon State University, Luckiamute Watershed Council, additional NGOs[v], and private landowners."*

Priority Long Term Actions, Connect (PCS pg. 46)

> *"C5: Connect Fender's blue butterfly habitat in the Soap Creek watershed from Oregon State University's property to E.E. Wilson by protecting stepping stone habitat patches less than 1 km apart. Work with interested private landowners who are willing to plant nectar species and provide information on conservation easements and incentive programs."*

Our Finding:
It is self-evident that any butterfly flight corridor between Soap Creek Valley and E.E. Wilson will be further obstructed by any enlargement of the landfill between Tampico Ridge and Coffin Butte, all the more so by the host of avian scavengers and insectivorous passerines that amass at the open face of the Coffin Butte landfill.

Conclusion

Development Code Chapter 53: Conditional Uses; Administrative Procedures, General Review[vi]

> *BCC 53.215 (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;*
> *BCC 53.215(2): The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area;*

Based on our findings, the proposed use seriously interferes with uses on adjacent public and private property, significantly alters and disrupts the ecological, visual, and rural character of both the zoned area and all other surrounding zoned uses, and thereby greatly exceeds the purpose of the zone.
It has been clearly established that the current landfill use already imposes an undue burden on public rights-of-way, transportation routes, esthetic and scenic values, as well as conservation and restoration efforts and recreational opportunities at state

facilities, along with greatly increased traffic, incidental refuse, incompatible noise, noxious odor, combustible vapor, and contaminated air, soil and water.[vii] Such grievous current offense cannot justify its furtherance or any proposed increase in its size or use.

We again appreciate the opportunity to provide comment to inform your Planning Commission consideration.

Respectfully,

Karan Fairchild, Co-President

Dave Mellinger, Co-President

Jayshaun Talbert,
Conservation Chair

Jim Fairchild,
Conservation Committee

Cc: Oregon State Representatives for Benton County:
David Gomberg, House District 10
Sarah Finger McDonald, House District 16
Dick Anderson, Senate District 5
Sara Gelser Blouin, Senate District 8

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[i] Benton County (2007). *Benton County Comprehensive Plan*. Benton County, Oregon: https://cd.bentoncountyor.gov/wp-content/uploads/2023/12/benton-county-comprehensive-plan-2007.pdf

[ii] Oregon Fish & Wildlife Department (2019). *E.E. Wilson Wildlife Area Management Plan*. Oregon Department of Fish & Wildlife, Salem, Oregon

[iii] Oregon Fish & Wildlife Department (2016). *The Oregon Conservation Strategy*. Oregon Department of Fish & Wildlife, Salem, Oregon

[iv] Benton County (2010). *Benton County Prairie Species Habitat Conservation Plan*. 160 pp plus appendices. Benton County, Oregon: www.co.benton.or.us/parks/hcp

[v] Audubon Society of Corvallis, now Mid-Willamette Bird Alliance, was one of the stakeholder NGOs in the HCP planning process. (HCP, p 15)

[vi] Benton County (2024 to current). *Development Code of Benton County, Chapter 51 –100 Benton County Development Code*. Benton County, Oregon.

[vii] Benton County Planning Commission Record and Testimony (2021). *CUP Application #LU-21-047*, Benton County, Oregon

From:	Joel Geier
To:	Benton Public Comment
Subject:	Deny LU-24-027: First set of comments (pertaining to heron nesting colony disturbance)
Date:	Monday, April 21, 2025 4:33:40 PM
Attachments:	LU-24-027 comments - heron rookery.pdf Coffin Butte-Camp Adair Herons 2000-2025-04-20.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Development Department Staff:

Please provide my attached letter (first attachment), together with a report giving supporting details (second attachment) to the Planning Commission for their consideration.

You may note, this is just the first of several sets of comments that I intend to send. For some of the other comments, I'm still awaiting responses from Oregon DEQ.

Thank you for your efforts, and please let me know if you have any questions about this part of my testimony.

Yours sincerely,

Joel Geier
North Benton County resident

From:	Joel Geier
To:	Benton Public Comment
Subject:	Re: Deny LU-24-027: Second set of comments (pertaining to rubbish in farm fields)
Date:	Monday, April 21, 2025 4:59:39 PM
Attachments:	LU-24-027 comments - rubbish in fields.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Development Department Staff:

Please provide my attached letter to the Planning Commission for their consideration.

Thank you for your efforts, and please let me know if you have any questions about this part of my testimony.

Yours sincerely,

Joel Geier
North Benton County resident

Joel Geier
38566 Hwy 99W
Corvallis, Oregon 97330-9320
(541) 745-5821
joel.geier@peak.org

Benton County Planning Commissioners
c/o Planning Division
4500 SW Research Way
Corvallis, OR 97333

April 21, 2025

RE: LU-24-027 Conditional Use Permit Application Regarding Landfill Expansion

Dear Nicholas Fowler, Chair, and Members of the Benton County Planning Commission:

Thank you for the opportunity to comment on the Conditional Use Permit (CUP) application submitted by Valley Landfills Inc., which corporation proposes to construct a new landfill on the north end of Tampico Ridge, south of Coffin Butte Road.

I'll be submitting a series of comments on different problems raised by this application, each of which give grounds for denial. This is my first set of comments in the series, focusing on the status of a Great Blue Heron nesting colony (or "rookery") which has been continuously active at this site since the spring of 2000.

The key points are these:

1. Applicant has not provided you with full information regarding the status of the heron nesting colony, which still persists at the site although the locus of nesting activity has shifted approximately 250 yards to the east since an apparent disturbance event in 2022.

2. The currently active nesting area is less than 1/4 mile from where applicant proposes major excavation work to build new leachate ponds on Forest Conservation land (Lot 1200), in place of the existing ponds which are within the footprint of the proposed new landfill.

3. Satellite images of the proposed development show that the applicant has failed to avoid disturbance to the previously documented heron rookery areas, during 2022, 2023, and 2024, and this pattern of disturbance continues into the current year.

Taken as a whole, these points indicate that approval of this CUP application would lead to further disturbance of this heron nesting colony, in contradiction to **Benton County Goal 5.9 Wildlife Habitat: To conserve and protect wildlife habitats and to promote habitat management that maintains wildlife diversity.** The applicant's record of recent and ongoing adverse activity, on the same lots where they propose to develop a new landfill and leachate ponds, makes it clear that the most likely outcome will be exactly the opposite of what Goal 5.9 espouses.

I elaborate on each of these points below (Further documentation is given in the attached report, which is an updated version of a report that I provided to ODFW and ODF on March 15, 2025).

1. Applicant has not provided you with full information regarding the status of the heron nesting colony, which still persists at the site although the locus of nesting activity has shifted approximately 250 yards to the east since an apparent disturbance event in 2022.

From reading the information provided by the applicant and their wildlife consultant (Turnstone), in their Burden of Proof statement and supporting exhibits, you might easily get the idea that herons simply gave up on the area, after an apparent mass failure of the nesting colony sometime between April and June of 2022. This is far from the truth.

In fact, community observations, as summarized in a report that I'm submitting together with this comment, establish that the herons have continued to nest in ash trees within 220 yards of Turnstone's observation point OP2, beginning in March 2023 and continuing in both subsequent years, up to the date of this comment. Several of the nests are in a direct line of sight from OP2. Adult herons flying to and from nests in the ash trees should have been visible from that point.

This is <u>not</u> to say that the information provided by the applicant or their consultant is false, just that it doesn't provide a full account of heron nesting activity in the immediate vicinity.

One possibility is that the applicant's consultant simply failed to notice heron activity a short distance east of the old nests that they were focused on. This is possible but seems improbable, for skilled field biologists.

A second possibility could be that the consultants may have seen this heron activity nearby, but they adhered to a very narrow interpretation of the protocol which required them only to report if they saw herons in or around the nests in the older nesting area, and not necessarily to report herons nearby.

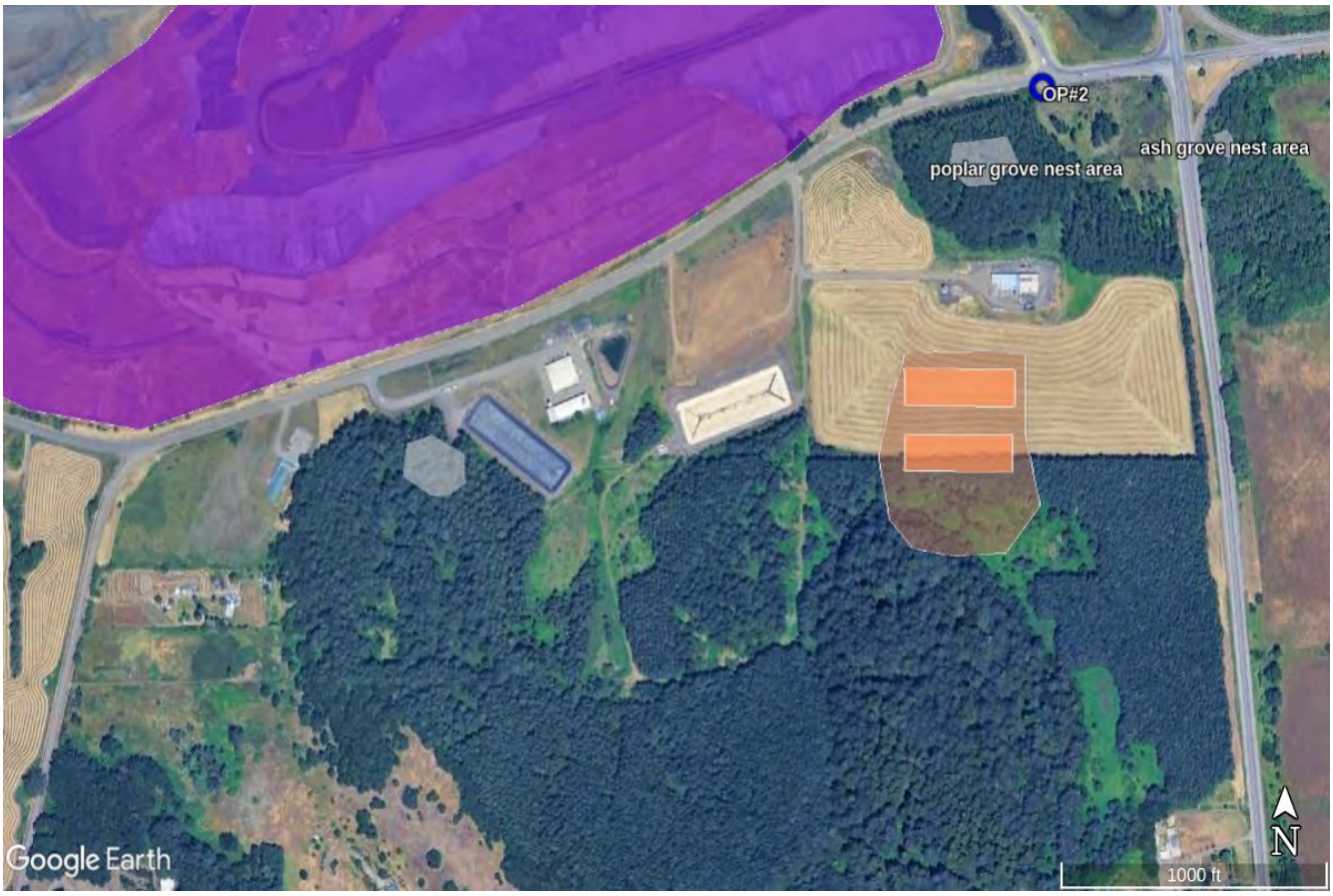
Regardless of whether the omission is due to careful parsing of observations or simply failure to notice, it's clear from independent observations that herons do continue to nest immediately proximal to the area of the proposed development, which has consequences for the proposed development.

2. The currently active nesting area is less than 1/4 mile from where applicant proposes major excavation work to build new leachate ponds on Forest Conservation land (Lot 1200), in place of the existing ponds which are within the footprint of the proposed new landfill.

The image below shows the proximity of the currently active heron nest area ("ash grove nest area") to the area proposed for development of new leachate ponds on Forest Conservation land. I've sketched in the proposed location of the new ponds (solid orange), and the approximate footprint of the required excavations (tinted orange).

From length scale included in the image, you can see that this construction activity would be within roughly 1000 ft (330 yards). Under the Oregon Forest Practices Act heron rookeries are protected, and Oregon Department of Forestry rules require avoidance of forest land operations (including truck traffic) between February 15th and July 31st, within a 1/4-mile (440 yard) radius.

The applicant has not provided any plan for protecting the ash-grove nesting area, within their current site development plans which acknowledge only a need to protect the older nesting areas, and those only if their consultants happened to notice heron nesting activity during 2023 through 2025.



3. Satellite images of the proposed development show that the applicant has failed to avoid disturbance to the previously documented heron rookery areas, during 2022, 2023, and 2024, and this pattern of disturbance continues into the current year.

Ever since the applicant learned in late 2021 that the herons nesting in the poplars could be an impediment to their development plans, in each successive nesting season (2022, 2023, 2024 and 2025) they have operated heavy equipment (excavators and gravel trucks) in an area that had previously been left undisturbed from 2017 to 2021 (during which period the herons established their nesting area in the poplar grove).

A timeline of this activity, based on evidence provided by historical satellite images, is given in the report included with this set of comments.

Whether this activity was inadvertent or otherwise, it could well have caused the apparent abandonment of nests during 2022, and the reluctance of herons to return to the area in subsequent years.

At the very least, conducting this activity so close to the known nesting areas, during nesting season, demonstrates insufficient diligence regarding the disturbance issue.

Given the applicant's poor track record on this issue, better outcomes cannot be expected in the event that they gain approval for the proposed development.

Thank you for considering these comments. I reserve the right to provide further written and oral testimony according to the time frame allowed by statute.

Yours sincerely,



Joel E. Geier, Ph.D.

Great Blue Heron Monitoring

Community observations of heron nests
Coffin Butte and vicinity, north Benton County, Oregon
2000 through present

March 15, 2025
Amended to include observations through April 20, 2025
Joel Geier

Executive Summary

A heron nesting colony is known to have been present in the area just south of Coffin Butte for more than 25 years, starting in 2000 and continuing into the current year, 2025. Although initially the colony seemed to be stable, making use of a stand of mature conifers from the early 2000s through at least 2018, within the past 6 years it has shifted nesting locations twice.

A mass incident of nest abandonment and colony failure occurred in the poplar grove ("eastern rookery") sometime during in mid- to late May 2022. The cause is not known with certainty, but excavation equipment and trucks were documented as operating as close as 600 ft to the nesting area around the time of the abandonment, much closer than the 1/4 mile buffer zone that was recommended to the operators to avoid disturbance. Bald eagles were seen scavenging the nests, but not until at least a week after the adults had abandoned the nests.

In subsequent years, herons have continued to visit the poplars during nesting season, but have not been documented as re-occupying nests in that area. Continuing disturbance by equipment operating within the recommended buffer zone during 2023, 2024, and again in 2025 may be a factor in discouraging them from reoccupying nests in that area. Instead the main locus of nesting activity since 2022 has been in an ash grove just east of the poplars. Nesting there was successful in 2023 and probably also in 2024.

That nesting area is occupied again in 2025, with herons incubating on nests as of the date of the report. This new nesting area is very close to a busy highway intersection, which poses a potential risk for the long-term success of the colony. Although the herons appear to be acclimated to the normal flow of vehicular traffic, nesting could be disturbed by pedestrians walking along the highway and/or vehicle operators who exit their vehicles during roadside stops. Such an incident was observed on April 19, 2025 when a sheriff's inmate crew picking up roadside litter near the landfill entrance came within 30 yards of the nests.

Introduction

Great Blue Heron (*Ardea herodias*) is one of Oregon's most well-known bird species, frequently noticed, recognized, and beloved by many members of the public.

This is also one of very few bird species to be specifically protected under Oregon state law (OAR 629-665-0120), which is focused on protecting and preventing disturbance to colonial nesting sites known as "heronries" or "heron rookeries."

Although perceived as a "common" bird species due to its high visibility, the status of Great Blue Heron as a nesting species in the Willamette Valley is poorly understood, both in terms of numbers of breeding birds, and the stability of existing colonies.[1]

This report summarizes community observations of herons nesting in the vicinity of the Coffin Butte landfill from the year 2000 through early 2025.

Data sources

Observations of herons nesting were not systematic over most of the 25-year period from 2000 to 2025. For years prior to 2022, a record of incidental observations has been gleaned from resources including *The Chat* (newsletter published monthly by the Mid-Willamette Bird Alliance[2]) and the electronic archives of two e-mail lists:

- Oregon Birders Online (OBOL), https://www.freelists.org/archive/obol/
- Mid-Valley Nature https://groups.google.com/g/mid-valley-nature

From 2022 onward, observations have been maintained systematically in Excel spreadsheets which are reproduced here in tabular form.

1 (Ann Eissinger, personal communication, 2021)

2 The Mid-Willamette Bird Alliance is the current name of the organization formerly known as Audubon Society of Corvallis. Newsletters prior to 2024 were published under the former name of the organization.

Locations referenced

The following locations (Figure 1) are referred to frequently in this report:

Coffin Butte is a natural landform in the shape of a ridge elongated in ENE-WSW direction, about one mile long with a peak elevation of 737 ft, which is the last in a series of ridges and hills extending northward from Vineyard Mountain near Lewisburg.

Tampico Ridge is the first main ridge to the south of Coffin Butte, elongated in the S-N direction, also about one mile long. Tampico Ridge has multiple four main summits. The highest summit, toward the south, rises to 613 ft. The next summit to the north, sometimes labeled as Poison Oak Hill, is just slightly lower at 612 ft. At its north end, Tampico Ridge splits into two ridges, with summits locally known as Schulmerich Hill (532 ft) at the north end of the main ridge line, and Beals Hill (512 ft) on the ridge line branching toward the NW.

Tampico Ridge is separated from Coffin Butte by a topographic saddle which is traversed by Coffin Butte Road, with its highest point just north of Beals Hill.



Figure 1. Satellite view of the landscape around Coffin Butte showing locations referenced by name in this report including Toketie Marsh, conifer grove nesting area ("western rookery"), poplar grove nesting area (eastern rookery"), and ash grove nesting area.

Coffin Butte Landfill is located on the south face of Coffin Butte, north of Coffin Butte Road, and is operated by Valley Landfills Inc. (VLI), a wholly owned subsidiary of Republic Services Inc.

Toketie Marsh is the name given by VLI to a remedial wetland that was constructed in early 1994[3], on the NW side of the junction of Coffin Butte Road with State Highway 99W, as partial mitigation to compensate for the destruction of two ponds higher up on the SE flank of Coffin Butte.

A **conifer grove** (mainly Douglas-firs, covering about 16 acres) on the north end of Beals Hill, between the landfill office and a facility for handling landfill leachate, has been one of the locations where herons have nested during the past 25 years. The heron nesting area in this conifer grove is referred to as "the western rookery" in some VLI documents.

A **poplar grove** (hybrid poplars covering about 9 acres) due south of Toketie Marsh and the landfill entrance (scale house road) has developed from hybrid poplars that were planted around 1994, as part of the same mitigation project. On site development maps this area is referred to as the "south cloverleaf mitigation area." The heron nesting area in this poplar grove is referred to as "the eastern rookery" in some VLI documents.

An **ash grove** (predominantly Oregon-ash, covering about 7 acres) is located on state land just east of the poplar grove, on the east side of Highway 99W. This ash grove together with the poplar grove form a nearly continuous arc of closed-canopy forest, separated only by the highway right-of-way (about 30 m wide). Herons have been observed nesting in the ash grove since 2023 after an apparent mass failure in the poplar grove in 2022.

Rays prairie is an informal name[4] for a 70-acre prairie restoration area on state land (part of E.E. Wilson Wildlife Area), adjacent to the ash grove on its east side and extending south for about 3/4 mile. Herons can frequently be seen hunting both upland areas and around the edges of two constructed wetlands during nesting season.

A **stockpile** area for fill dirt periodically used as cover material on the landfill is located to the west of the poplar grove. The east edge of this stockpile area is 0.12 mile from the heron nesting area in the poplar grove. Satellite images show that this area was managed as an

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3 Per historical images on Google Earth, and confirmed by former manager Brian May, personal communication November 27, 2023.

4 Named for a former manager of E.E. Wilson Wildlife Area who initiated the restoration effort in the early 2000s. The lower of two constructed wetlands in the prairie area is known as Laguna del Ray (https://ebird.org/hotspot/L14643022). The upper wetland is informally known as Playa del Ray. Baseline point counts for this area during the early stages of prairie restoration are on file with ODFW.

agricultural field through 2006, then left fallow until 2016 when it was farmed again. In 2017 fill dirt was stockpiled on this area to form a small hill which was left undisturbed for the next several years, and was noticeably vegetated by 2020 (Figure 2).



Figure 3. Satellite view of the fill-dirt stockpile from August 13, 2020, showing the fill-dirt stockpile in an undisturbed, vegetated state at that time, with no excavating equipment present. Note that the track leading out from the east side of the stockpile is faint and does not connect to the access road for the generating plant, with a closed gate at that point, indicating that it was in a state of disuse.

Historical observations 2000 through 2020

Great Blue Herons were first documented nesting near Coffin Butte in 2000, with the following description as recorded in the summer field notes column in the *The Chat*:

> *An improbable choice of nesting site by Great Blue Herons at Toketie Marsh, at the entrance to Coffin Butte Landfill along Highway 99W north of Corvallis, gave area birders a unique chance to observe these birds through the summer. On 7-1, Carolyn Paynter watched an adult feeding 3 young in a very crowded nest. By 7-16 the juveniles could be seen hunting inexpertly around the edges of the marsh.*

As this new colony increased, the herons began to nest in the conifer grove south of the growing landfill, in the area between VLI's office building and a leachate storage facility. The field notes from the April 2018 issue of *The Chat* gave this update, noting the impact of rising Bald Eagle numbers on heronries:

> *On 10 Mar more than 20 Great Blue Herons flew in to perch in conifers where they've nested in recent years on the south side of Coffin Butte Regional Landfill. As Bald Eagle numbers continue to recover, herons seem to have abandoned some relatively exposed nesting locations along the main rivers, in favor of conifer groves that offer more protection from avian predators.*

The heron nesting area in the conifer grove, now referred to by VLI's consultants as the "western rookery" for this site, was documented by the Oregon Department of Forestry in a Notification of Operations (NOAP) under NOAP ID: 2019-551-05885. This documentation reportedly occurred when VLI sought clearance from ODF to log in that area, and were informed that this work could not proceed while that rookery remained active.

By the next year, 2020, herons were noticed to be nesting in the hybrid poplar plantation (now referred to as the "eastern rookery"). Whether this shift was due to disturbance in the former location, or due to the improved suitability of the poplars as they had grown taller with a closed canopy, or due to some other factor, is unknown.

Heron nesting activity in 2021

Community nesting observations during the 2021 nesting season are summarized in Table 1. At least 12 pairs nested in the poplar grove (east rookery) and possibly upward of 15.[5] By June local observers began to notice young birds foraging alongside adults in the local fields and pastures of Soap Creek Valley, indicating that at least some of these nests were successful.

Table 1. Heron observations during 2021.

Date	Number of herons	Location	Observer	Notes
1/28/21	0	poplar grove, conifer grove, and vicinity	Joel Geier [Mid-Valley Nature]	"I haven't seen much activity so far in the heron nesting colony at Coffin Butte Landfill. Still many hundreds of gulls around ..."
2/23/21	18	Toketie Marsh	Joel Geier [Mid-Valley Nature]	Two Bald Eagles (one adult, one immature) were keeping the gull flock stirred up above the Coffin Butte Regional Landfill, and also briefly put 18 Great Blue Herons to flight off of the remedial wetland ("Toketie Marsh").
4/07/21	12+ active nests	poplar grove	Joel Geier [Mid-Valley Nature]	"Now is still a good time to watch Great Blue Herons nesting in the poplar plantation just south of Coffin Butte Regional Landfill. At least 12 nests were active as of yesterday, and they're easy to see from the road as the poplars have just started to leaf out.
7/07/21	several	poplar grove	Joel Geier [Mid-Valley Nature]	"Great Blue Heron chicks in the poplars outside Coffin Butte Regional Landfill are now in "Stage 1" [beg from the tree as adults flt back and forth] from recently harvested fields full of voles both dead and alive. Some of the heron chicks may have already left the nest, but some were in good view when I stopped by there this morning. .... The chicks that remain are mainly standing up in the nests now, mostly motionless and pretending to be invisible until mom or dad returns with a cropful of fresh carrion."

An October 25, 2021 report by Stephanie James of Turnstone Environmental Consultants, submitted by the landfill operators in support of a proposed expansion of the Coffin Butte

5 Per comments by wildlife biologist Dave Vesely.

Landfill, based on a single site visit on October 8, 2021, stated the following regarding the conifer grove nesting area ("western rookery"):

> *James was able to observe the rookery from the access road but was not able to investigate under the trees up close due to fencing and high coverage of poison oak. James observed 12 stick nests in 8 active nest trees in the western rookery. The nests were approximately 18 to 36 inches in width, 70 to 100 feet in height, and did not appear active this year (2021) with no visible whitewash. The nests appeared to be intact and were likely were built upon in the last 2 to 3 years.*

Regarding the poplar grove nesting area ("eastern rookery"), the same report stated:

> *The eastern rookery is in a forested stand with 12- to 20-inch hybrid poplar trees approximately 90 to 110 feet in height. This forest lost many branches in recent wind and ice events, as noted by downed limbs and broken branches. The eastern rookery was likely active this year as evidenced by copious whitewash under the nests (Figure 1). This rookery contained six nests approximately 12 to 30 inches in width, 60 to 80 feet in height, in four poplar trees.*

Independent photos from Nov 7, 2021 documented that 13 heron nests were still present in the poplars as of that date, even after fall wind and ice events. Note that this was more than twice as many nests as reported by the landfill's consultant.

After local conservationists expressed concerns about impacts on herons, ODFW commented, recommending three years of professional surveys, as well as restriction of landfill activities within 1/4 mile of the active nesting areas during the critical breeding period from February through June.

Heron nesting activity and nesting failure in 2022

Community nesting observations during the 2022 nesting season are summarized in Table 2. All observations of nesting activity in this year were from the poplar grove. Although this nesting area was occupied with as many as 14 active nests, these all appear to have failed sometime between May 14 and May 25.

At least 10 nests were occupied by March 5. Incubation started sometime between March 22 and April 12, by which date herons were incubating at least 12 nests. Based on a 28-day incubation period, the earliest expected hatch date (if incubation began on March 23) would have been April 20. The latest expected hatch date (if incubation began on April 12) would have been May 10.

In a brief visit on April 20, the adult herons were observed to be perched near the nests, but not incubating. The nesting area continued to be active with adult herons present through May 14, but by May 25 it was abandoned.

Juvenile Bald Eagles were observed visiting the abandoned nests on June 1, but this was a full week after the heronry was already noted to be abandoned by community observers. The most likely explanation of the observed eagle activity on that date is that they were scavenging already-dead heron chicks from the nests.

A carcass draped over a utility wire, noted on May 25 and still hanging there for some weeks afterward, suggests the possibility of a disturbance resulting in a panic flight in conditions of dim light or darkness (i.e., when herons might not be able to see and avoid such a wire) sometime between May 14 and May 25.

Several hypotheses for this nesting colony mass failure during May of 2022 can be considered.

Hypothesis 1: Failure caused by adverse weather

Weather during April 2022, and into the first weeks of May, was notably cool and rainy for the season. These conditions could have been adverse for survival of heron chicks, particularly if they had hatched and reached the stage of growth where both parents would be away from the nest for extended periods, leaving them exposed to the weather. However the observational bounds on incubation period, together with behavioral observations from the period after hatchlings would have been expected, do not support this hypothesis.

Table 2. Heron observations during 2022. Community observations are in black font. Additional observations by Turnstone Environmental Consultants (on behalf of VLI) that help to inform the timeline up to and shortly after the time of mass nesting failure are included in blue font.

Date	Number of herons	Location	Observer	Notes
2/17/22	1	poplar grove	Stephanie James	Adults observed standing in one nest.
3/05/22	10+	poplar grove	Priya Thakkar	"Saturday evening I saw a heron standing up in each of the nests! There were at least 10 that I could see, and only one of the nests off to the side didn't have a heron in it."
3/22/22	17	poplar grove	Stephanie James	Adults observed standing in or near 11 active nests.
4/12/22	12+	poplar grove	Joel Geier	At least 12 nests were occupied with adults incubating or brooding on the nest.
4/20/22	18+	poplar grove	Joel Geier	Adult herons were perched near the nests, but not on them, in brief visit.
4/28/22	17	poplar grove	Stephanie James	Adults observed standing in or near 14 nests, all active. One observed possibly turning an egg in the nest.
5/14/22	several	poplar grove	Joy Shreyer	Several adult herons perched around the nests.
5/25/22	0	poplar grove	Joel Geier	Heronry abandoned. Decomposed / desiccated carcass, apparently of a heron, hanging from utility wire along the south side of Coffin Butte Road, due north of the west end of the poplar grove nesting area.
5/26/22	0	poplar grove	Joel Geier	Posted inquiry to OBOL and Mid-Valley Nature list, noting abandonment of heronry, and requesting any observations not already reported.
6/01/22	0	poplar grove	Stephanie James	No herons present. Juvenile bald eagles moving from nest to nest in groups of 2 to 4.

Hypothesis 2: Predation by eagles

The nearby landfill is well known to host large numbers of bald eagles, both adult and juvenile, which scavenge from the waste. With such concentrations of eagles nearby, predation on heronries is a plausible risk, as has been observed in the Puget Sound region (Eissinger, 2007).

The observations by VLI's consultant on June 1, 2022 document that eagles visited the heronry on that date. However this was a full week after failure of the heronry was noticed by community observers.

If the failure of the heronry was due to eagle predation, we should expect that most predation would have occurred on or within days after the date that adults abandoned the heronry. The fact that eagles were observed going from nest to nest at least a full week post-failure is counter-indicative of this hypothesis, suggesting instead that the eagles had just recently discovered this source of carrion.

Hypothesis 3: Disturbance by landfill operations

Heavy equipment operations in a fill-dirt stockpile just west of the poplar grove was a possible source of disturbance, during the period in which nesting failure occurred.

Satellite images from June 2022 (Figure 3) show excavation equipment operating within 0.16 mile of the heron nesting area. In comparison with satellite images of the same area from August 2020 (Figure 2), the 2022 images show indications of recent truck traffic along the access road leading out from the east side of the stockpile even closer to the nest sites.



Figure 3. Satellite view of the fill-dirt stockpile from June 24, 2022, showing excavating equipment working in a recently excavated area southwest of the poplar grove nesting area. Note that the road leading out from the east side of the stockpile shows signs of recent use. The area of recent excavations, as measured from this image, was approximately 2.6 acres.

Concerns about this issue as a possible cause of the nesting colony failure were raised during a Benton County Disposal Site Advisory Committee on July 27, 2024. Notes on the minutes for that meeting provided to Benton County staff state[6]:

> *Last year ODFW's biologists recommended that there should be no major construction within 1/4 mile of the rookery, from February 15 through July 31, apart from the usual traffic on Coffin Butte Road and Hwy 99W.*[7]
>
> *During March of 2022, local observers noted that heavy equipment was being used to mine away the stockpile of fill dirt adjacent to the Forest Conservation zone. Initially this activity was on the far side of the stockpile, where it seemed unlikely to impact the herons. However that activity seems to have shifted much closer to the rookery during May, around the time that the herons disappeared.*
>
> *Two questions for Republic staff:*
>
> *1) Did Republic Services carry out any monitoring of this nesting colony this year? And if so, have those observations been reported to ODFW?*
>
> *2) Also, is there any log of activities that were carried out within or near the Forest Conservation zone? Of particular concern would be if and when trucks hauling fill dirt started to use the gate onto Coffin Butte to the east of the stockpile, or if there were any personnel entries into the rookery area itself.*
>
> *Ian [Macnab] (Republic Services) responded that these are normal operations and there has been no other change in that area for quite some time. A biologist has been monitoring the eastern and western rookeries starting this year. Results will not be reported by the biologist until the end of a three-year period, and no data is available at this time.*

No further information has been provided by VLI or Republic Services regarding the timing of these operations.

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6 Comments transmitted by e-mail to Community Development Department staff Linda Ray and Daniel Redick on September 3, 2022.

7 A Condition of Approval proposed by CDD staff for LU-21-047, based on input from ODFW, was stated as follows: "During the critical nesting period for the Great blue heron, which is from February 15 through July 31, neither construction to prepare the ground or build the leachate ponds, employee building, road bed, or landfill cell shall occur within a quarter mile of the boundary of the rookery."

However the company has asserted a right to conduct landfill-related operations outside of the posted operating hours:[8]

> *"..internal operations, which include the arrival of field personnel on-site, begins at 4:30 a.m., Monday through Friday, and at 7:30 a.m. on Saturday. Additional operations not governed by the conditional use permit include work by third party contractors on landfill infrastructure, and commercial customers, who have 24-hour access to the Landfill.*

Such activities have been observed to occur pre-dawn, making use of bright artificial lights. During a landfill tour, the landfill environmental manager confirmed that portable lights to support operations on the landfill typically come on at 4:45 a.m.[9] During the period from May 14 to May 25 in which nesting failure apparently occurred, local sunrise ranges from 5:45 a.m. to 5:35 a.m.

The satellite evidence shows that operations in the stockpile area were in fact unusual, so this remains as a plausible cause for nesting colony disturbance and abandonment. If heavy equipment and/or artificial lights powered up in the stockpile area before sunrise, this would have been an unaccustomed disturbance and could conceivably caused a panic flight.

8 Benton County Talks Trash Solid Waste Process Workgroup Report, 2023, p. 830.
9 Benton County Talks Trash Solid Waste Process Workgroup Report, 2023, p. 935.

Heron nesting activity in 2023

Community nesting observations during the 2023 nesting season are summarized in Table 3.

There were two observations during March in which herons either perched in the poplar grove or flew toward it with a stick. Satellite images (Figure 4) show that excavation activity occurred in the stockpile area, during the early part of the nesting season. This recurring disturbance might have inhibited herons from occupying utilizing the nests in the poplars, despite some indications of interest.

Table 3. Heron observations during 2023.

Date	Time of day	Number of herons	Location	Observer	Notes
1/12/23	afternoon	0	poplar grove	Joel Geier	At least 15 stick nests
3/17/23	17:35	1	poplar grove	Joel Geier	roosting in the hybrid poplars, not in one of the trees with one of the nests that were occupied last spring
3/24/23		0	poplar grove	Jim Fairchild	Quick look at the hybrid poplar heron nests (~16, no visible occupants)
3/26/23	12:00	2	Ray's Prairie (Laguna del Ray)	Joel Geier	Flew up from ground south of pond.
3/26/23	14:30	5	Ray's Prairie	Rebecca Geier	South of ash grove
3/26/23	14:45	1	Soap Creek Ranch pasture north of entrance road	Joel Geier	hunting in pasture
3/26/23		2	ash grove / poplar grove	Jim & Karan Fairchild	2 herons just east of 99W in the ash grove next to the highway. One repeatedly circled over 99W towards the [poplars], carrying a stick. Last we saw it had stopped in the top of the ash grove.
3/27/23	15:30	6	ash grove	Joel Geier	6 herons perched in the ash grove ... including two pairs and two "single" birds, each on partly-constructed nests (several of them just a few sticks laid cross-wise). We saw one heron drop down into the understory and come back up with a stick, which its mate then added to the growing nest.
3/29/23	10:00	2	Soap Creek Ranch pasture north of entrance road	Joel Geier	hunting in pasture
5/15/23	10:30	1+	ash grove	Joel Geier	adult standing in nest, hard to see due to foliage
6/18/23	10:45	6+	ash grove	Joel Geier	multiple nests with noisy nestlings, 3 in one nest, total of at least 6 nestlings. Look nearly ready to fledge.

All other observations of nesting activity were from the ash grove. Numbers of herons were decreased from the previous year, with a maximum of 6 adults recorded early in the nesting season. Six nestlings, nearly ready to fledge, were observed in nests in the ash grove on June 18.

Based on these observations, the nests in the ash grove appeared to be successful, but no nesting was observed in the poplar grove. eBird records from nearby E.E. Wilson Wildlife Area confirm that herons were regularly present throughout the nesting season, including in June and July.



Figure 4. Satellite view of the fill-dirt stockpile from April 29, 2023, showing continuation of excavation activity southwest of the poplar grove nesting area, during the early part of the heron nesting season. Note that the road leading out from the east side of the stockpile continues to show signs of recent use. The excavated area has grown to 3.0 acres.

Heron nesting activity in 2024

Community nesting observations during the 2024 nesting season are summarized in Table 4.

Early in the nesting season, around February 12, one heron was observed standing in one of the old nests in the poplar grove. All other observations of nesting activity were from the ash grove.

Satellite images (Figure 5) show that excavation activity occurred in the stockpile area, and agricultural equipment activity (presumably field spraying) even closer to the nesting area occurred during the early part of the nesting season. This recurring disturbance might again have inhibited herons from occupying utilizing the nests in the poplars.

Nests in the ash grove began to be occupied by mid-February. Incubating birds on at least 6 active nests were noted by March 31. Subsequent observations were limited due to dense foliage and other time commitments by volunteer observers. However eBird records from nearby E.E. Wilson Wildlife Area indicate that herons were regularly present throughout the nesting season, including in June and July.

Table 4. Heron observations during 2024.

Date	Time of day	Number of herons	Location	Observer	Notes
2/12/24 (approx)		1	poplar grove	Dave Vesely	1 standing on old nest in poplars (noted in e-mail Feb 14, 2024 as “a couple days ago”)
2/13/24	13:30	1	ash grove	Joel Geier	Standing on one of last year’s nests
2/14/24	13:30	6	ash grove / Ray's prairie	Joel Geier	3 in trees around last year’s nests, 3 hunting out in Ray’s Prairie
3/10/24		6	ash grove	Joel Geier	6 in ash trees around last year’s nests, all toward north end
3/17/24	10:00	6	ash grove	Joel Geier	About 6 standing on nests (brief drive-by)
3/31/24	09:35	6	ash grove	Joel Geier	At least 6 incubating on nests. 3 additional nests seen but could not tell if occupied.



Figure 5. Satellite view of the fill-dirt stockpile from April 19, 2024, showing continuation of excavation activity southwest of the poplar grove nesting area, during the early part of the heron nesting season. Note that the road leading out from the east side of the stockpile continues to show signs of recent use. Tracks in the adjacent grass field, approaching within 250 ft of the heron nests, are presumably from operation of spray buggies during early spring.

Heron nesting activity in 2025 (to date)

Community nesting observations during the 2025 nesting season through the date of this report (March 14, 2025) are summarized in Table 5.

Thus far there have been two observations during March in which herons flew into and/or perched in the poplar grove. However the main locus of nesting activity continues to be in the ash grove.

Disturbance within the recommended 1/4 mile buffer zone is again ongoing and has intensified as of the date of this report (Figure 6).

Table 5. Heron observations during 2025.

Date	Time of day	Number of herons	Location	Observer	Effective transect width (m)
2/09/25	10:00	5	ash grove	Joel Geier	Standing in and near nests, flew off to north
2/21/25	13:30	10	ash grove	Joel Geier	Standing in and near nests
2/28/25	10:00	8	ash grove	Joel Geier	Standing in and near nests
3/06/25		1	poplar grove	Karan & Jim Fairchild	we did see a heron fly low into the hybrid poplar stand, but lost where it went.
3/06/25		1	ash grove	Karan Fairchild	one heron standing on a nest in the thick ash tops immediately east of 99W. I could count at least 12 nest accumulations in the hybrid poplar stand, but saw no herons on nests.
3/11/25	11:55	1	poplar grove	Joel Geier	Heron called while flying north from area of ash grove, looped back over Toketie Marsh and landed to perch in edge of poplars, south of Coffin Butte Road near OP2 (2nd utility pole west of highway). Viewed from north of archery range.
3/11/25	12:05	2	prairie restoration just e. of trailhead.	Joel Geier	Two adult herons hunting in prairie.
3/14/25	13:30	8+	ash grove	Joel Geier	Two herons incubating on nests, others standing in or near nests. Very brief stop. Excavation activity noted adjacent to poplar grove.
3/38/25	12:00	10+	ash grove	Joel Geier	7+ incubating on nests, 2 standing in nests, 1 building new nest.
4/08/25	09:35	10	ash grove	Joel Geier	9 incubating, 1 standing in nest. Small nests up high now occupied with incubating birds.
4/19/25	11:00	3+	ash grove	Joel Geier	Litter crew walking/working on both sides of highway. Herons standing up in nests.
4/20/25	15:30	3+	ash grove	Joel Geier	Brief check following disturbance. 3 herons standing in nests. Heard "cluck" calls indicating birds still in agitated state.



Figure 6. Photograph from March 14, 2025 of excavation activity underway on, below the previous natural grade of the stockpile. Dump trucks observed entering and leaving site via the road to the east, passing within 600 feet of the nesting area in the poplars.

References

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Turnstone Environmental Consultants, Inc., 2024. Wildlife Habitat Assessment and Surveys for the Coffin Butte Landfill Expansion Project. Final 2024 Report submitted to Jeff Shepherd, P.E., Civil & Environmental Consultants, Inc.

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Benton County Planning Commissioners
c/o Planning Division
4500 SW Research Way
Corvallis, OR 97333

April 21, 2025

RE: LU-24-027 Conditional Use Permit Application Regarding Landfill Expansion

Dear Nicholas Fowler, Chair, and Members of the Benton County Planning Commission:

Thank you again for the opportunity to comment on the Conditional Use Permit (CUP) application submitted by Valley Landfills Inc., which corporation proposes to construct a new landfill on the north end of Tampico Ridge, south of Coffin Butte Road.

This is my second in a series of comments, and it will be brief.

Today while returning from bird surveys near Airlie, I noticed windblown plastic trash far out in this agricultural field. This is another consequence of the landfill operation. The impacts extends far into Polk County, at least as far as Rickreall.

I'm sharing a few snapshots on the following. This particular land belongs to Green Spring Farms, which specializes in regenerative agriculture. Their office is located in Suver, about 2 miles from the landfill.

A suggested question for you to ask of Staff:

Did Green Springs Farms receive a notice of opportunity to comment on LU-24-027? What about other farms in the landfill-impacted area, which for this issue extends at least as far north as Rickreall?

Thank you for considering these comments. I reserve the right to provide further written and oral testimony according to the time frame allowed by statute.

Yours sincerely,



Joel E. Geier, Ph.D.





Great Old Broads FOR Wilderness



April 19, 2025

To: Benton County Planning Commission, Nick Fowler, Chair

The Willamette Valley chapter of the Great Old Broads for Wilderness **strongly opposes the expansion of the Coffin Butte Landfill**. For the health of our air, water, land, and communities, now and into the future, we insist that the Benton County commissioners reject this noxious expansion.

The Great Old Broads are a national grassroots organization and most of our chapter's more than 100 dues-paying members are Benton County residents who care deeply about the people and nature of the Willamette Valley.

Rather than considering any expansion of this faulty landfill, we believe Benton County should be realistically planning the *inevitable* closure of the landfill. That means developing a serious plan that details a modern waste-recovery facility, an effective waste-reduction system, and a realistic accounting of the cost of clean-up, a cost that Benton County residents will have to pay. Such a plan should be developed in a public process, and be responsible to public review and comment.

As for the proposed expansion of the landfill, we see many troubling problems, including:

• **Gross under-reporting of methane pollution by Valley Landfills, Inc.**, despite 2023 satellite images that show some of the largest methane plumes in the Pacific Northwest emanating from Coffin Butte. In 2022 and again in 2024, the EPA found explosive levels of methane leaking from Coffin Butte, after Valley Landfill had reported only negligible leakage. Landfills are a major source of methane, a climate-damaging gas 28 times more powerful than CO2.

A landfill expansion will only exacerbate this problem at Coffin Butte. This would seriously interfere with the health and well-being of adjacent residents and public lands within a four-mile radius, where widespread drift of noxious chemicals is regularly detected by residents and recreationists. (Criteria 1)

• **Other hazardous pollutants, including mercury, lead, industrial solvents, and "forever chemicals" (PFAs) leach out of the landfill and end up in the Willamette River**. In 2021, 31 million gallons of leachate were pumped out of Coffin Butte and sent to wastewater treatment plants in Corvallis and Salem, where the leachate passed through treatment plants not equipped to capture PFAs, and then dumped into the Willamette River.
Without a credible plan for significantly reducing leachates, a landfill expansion would increase

toxic pollution into the Willamette River, putting increased burden on public utilities by further fouling municipal sources of drinking water. (Criteria 2)

• **Coffin Butte already receives one-third of all of Oregon's garbage**, much of it in large loads of unsorted solid waste. Valley Landfill and Republic Services make little effort to encourage (much less enforce) recycling and waste reduction, despite DEQ's mandate to shift from Solid Waste Management to Materials Management. An ever-larger landfill serves far-flung communities that choose to ignore the importance of Materials Management and leaves an increasing burden of liability on Benton County.

Benton County needs a far more serious Sustainable Materials Management Plan that provides a roadmap toward eventually closing, not expanding, Coffin Butte. The current status-quo approach to waste management violates the shift toward Sustainable Materials Management criteria endorsed by Benton County and the state of Oregon. (Criteria 3)

• **The environmental impact of Coffin Butte extends well beyond the landfill itself.** Besides releases of climate-damaging methane into the air and toxic leachate into the river, the smell of rotting garbage percolates across the northern part of Benton County. Wafting along with rank odors is a cocktail of toxic chemicals—vinyl chloride, ethyl benzene, toluene, benzene—that can endanger public health and welfare. Expanding the Coffin Butte landfill will certainly expand the release of these toxins.

Coffin Butte started as a military dump for Camp Adair during World War Two. The expanding sight, smell, and health threats of this landfill has made it a filthy "Welcome to Benton County" landmark that seriously damages the character of the area. (Criteria 1)

• **Benton County is burdened by the unlimited long-term risk and environmental liability for the landfill,** even though Benton County does not own the landfill. Republic Services, and its subsidiary, Valley Landfills, own and operate the landfill, but it is likely that Benton County will face substantial financial expense of cleanup, which could be far greater than the funds currently being saved for this purpose.

An expansion of the landfill imposes the burden of increased risk and liability on Benton County, compromising the county's capacity for future public improvements, facilities, utilities, or services available to the area and to the residents of Benton County. (Criteria 2)

• **Expanding the landfill removes any volume restriction imposed by Benton County**, freeing Republic Services to immediately increase intake of waste from the region. This Coffin Butte expansion will have long-lasting negative impacts to water quality, air quality, and the climate, rippling far beyond the local area and lasting far longer than the short lifespan of the landfill.

In summary, expansion of the Coffin Butte landfill:

- Will seriously interfere with current and future uses on adjacent property within the watershed, air-shed, and view-shed. (Criteria 1)
- Will seriously interfere with the character and identity of the area, making Benton County a

dump site rather than a destination. (Criteria 1)

- Will impose an undue environmental and financial burden on future public improvements, facilities, utilities, and services that might otherwise be made available to the surrounding area. (Criteria 2)
- Will violate the spirit and the mandate to shift from Solid Waste Management to Materials Management, a stated goal of Benton County and the State of Oregon. (Criteria 3)

Thank you for considering our comments.

Sincerely,
Benton County members of the Willamette Valley Broadband leadership team

Maya Abels, Corvallis, maya.abels@gmail.com
Beth Malitz, Corvallis, beth.malitz@gmail.com
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From: Gregg, Jillian
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027 - Do Not Expand Coffin Butte Dump!
Date: Monday, April 21, 2025 4:28:31 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,
I am very concerned about any consideration of expanding the Coffin Butte dump.

The Environment and Natural Resources Advisory Committee for the County voted 5-1 to deny the application.
I agree with this assessment fully due to the significant air and water pollution concerns as summarized in their report. I trust that our county commissioners will heed this wise council and do their best to support a sustainable future.

Thanks for your help in all that you do!
Jillian Gregg

****
"Logic will get you from A to B. Imagination will get you anywhere." — Albert Einstein
****

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Link to: Open Zoom Room
Private Zoom Room
Contact me for the meeting password.

Oregon State University in Corvallis, OR is located within the traditional homelands of the Mary's River or Ampinefu Band of Kalapuya. Following the Willamette Valley Treaty of 1855, Kalapuya people were forcibly removed to reservations. Today, living descendants of these people are a part of the Confederated Tribes of Grand Ronde Community of Oregon (https://www.grandronde.org) and the Confederated Tribes of the Siletz Indians (https://ctsi.nsn.us).

Mr. David E. Hackleman
39125 Military Rd
Monmouth, OR 97361

PORTLAND OR RPDC 972
17 APR 2025 PM



RECEIVED
APR 21 2025
BY

BENTON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
4500 SW RESEARCH WAY
CORVALLIS OR 97333

RE LU-24-027

97333-10930O

16 April 2025
David Hackleman (503.569.2504)
39125 Military Road
Monmouth, OR 97361



To:
Benton County Planning Comission
Benton County Community Development Department
4500 SW Research Way
Corvallis, OR 97333

Re: File Number LU-24-027
Comments regarding Conditional Use permit proposal to expand the Coffin Butte Landfill,

From my perspective, it is not in the best interest of Benton County nor my adjacent property to support the expansion proposal. The impact of the landfill on adjacent property uses and the overall character of the area has become more and more significant since the site was changed from local to regional. Dramatically increasing the annual intake of refuse is not the answer. In addition, an increasing burden is being imposed upon the local infrastructure, primarily regarding state and county roads and emergency services, but also including habitability of the local region for humans and wildlife. An expansion of the landfill will only exacerbate this situation.

My commentary in no way is to be construed as an affront to the talents and work performed by the operators of the landfill. They perform their work in a very professional manner. It is not their fault that this landfill is in an inappropriate location for expansion and actually should be capped and terminated. Having a major landfill in an area with significant rainfall - immediately upstream and adjacent to a wetland wildlife refuge for aquatic flora and fauna is not in the best interest of future generations. We can do far better!

The vastly increased intake of refuse has already negatively impacted the value of my property. Refuse is apparent on Hwy99W in increasing amounts from improperly secured transport vehicles. Odors that were uncommon for decades are on the increase and noise from the vehicular operations is heard more as the landfill height increases. In addition, the observation by passing motorists on Hwy99W is now one of sheets of plastic instead of grassy green slopes.

There is a great deal of inertia regarding refuse disposal. Work is underway to move us in the direction of less need for landfills, but at a minimum one could locate landfills in regions far superior to one which is adjacent to a wetland and has a moderate to high level of rainfall. Long ago, Oregon commenced development of a means to utilize a landfill located in an arid region of our State for refuse including the use of public funds to build transfer stations on railway systems. It is time we utilize this form of conveyance and also take steps to further encourage compost operations and reclaim. By not supporting an expansion of the existing landfill, the movement toward such a future would be encouraged.

Observations:

1. The air quality at my residence and all the others on the North side of the Butte seems to be increasingly affected by odors believed to be emanating from the landfill as it is now growing at a far greater rate than it was in prior years. It is suspected that this is due to the increased elevation and change of the location of the dumping sites, but may also be impacted by covering practices. This last year, I have noticed many days in which an odor is present, however I have been remiss in reporting each day of an odor event as they are so frequent. Once I am indoors, the filtering in my HVAC system reduces the intensity. I do not measure the composition of the emissions detected. These odors are those of decaying organic matter.

2. Airborne debris are being deposited on my property from the landfill at a rate that has been increasing during the last few years. I can supply photos of such material should these be necessary. The majority are plastic films such as bags and wrappers commonly discarded in refuse streams.

3. The view from the apex of the Butte is now being occluded by portions of the landfill. The ramifications are a lack of the ability to view Hwy99W at this time. The horizon view has not been occluded to date, however in the event the landfill and any structures reach a height approximately 50 feet below the location of the telecommunications systems, their presence will negatively impact the site viability for such operations.

4. In addition, the ambient audio noise at the hilltop due to the vehicular and equipment operations at the landfill during operating hours is significantly greater than it was when fewer vehicles were traversing the area and when the landfill dump site was not as elevated. This does reduce the quality of the conditions at the geodesic dome.

5. The noise floor (a technical term related to telecommunications) has increased from S1 as measured by radio apparatus in 1990 to S6 as measured this year. This represents an increase in the local electronic noise from radio sources of approximately 30dB, or a factor of 1000. This increase has reduced the quality of the site for telecommunications operations. It is unclear as to the source of this radio noise, it is under investigation. The noise floor at my residence on the North Side of the Butte has remained at S1 and not increased.

6. Property value estimations (Zillo) have been declining over the last few years. While uncertain of the precise reasons for such declines, the net result is that the absolute value of the property I and others on the North Side of the Butte own may be further at risk if expansion is supported.

Recommendations:

1. Monitoring and reporting of the air quality including both Greenhouse gas emissions (Carbon Monoxide, Carbon Dioxide, Methane, etc.) and known odor compounds (such as Sulfides and Non-methane organic compounds) with alert notifications to the public and any personnel that can take actions toward abatement if levels exceed either emission standards for public areas or significant odor detection levels. Monitors should be placed at the periphery of the landfill properties. A minimum of four such monitors downwind from the landfill in the top four prevailing wind directions.

3. Public dissemination of the water quality of all test wells on a website that is easily accessible with appropriate comparison to similar regions beyond the local landfill area.

4. Testing and reporting of the water quality for all local residential drinking water wells performed at a minimum annually with comparison to Oregon standards for Drinking water.

5. Covering of all areas of the landfill deemed "filled" with an appropriate layer of local fill dirt and nurturing of appropriate grasses on this fill that will not penetrate the polymer layers below and provide a more pleasing view to motorists passing the landfill along Hwy99W. It is important not to import fill dirt that may contain invasive species seeds from remote locations.

Following are some details of the impacts I have experienced, many of which are increasingly interfering with my intended uses and can be construed as becoming a burden for the public as well.

I have owned and resided on 40 Acres of land on the north side of Coffin Butte since 1980. My property extends from Military Road Southward and over the crest of Coffin Butte and contains the summit. A portion of my property extends on the south face of Coffin Butte and adjoins the landfill properties. I chose this property based on its qualities for residence, agriculture, forestry and radio telecommunications. These uses have been identified in the legal documents I prepared regarding my land use. I have supplemented the forest through planting and maintained its integrity to the present day. I had a road constructed that reaches the top of the Butte. Along that road, there are several test wells. Water samples are drawn from these wells by Republic or its representatives on a periodic bases. Reports of the water quality have not been received by me so I am uncertain of even my own water well quality.

Radio Telecommunications:

The apex of Coffin Butte is one of the best sites for radio telecommunications in the local area. This is one of the primary reasons I selected the property. I have made significant capital improvements to the hilltop to enable the telecommunications:

- a 35-Foot geodesic dome
- three 50-foot self supporting towers
- two smaller self supporting towers
- a self-supporting 50 foot rotating mast
- Solar panels to harvest electric energy
- Storage batteries
- Radio Telecommunications electronic hardware
- Antennas for communications
- Remotely operated amateur radio communications equipment
- There is a well situated on the hill crest

Soap Creek valley is the secluded valley immediately West of Hwy99W and South of the Landfill area. My property is the site of an amateur radio emergency services radio relay (repeater) station for that valley as it is the ideal location for such a communications gateway. The repeater is powered via solar panels with battery storage and is fire hardened as it is buried below its antenna tower. It is in place to facilitate emergency communications to and within the Soap Creek valley. This emergency

and maintained by the Soap Creek valley Amateur Radio community, a volunteer group composed of local citizens within the valley. They have also connected non-amateur radio citizens in the valley through the use of FRS (Family Radio Service) communications tools.

I am an amateur radio operator, having been first licensed in 1966 and continually hence. I am a member of the Amateur Radio Relay League and president of the Oregon Chapter 108 of the Quarter Century Wireless Association. While these are not professional employment activities (amateur radio operators and communications are stipulated by law to be non-commercial), they enable me to aid my fellow citizens in times of natural and other disasters when other forms of communication are not available or unreliable. I have been a Benton County Emergency Services volunteer since 1980.

The Quarter Century Wireless Association Oregon Chapter has installed a remote amateur radio transceiver system within the dome I own on the hilltop. It is powered by solar panels with battery storage. There is a wireless communications control link to this system to one of the Amateur Radio operators in Soap Creek Valley. These types of communications links operate in the 3 to 5 GHz region of the radio frequency spectrum and are considered "line of sight". This means if something blocks the path, communications are not possible.

As long as the landfill surface stays at a minimum 50 feet below my lower property line, it should not deleteriously affect signal transmissions to the site. At the present time, increased radio and audio interference is present for signal reception. At this point is it more of a nuisance than a major issue, however it does reduce my ability to utilize my property in the manner I have been using it since 1980. The earlier local (not regional) landfill was not increasing in size at a rate that would significantly alter my use for radio communications for the foreseeable future, but with the increase from 40KTons to 1MTons annual input, the time to potential interference was reduced by a factor of 25 to roughly 6 years instead of 150 years.

Forestry:

The property was purchased with timber remaining in 1980. Harvesting was performed prior to my purchase, but probably no later than in the 1940's. Trees spanning up to 40 – 50 years age were on the property. To improve the forest, I have planted hundreds of tree starts on the North side of the Butte. The trees on the North side now range in age up to at least 100 years and many exceed 100 feet in height. This year I am in the process of improving the forest further through the removal of invasive species and possibly some selective thinning. The trees do not seem to be affected by the proximity to the landfill, however significant quantities of plastic film-like materials have been found throughout the property. These were not present when I acquired the property in 1980 and are likely the result of a modest amount of material being lofted by wind from the landfill. As the height of the landfill operation level increases, more such material will be lofted and deposited on the North side of the hill. This type of deposit is primarily a nuisance. It does degrade the quality of the property from my perspective and for anyone that might be considering acquisition of it after me.

Agriculture:

The property at the top of the hill and at the bottom on the north side are suitable for pasture use. The land quality is adequate for fruit trees and berry bushes, but not very suitable for row crops. Currently, the hilltop has not been employed as pasture for livestock in part due to its remote location. Odors from the landfill will probably not affect use of this nature unless there are toxic elements to the emissions. It is unknown if toxic or otherwise dangerous emissions exist from the landfill as no monitoring of the emissions is evidently taking place. The odors detected by personal observation seem to be from the landfill, but the composition of these is unknown for the above mentioned reason.

were in place. Whether or not an expansion takes place, it is likely emissions will increase as the landfill active area is elevated and hence such monitoring is increasingly important to ensure safety both for personnel living near and utilizing or working at the landfill.

Residence:
I have resided at 39125 Military road the majority of the time since 1980. While the landfill was a small county facility, I had a close and friendly relationship with Mr. Weber and his operations. I was well aware of the landfill and was of the understanding that it was to focus on local refuse. The rate of landfill deposition was far lower until the change to a regional landfill. While I am a local landholder, I was not aware of any opportunity to comment regarding the change to a regional landfill. That change has affected my quality of life, property use, and the character of the region. In spite of this, my relationship with Valley Landfills and Republic has been friendly. I have happily cooperated with access to the monitoring wells and other items. It is not them that are creating the issue, it is the location and geology of the site.

Odors and audio emissions from the landfill have been on the increase over the last several years. While odors have been present frequently, I have not sent in very many notes regarding odors or audio emissions. At this time, odors are present frequently, and do detract from the ambiance of my residence. Odors are present even during periods in which the landfill is closed. Noises (back-up beepers, etc.) are heard more often lately during the operations, disturbing the ambiance as well.

As the landfill increases in extent, the market potential for my property diminishes. Should the landfill be completed and closed, my property value will likely stop diminishing, odors and emissions will reduce and the view from the apex of the butte would be of green grass instead of black plastic. Due to our climate, rainfall permeates the landfill and enables materials to migrate through runoff beyond the confines of the landfill, either as surface water or even possibly penetrating and entering the aquifer.

No matter what takes place, I shall remain committed to my term of participation in the Benton County Disposal Site Advisory Committee. We have recently worked as a team and developed a plan towards increasing the preparedness of the site in the event of a wildfire entering or emerging during the fire season. Thanks go to Republic and the Adair Rural Fire Department on this matter!

Sincerely, Dr. David Hackleman



From: Camille Hall
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 5:18:18 PM
Attachments: LU-24-027 Testimony in Opposition 4-22-25.docx

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Testimony in opposition to LU-24-027

Camille M. Hall

7175 NW Mountain View Drive

Corvallis, OR 97330-9118

I have lived in the Lewisburg area of Corvallis, 6 miles south of Coffin Butte Landfill, since 1981. During this time, I have watched it grow from a small rural landfill, to a Regional Landfill, and now to the second largest landfill in the State.

I oppose LU-24-027, expansion of Coffin Butte Landfill, based on Benton County Code 53.215 (1) "seriously interferes with the character of the area", and 53.215 (2) "places undue burden on public activities and infrastructure", with regard to the impacts of the dump on livability, public health and safety in the neighborhoods around Lewisburg/Adair Village.

Benton County Code 53.215 (1) "seriously interferes with the character of the area":

With each growth spurt the landfill has grown noisier, smellier and more visible:

> Smells from the landfill, made up of methane combined with toxic chemicals such as benzene, vinyl chloride, nitrogen dioxide and micro plastics, drift for miles in all directions, carried by seasonal winds and weather.
>
> Toxic leachate is captured and trucked to disposal sites, ending up in the Willamette River without adequate treatment to remove toxic elements carried by rainwater falling on the dump and percolating through the trash.
>
> Trash and traffic impacts from the landfill are ever-present for North Benton County residents and travelers passing by the landfill as they encounter the hundreds of commercial trash haulers that come and go daily, in the vicinity of the landfill on Hwy 99W, Independence Highway, Coffin Butte and Camp Adair Roads.

The property Republic Services is requesting to excavate for a new landfill south of Coffin Butte Road is the buffer zone that was created to address safety and livability for neighboring properties in an earlier expansion of this landfill. Development here will not just impact the houses on the other side of Tampico Ridge, it will destroy their livability, forcing them to vacate. This has been a repeated pattern for operators of this landfill.

The first step in developing the new landfill will require months of blasting and removing soil and rock from half of the hillside, up to the ridge, to make room for trash. This will destroy the

livability, property values, wells, airspace and groundwater for property holders along Tampico Ridge. Then trash will be piled up against the remaining hillside, pushing odors and toxic leachate over the ridge. Leachate from the leachate pond RS intends to place on the upper north side of the ridge will drain into the wells and groundwater of houses on the other side of Tampico Ridge. There will be no relief for Tampico Ridge residents, from the sounds, smells, lights and vibrations of a working landfill sited on the 59-acre Tampico Ridge parcel proposed for landfill development under LU-24-027.

The existing landfill, without the southern expansion requested in LU-24-027, is currently within 2.6 miles of Adair Village. This request will bring the landfill within sight of parts of Adair Village. Residents there already bear the impacts of increased volume at the existing landfill. This expansion, with or without removal of the annual tonnage cap, will bring the landfill even closer and increase Republic Services ability to market landfill space, creating the demand for multiple inevitable expansions as the landfill outgrows its footprint.

Benton County Code 53.215 (2) "places undue burden on public activities and infrastructure":

In 2021 the Planning Commission denied the Republic Services (RS) landfill expansion request because of safety and livability issues. The impacts of this request are no different. Though the acreage requested here is a fraction of their earlier request, it creates a new landfill across Coffin Butte Road. By opening this new working face, road use along Coffin Butte Road will be dominated by cross-traffic from commercial trash trucks coming in from Hwy 99W or Camp Adair Road, turning left across Coffin Butte Road, into the new dump. Heavy equipment and truck traffic will also move between the two dumps, making it dangerous and difficult for any through-traffic to travel on Coffin Butte Road.

I am particularly concerned about the event of an emergency, whether wildfire, landfill fire, or earthquake. With approximately 350 commercial trucks a day, from many different locations and businesses, coming into and leaving Coffin Butte landfill, an average of 35 trucks an hour entering and exiting the dump over a 10-hour day, it will be difficult if not impossible for RS to stop in influx of trucks during an emergency, without backing up traffic along the major evacuation routes: Hwy 99W, Independence Road, Camp Adair Road. These emergencies could cause commercial trash trucks to stack up on Highway 20 out of Albany, I-5, and Hwy 34/Philomath Boulevard into downtown Corvallis.

I urge you to deny LU-24-027. Please act to preserve the livability, public health and safety of Corvallis and North Benton County.

Testimony to the Planning Commission 4-22-25

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I urge you to deny LU-24-027. Please act to preserve the livability, public health and safety of Corvallis and North Benton County.

From:	Naomi Halpern
To:	Benton Public Comment
Subject:	No to LU-24-027
Date:	Monday, April 21, 2025 11:34:59 AM

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Please do not approve the expansion of the Coffin Butte Landfill! It is harmful to our community and brings no helpful benefit to the people who live here. It is a selfish proposal to benefit the economic gain of a company at the health, community, and environmental detriment of our home.
I live south of Corvallis and drive past the landfill frequently, I run in the forest, I have friends who live by the well and whose air quality and well-water quality are affected by the pollutants from the landfill, I have previously lived near the landfill and been one of those residents myself.
I urge you to please consider the health and environmental impact on our community more than the economic incentive of serving Republic Waste. The cost is nowhere near with the benefit and this would be a massive mistake, with impacts for generations to come, which would not be easily undone, and the negative results of that decision would be your responsibility to bear.

Thank you,

Naomi

From: aaron@adair-rural-fire.com
To: Benton Public Comment
Subject: Deny LU-24-027
Date: Monday, April 21, 2025 4:29:20 PM
Attachments: ARFD Coffin Butte 21Apr25 FEMA Combined.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have attached written testimony from Adair Rural Fire Protection District regarding recommended Denial of LU-24-027. With the testimony, I have also attached a FEMA document referenced in my testimony, regarding Landfill Fires, which should remain attached as additional information for the record.

Aaron C. Harris, EMT/RN
Fire Chief

Email: Aaron@adair-rural-fire.com
Phone: 541-745-7212
Mobile: 541-286-0186

6021 NE Marcus Harris Ave, Adair Village, OR 97330

ADAIR RURAL FIRE & RESCUE

6021 NE Marcus Harris Ave • Adair Village, OR 97330 • Tel 541-745-7212 • Fax 541-745-2059

April 21, 2025

Dear Planning Commissioners,

I am writing to you today in conjunction with the Board of Directors of the Adair Rural Fire Protection District, on behalf of our volunteer firefighters and more importantly, the community we are dedicated to serving.

We intend to highlight four concerns pertinent to the current land use application to expand Coffin Butte Landfill, LU-24-027. Namely, the impacts on property tax values, traffic risks, fire risks, and sustainability of the volunteer firefighter department. Until the County has answers to the questions posed below, we believe that any approval is premature.

1) The Adair Rural Fire & Rescue budget is funded by property taxes from residential and commercial properties in our 18 square mile District, including the City of Adair Village and neighborhoods on Tampico, Soap Creek, Wiles, Military, Robison, Calloway, and Arboretum. We already have a much smaller budget than comparable fire districts in the area, and we rely on every dollar of property tax revenue we receive to serve our community.

It is well documented that residential areas close to landfills experience diminished property values. According to the Vasarhelyi at the Environmental Center at University of Colorado Boulder (2021), “Large landfills, on average, decrease the value of land adjacent to it by 12.9%.” What analysis has been completed by the County to estimate the impact on property values within the vicinity of the landfill if the expansion is approved? The District suggests such impacts include those on property value calculations in Corvallis, North Albany, and Philomath. This analysis should include impacts related to air quality, water quality, traffic risks, and roadside trash in order to determine long-term property value forecasts within the Adair Fire District boundaries. Both a reduction of property values and a reduced desire to build new homes within our District will place an undue burden on our ability to continue to respond to and serve the medical, traffic accidents, and fire needs of our District.

2) There has been a significant increase in daily truck trips to the landfill over the last 5 to 10 years. Has the County performed an analysis on vehicle trips, motor vehicle collisions, and road conditions during this time? Has the County analyzed data with surrounding counties, along major travel routes from counties that transport to Coffin Butte Landfill? Has there been an increased burden on emergency services along these routes? If the annual tonnage cap is lifted (an expected consequence of any expansion), what additional burden will be placed on our District and those emergency response districts between Coffin Butte and each county that transports waste to our county? How will that burden be compounded if there is also a corresponding drop in property tax revenue?

3) I have attached a document developed by FEMA's National Fire Data Center, addressing the characteristics and risks associated with landfill fires. One specific topic of note is the impact of methane leaks on the severity of landfill fires, particularly when the levels of methane become

explosive. Coffin Butte is currently involved with an EPA investigation regarding methane leaks, including results of recent inspections that show explosive levels. According to the same document,

> "Landfill fires are particularly challenging to the fire service. A large landfill fire will generally require numerous personnel and significant amounts of time to contain. Both of these circumstances can strain a jurisdiction, particularly one dependent on volunteer staffing" (FEMA, 2005).

Has the County developed a complete understanding of the ramifications of the recent EPA inspections and ongoing administrative process? Has the County conducted an analysis of how additional waste placement on the south side of Coffin Butte Road and associated methane production will impact the safety and risk burden placed on Adair volunteer firefighters, all other Benton County fire agencies, and our surrounding mutual aid partners, Albany Fire and Polk County Fire?

4) Adair Rural Fire & Rescue is staffed by two part-time officers, and 12 currently trained volunteers, down from historical highs of 20+ volunteers. As air, water, traffic, and property value concerns change over-time, there is an increased risk that the Adair Fire Department could become unsustainable. If the department experienced an inability to recruit and retain volunteers, the fire insurance for residents in our District will be significantly negatively impacted from the current ISO Rating of 3. This would result in large increases in yearly insurance premiums for property owners in the District, and potentially the inability to obtain fire insurance at all. Fire insurance is required for anyone who has a mortgage and recommended for all structures. This would place a significant burden on all residents and businesses in the District.

Please thoroughly consider the burdens placed on our community as you consider this land use matter. Without proper answers to these questions, it is not possible to verify that the proposal will not place an undue burden on public resources and the citizens served by those resources.

Sincerely,

Aaron C. Harris
Chief, Adair Rural Fire & Rescue

FEMA (May 2002). *Landfill Fires: Their Magnitude, Characteristics, and Mitigation.* FEMA, US Fire Administration, National Fire Data Center. https://www.sustainable-design.ie/fire/FEMA-LandfillFires.pdf

Vasarhelyi, Kayla (2021, April 15). *The Hidden Damage of Landfills.* University of Colorado Boulder, Environmental Center. https://www.colorado.edu/ecenter/2021/04/15/hidden-damage-landfills

LANDFILL FIRES

THEIR MAGNITUDE, CHARACTERISTICS, AND MITIGATION

MAY 2002/FA–225

Federal Emergency Management Agency
United States Fire Administration
National Fire Data Center

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FA–225

LANDFILL FIRES

THEIR MAGNITUDE, CHARACTERISTICS, AND MITIGATION

MAY 2002

Prepared by

TriData Corporation
1000 Wilson Boulevard
Arlington, Virginia 22209

for

Federal Emergency Management Agency
United States Fire Administration
National Fire Data Center

U.S. FIRE ADMINISTRATION
MISSION STATEMENT

As an entity of the Federal Emergency Management Agency, the mission of the U.S. Fire Administration is to reduce life and economic losses due to fire and related emergencies through leadership, advocacy, coordination, and support. We serve the Nation independently, in coordination with other Federal agencies and in partnership with fire protection and emergency service communities. With a commitment to excellence, we provide public education, training, technology, and data initiatives.

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ACKNOWLEDGMENTS

The United States Fire Administration greatly appreciates the help of the following persons who provided information or reviewed this report:

Rodney Slaughter	Rodney Slaughter is the President of Dragonfly Communications Network, a fire service training and consulting firm.
Todd Thalhamer	Todd Thalhamer, P.E., is a waste management engineer with the California Integrated Waste Management Board. Mr. Thalhamer specializes in investigating and mitigating landfill and tire fires for the State of California.
Dr. Tony Sperling	Dr. Sperling is the President of Sperling Hansen Associates and the founding partner of Landfillfire.com (http://www.Landfill-fire.com). Since 1997, he has specialized in landfill fire risk reduction training and landfill fire extinguishment on more than 30 landfill fire projects.

EXECUTIVE SUMMARY

Landfills can be controversial in and of themselves. Homeowners and business owners tend not to support the siting and development of landfills in their neighborhoods due to perceived notions about noxious fumes, health and environmental effects, and adverse influences on property values. Fires occurring in landfill sites are an ongoing, complex problem that has existed for decades.

Although relatively uncommon, fires in landfills generally receive substantial media attention and have the potential to become politically damaging events. Landfill fires threaten the environment through toxic pollutants emitted into the air, water, and soil.

Landfill fires are particularly challenging to the fire service. A large landfill fire normally requires numerous personnel and a significant period of time before it is contained. Both of these circumstances can strain a jurisdiction, particularly one dependent on volunteer staffing.

Landfill operators, members of the fire service, and community residents need to learn as much as possible from past experience to prevent and mitigate future landfill fires.

REGULATION. In 1976, Congress passed the Resource Conservation and Recovery Act (RCRA), which gave the Environmental Protection Agency (EPA) the authority to control hazardous waste from "cradle-to-grave." RCRA covers the generation, transportation, treatment, storage, and disposal of hazardous waste and provides a framework for the management of non-hazardous wastes. A turning point in landfill regulation and remediation occurred in 1980, first with the "Superfund" legislation, followed by the Hazardous and Solid Waste Amendments (HSWA) in 1984, which finally gave the EPA regulatory authority over landfills. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), known as Superfund, governs closed and abandoned hazardous material waste sites, provides for the liability of persons responsible for the release of hazardous materials at these sites, and established a trust fund to provide for cleanup where no responsible party could be identified.

CHARACTERISTICS. The most common type of landfill is one that is designed to accept municipal solid waste (MSW). Other types of landfills include hazardous materials landfills, construction and demolition landfills, and industrial landfills. Each type of landfill has specific characteristics based on the type of waste it is designed to accept.

The passage of liquid through solid waste in a landfill creates leachate, which contains potentially dangerous pollutants. As such, landfills must operate in a manner that protects the environment, particularly surface and ground waters, from leachate contamination. To do this, landfill designs generally incorporate a composite liner and a leachate collection system, and landfill procedures require that the waste collected each day be completely covered.

Because of the methods normally adopted to deposit, compact, and cover waste in landfills, the decomposition of waste is largely anaerobic, which results in the production of large quantities of methane and carbon dioxide. Landfills are the largest source of methane emissions in the United States; in 1999, 35 percent of methane emissions were from landfills. Methane is highly flammable and plays a large role in the ignition of landfill fires.

EXTINGUISHING LANDFILL FIRES. The different dynamics, characteristics, and regulations of landfills and the fires that occur in them suggest that firefighting tactics need to be determined on a case-by-case basis depending on the materials buried in the landfill, which materials have ignited, depth of the fire, and the fire's ignition source. Challenges explored in this report include wind/weather; water supply; multi-agency response; personnel safety; access to, access by and maneuverability of heavy equipment; logistics; environmental impact; and landfill contents (potentially hazardous or illegal).

PREVENTION. Fire prevention actions can reduce property damage and the risk of injury and death, as well as decrease health and environmental hazards associated with landfill fires. As a rule, the cost of prevention is less expensive than the cost of fighting and cleaning up a fire. In many cases, particularly at larger landfills, fire prevention activities are mandated by law. The principal methods for landfill fire prevention include effective landfill management and appropriate methane gas detection and collection.

STATISTICAL ANALYSIS. Data from the National Fire Incident Reporting System (NFIRS) does not include MSW landfills as a fixed property use category. Rather, the NFIRS data set includes a category for "dump or sanitary landfill" under NFIRS Fixed Property Use code 932. Although this definition is broader than the definition of a landfill, it is the closest match available in NFIRS. Based on extrapolation of the NFIRS data, each year in the United States an average of 8,400 dump and landfill fires are reported to the fire service. This represents less than a half percent of all reported fires. Undoubtedly, some landfill fires go unreported because they burned undetected or were on private property and extinguished by the landfill operator. Reported fires are responsible for less than 10 civilian injuries, 30 firefighter injuries, and between $3 and $8 million in property loss each year.[1] Deaths (civilian or fire service) are rare in these fires. Since NFIRS represents a sample of data, it may be that fatalities occurred during the study period and were not reported or captured in the data.

CASE STUDIES. A sample of landfill fires throughout the world sheds light on the landfill fire problem. Waste disposal practices and the regulation of landfill sites are similar in the comparison countries. Landfill fires have been investigated and studied in more detail in these jurisdictions than in the United States. In addition to presenting U.S. case studies, this report includes brief synopses of interviews and media reports detailing landfill fires in the United States and the lessons that were learned from them.

[1] National estimates are based on NFIRS data (1996–1998) and the National Fire Protection Association's (NFPA) annual survey, *Fire Loss in the United States*.

LANDFILL FIRES

THEIR MAGNITUDE, CHARACTERISTICS, AND MITIGATION

Fires occurring at landfill sites across the United States are an ongoing, complex problem that has existed for decades. Landfill fires threaten the environment through toxic pollutants emitted into the air, water, and soil. These fires also pose a risk to firefighters and civilians who are exposed to the hazardous chemical compounds they emit. The degree of risk depends in part on the contents buried in the landfill, the geography of the landfill, and the nature of the fire. There can be great difficulty in the detection and extinguishment of landfill fires, which is compounded because these fires often smolder for weeks under the surface of the landfill before being discovered.

This report was prepared by TriData Corporation, Arlington, Virginia, under contract to the Federal Emergency Management Agency, U.S. Fire Administration (USFA), National Fire Data Center. It presents an overview of the landfill fire problem. Issues examined include the landfill components that create fire hazards; the effect of Environmental Protection Agency (EPA) regulations and landfill cleanup efforts; a profile of landfill fires including their characteristics, methods of extinguishing, and safety issues for firefighters; prevention efforts to reduce landfill fires; and past examples of significant landfill fires and lessons learned.

SOURCES OF DATA

Data on the number of municipal solid waste (MSW) landfill sites in the United States and their current regulations regarding disposal, including those open for disposal and those retired from service, were obtained from the EPA. Data and regulation information pertaining to the Superfund project, including current maps outlining ongoing landfill cleanup efforts, were also obtained from the EPA.

The EPA derives their landfill statistics from *BioCycle* magazine, which conducts an annual survey called "The State of Garbage in America." *BioCycle* magazine sends the survey to state officials and follows up the collected data with phone calls, e-mails, and letters to obtain as complete and accurate information on each participating state as possible. The survey collects data on MSW disposal practices in the United States, including information on national recycling rates, number of municipal solid waste landfills, and disposal rates.

Other information on landfill definitions, landfill dynamics, landfill regulations, and chemical compounds contained in emissions were derived from several sources within the EPA.

Landfill fire statistics presented here are based on data from the National Fire Incident Reporting System (NFIRS). NFIRS, established in 1975, is a data system maintained by USFA and today is the largest fire data set in the world. Not all fire departments participate in NFIRS, but the distribution of participants in NFIRS is reasonably representative of the entire nation, even though the sample is not random. Since the data set is incomplete and represents only a sample of American fire departments (<40 percent), many of the numbers in this analysis are national estimates or percentages rather than raw totals or absolute numbers.

Technical information on the characteristics of landfill fires was gathered from sources ranging from the textbook *The Essentials of Firefighting*[2] to various international studies on landfill fires.

Interviews were conducted with fire department representatives who have dealt with landfill fires. Examples of these fires are included in the report, along with lessons learned by the departments in suppressing the fires. Media reports (newspapers, magazines) provided further information about those fires discussed during the interviews.

WHY STUDY LANDFILL FIRES?

Landfills tend to be controversial in and of themselves. Homeowners and business owners may not be inclined to support new siting or development in their areas due to perceived notions about noxious fumes, health effects, and adverse influences on property values. As such, landfill fires can raise political issues and have implications for elected officials on election day. Further, the costs associated with fire suppression and environmental monitoring during a landfill fire can be enormous. This raises questions as to who is responsible for those costs—the municipal jurisdiction, a private company that operates the landfill, a combination of both, or some other entity.

Although relatively uncommon, fires in landfills generally receive substantial media attention. In some cases, landfill fires can smolder for weeks, producing odorous and noxious smoke that can be a community annoyance and that pose a health risk to civilians, firefighters, and others who are exposed.

Depending on the type of landfill and its contents, the smoke from a landfill fire may contain dangerous chemical compounds, which can cause respiratory disorders and other medical conditions. Even if the smoke is benign, it can still aggravate existing respiratory conditions and reduce visibility around the landfill. In addition, contrary to conventional thinking, the use of large amounts of water to suppress a landfill fire can actually make the fire worse by increasing the rate of aerobic decomposition, which increases the heat available inside the landfill. Further, runoff from suppression efforts can overwhelm a landfill's leachate collection system and contaminate ground or surface water sources.

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[2] *Essentials of Firefighting 4th Edition*, International Fire Service Training Association, 2001.

Landfill fires are particularly challenging to the fire service. A large landfill fire will generally require numerous personnel and significant amounts of time to contain. Both of these circumstances can strain a jurisdiction, particularly one dependent on volunteer staffing. Depending on the type and location of the fire, extinguishing it may require specialized personnel and equipment that may not be immediately available. For example, fires involving hazardous materials require specially trained personnel who are equipped with specialized protective gear. Underground fires generally necessitate the use of heavy equipment (bulldozers, excavators, etc.) to dig out burning waste to be extinguished. Fire may also compromise the structural integrity of a landfill, posing a collapse hazard for personnel operating on the fireground.

Because these fires are relatively uncommon, it is important for communities and the fire service to learn as much as possible from past experience to prevent and mitigate future landfill fires and, if one occurs, to understand the best methods for extinguishing it.

CHARACTERISTICS OF LANDFILLS

Landfills have a variety of unique characteristics, which are primarily determined by the type of waste they are designed to accept. Landfills are regulated by different agencies at the federal, state, and local levels. (Regulatory mechanisms are discussed in detail later in this report.)

The characteristics of landfills constructed before 1984, however, may not conform to those discussed in this section. Prior to 1984, no federal agency had the jurisdiction to regulate landfills. Although some state-based agencies may have had regulatory authority before then, older landfill sites may have accepted both hazardous and nonhazardous waste if they were in operation prior to federal or state regulation. Further, older facilities may not have been constructed with leachate collection systems, gas-monitoring systems, or composite liners that meet the specifications required today.

MUNICIPAL SOLID WASTE LANDFILL. The most common type of landfill is designed for the disposal of municipal solid waste. MSW includes household waste such as product packaging, food scraps, furniture, clothing, and grass clippings. In 1999 alone, Americans generated nearly 230 million tons of MSW.[3] Table 1 illustrates the components of the MSW produced in 1999 by material category. Only 57 percent of this waste, however, went to a landfill for disposal; the remainder was either recovered through recycling (28 percent) or incinerated (15 percent).[4]

The Code of Federal Regulations (CFR) defines an MSW landfill (MSWLF) as "a discrete area of land or an excavation site that receives household waste, and that is not a land application unit, surface impoundment, injection well, or waste pile…MSWLF unit may also receive other types of RCRA [Resource Conservation and Recovery Act] Subtitle D wastes, such

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[3] U.S. Code of Federal Regulations, 40 CFR 258.2 (Title 40–Protection of Environment Chapter I–Environmental Protection Agency. Part 258 – Criteria For Municipal Solid Waste Landfills).

[4] *Municipal Solid Waste Basic Facts*, Environmental Protection Agency, Office of Solid Waste, January 4, 2002. http://www.epa.gov/epaoswer/non-hw/muncpl/facts.htm.

Table 1. Components of MSW Produced in 1999 (prior to recycling)[5]

Component	Percent of Waste
Paper	38.1
Yard Waste	12.1
Food Waste	10.9
Plastics	10.5
Metals	7.8
Rubber, Leather and Textiles	6.6
Glass	5.5
Wood	5.3
Other	3.2

as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste and industrial solid waste. Such a landfill may be publicly or privately owned."[6]

The passage of liquid through the solid waste in a landfill creates leachate. Leachate is defined as "a liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such waste."[7] As such, MSW landfills must operate in a manner that protects the environment, particularly surface and ground waters, from leachate contamination. To do this, MSW landfills generally use a combination of a composite liner and a leachate collection system. A composite liner "combines an upper liner of a synthetic flexible membrane and a lower layer of soil at least 2 feet thick with a hydraulic conductivity of no greater than 1×10^{-7} cm/sec"[8] (Figure 1). A leachate collection system consists of a network of pipes that collect the leachate. The collected leachate is typically pumped to the surface of the landfill so that it can be treated and decontaminated. "The leachate collection system must be designed to keep the depth of the leachate over the liner to no greater than 30 centimeters."[9]

While an MSW landfill is in operation, waste is disposed of in layers. These layers are compacted to the smallest practical volume and covered with earthen material at the end of each operating day, except at facilities exempt from cover placement or that use an alternate daily cover such as a tarp.

When a landfill reaches its capacity for waste disposal, a final cover is constructed. The final cover must be designed and constructed to minimize the flow of water into the closed landfill. It must also contain an erosion layer to prevent the disintegration of the cover. This layer must be composed of a minimum of 6 inches of earthen material capable of sustaining plant

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[5] *Municipal Solid Waste in the United States: 1999 Facts and Figures,* Environmental Protection Agency.

[6] U.S. Code of Federal Regulations, 40 CFR 258.2 , op. cit.

[7] Ibid.

[8] *Criteria for Solid Waste Disposal Facilities: A Guide for Owners/Operators,* Environmental Protection Agency, EPA/530-SW-91-089, March 1993.

[9] Ibid.

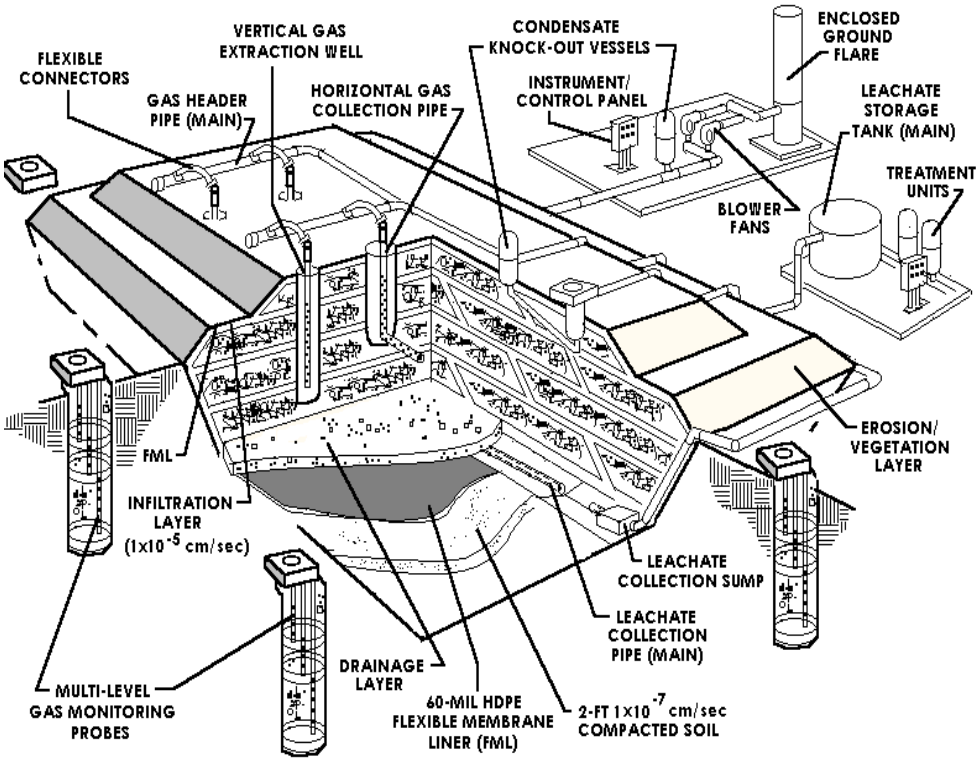


Figure 1. Landfill Components[10]

growth. An independent engineer must certify that the landfill was closed in accordance with federal regulations. For the next 30 years, landfill owners or operators are required to maintain the integrity of the final cover, monitor groundwater and methane gas, and continue leachate management. Finally, the property deed must reflect the property's prior use as a landfill, which restricts the future development of the site.[11]

OTHER TYPES OF LANDFILLS. Some types of waste (e.g., industrial waste and hazardous waste) cannot necessarily be disposed of in an MSW landfill. Instead, these materials must be disposed of in specially designed landfills or in MSW landfills in limited quantities.

Construction and Demolition. Waste from construction and demolition (C&D) projects, including untreated lumber, drywall, plaster, plumbing materials, etc., is not considered MSW. These wastes can be deposited either in MSW landfills or in specially constructed C&D landfills that are required to meet less stringent regulations than MSW landfills. Based on anecdotal remarks by landfill fire suppression professionals, C&D landfills are at a much higher risk for a significant fire than other types of landfills.[12]

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[10] Courtesy of the California Integrated Waste Management Board.

[11] *Criteria for Solid Waste Disposal Faciliities,* op. cit.

[12] From information received in e-mail correspondence with Dr. Tony Sperling, P.Eng.

Industrial. Each year, about 7.6 billion tons of industrial waste are generated and managed by manufacturing facilities. The majority of this waste is wastewater or non-wastewater sludges and solids. Nearly 97 percent is wastewater managed in surface impoundments; the remainder is managed in landfills, waste piles, and land application units.[13] Industrial waste is classified as neither MSW nor hazardous waste under RCRA Subtitle C, which places industrial landfills under the regulatory authority of states and local government, not the federal authorities.

Hazardous Materials. In 1999, 1.4 million tons of hazardous waste were disposed of in landfills.[14] Hazardous waste landfills are similar in character and design to MSW landfills, but they are required to meet more stringent regulations for leachate collection and decontamination.

LANDFILL EMISSIONS. Landfill emissions are the result of the decomposition of organic materials in the landfill (including yard waste, household waste, food waste, and paper). Because of the nature of the construction of landfills, this decomposition is anaerobic[15] and results in the production of large quantities of methane (which is highly flammable) and carbon dioxide. In fact, landfills are the largest source of methane emissions in the United States, accounting for 35 percent of methane emissions in 1999.[16] MSW landfills generate about 93 percent of U.S. landfill emissions; industrial landfills account for the remaining emissions.[17] Methane emissions from landfills are affected by site-specific factors such as waste composition, available moisture, and landfill size.[18] Approximately 28 percent of the methane generated in landfills in 1999 was recovered.[19] The remainder of landfill-generated methane was dispersed in the air.

Approximately 50 percent of gas emitted from landfills is methane; carbon dioxide accounts for about 45 percent, and the remainder is composed of nitrogen, oxygen, hydrogen, and other gases.[20] Both methane and carbon dioxide are greenhouse gases that pose environmental problems. Of the two gases, methane is far more potent than carbon dioxide. Methane has a global warming potential (GWP)[21] of 21 over a 100-year period. This means that on a kilogram-for-kilogram basis, over a 100-year period, methane is 21 times more potent than carbon dioxide in causing climate change.[22]

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[13] *Guide for Industrial Waste Management*, Environmental Protection Agency, EPA530-R-99-001, June 1999.

[14] *National Biennial RCRA Hazardous Waste Report*, Environmental Protection Agency, EPA530-S-01-001, June 2001, p. ES-8.

[15] An *anaerobe* is an organism, such as a bacterium, that can live in the absence of atmospheric oxygen. Conversely, an *aerobe* is an organism that requires oxygen to live.

[16] *Inventory of U.S. Greenhouse Gas Emissions and Sinks,* Environmental Protection Agency, EPA 236-R-01-001, April 2001, p. ES-19.

[17] U.S. Methane Emissions 1990-2000: Inventories, Projections, and Opportunities for Reductions, Environmental Protection Agency, EPA 430-R-99-013, September 1999 , p. 2-1.

[18] Inventory of U.S. Greenhouse Gas Emissions and Sinks, op. cit.

[19] Ibid.

[20] *Landfill Methane Outreach Program*, Environmental Protection Agency, FAQ Sheet, June 2001.

[21] The term *global warming potential* has been developed by the EPA to compare the ability of each greenhouse gas to trap heat in the atmosphere relative to another gas. This measurement of GWP relies on carbon dioxide as the reference gas. The GWP of a greenhouse gas is the ratio of global warming (both direct and indirect) from one unit mass of a greenhouse gas to one unit mass of carbon dioxide over a set period of time.

[22] Climate Change, Methane and Other Greenhouse Gases, Environmental Protection Agency, July 2001.

Current EPA regulations under the Clean Air Act and the New Source Performance Standards and Emissions Guidelines specify that many landfills must collect and combust landfill gas (regulated by size of the landfill). To comply with these regulations, landfill owners can either burn the gas off by flaring[23] it or capture the gas by installing a "landfill gas-to-energy" system. (This is discussed in detail later in this report.)

In addition to regulations governing the emission of landfill gases, federal law also regulates the incineration or open burning of waste. Federal law specifically prohibited open burning of MSW at municipal landfills in 1979 (40 CFR 257).[24] The incineration of MSW is strictly regulated by a variety of federal, state, and local policies.

NUMBER OF LANDFILLS. The amount of MSW produced in the United States has risen substantially over the past 50 years, from 88.1 million tons in 1960 to 230 million tons in 1999.[25] On the other hand, the number of landfills has significantly decreased over the last 10 years, from about 8,000 in 1988 to about 2,200 in 1999.[26] Figure 2 shows the decline over the past 14 years; Figure 3 and Table 2 show the number of landfills per state. This decrease in the number of landfills is generally due to stricter regulations imposed by the EPA regarding landfill gas emissions, safety regulations, and content regulations of a landfill. Over the same period, the size of the remaining landfills has grown steadily to accommodate the increased production of MSW.

The number of landfills recorded by the EPA, however, does not take into account all of the individual, and in many cases illegal, dumping sites that were common in the early 1980s. Many businesses, factories, and enterprises had their own dumping sites where they disposed of various types of unregulated wastes. This was a widespread practice before environmental groups began lobbying against such sites and publicizing links between diseases such as cancer and the dumping of hazardous chemicals and toxic wastes that were contaminating water, soil, and air.

THE DEVELOPMENT OF LANDFILL REGULATION.[27] The EPA was established in 1970 after scientists, elected officials, and citizens recognized the need to protect the environment. The new agency was pieced together from programs elsewhere in the federal government, including from the Department of Health, Department of the Interior, and Food and Drug Administration. It was not until 1984 that the EPA gained regulatory authority over landfills. Over the intervening years, various legislative acts have strengthened the EPA's regulatory authority over these sites.

In 1976, Congress passed the Resource Conservation and Recovery Act (RCRA), which gave the EPA the authority to control hazardous waste from the "cradle-to-grave." RCRA covers the generation, transportation, treatment, storage, and disposal of hazardous waste and provides a

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[23] In this context, *flaring* is the controlled burning of methane collected from a landfill.

[24] "Volume III–Area Sources, Chapter 16, Open Burning," R*evised Final: Emission Inventory Improvement Program Document Series,* Environmental Protection Agency, Section 2.1, January 2001.

[25] *Municipal Solid Waste in 1999: Facts and Figures,* Environmental Protection Agency. Some EPA sources quote this numbers as being closer to 2,300.

[26] *Environmental Fact Sheet, Municipal Solid Waste Generation,* Environmental Protection Agency, 1998.

[27] Information on federal regulations was taken from the EPA website, Major Environmental Laws. http://www.epa.gov/epahome/laws.htm.

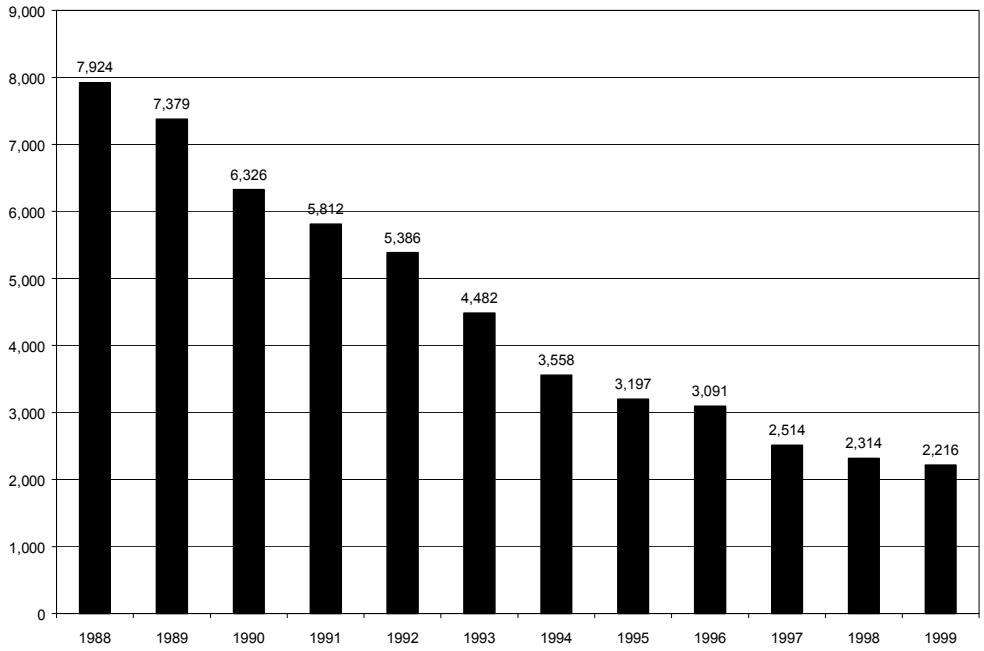


Figure 2. MSW Landfills in the United States, by Year[28]

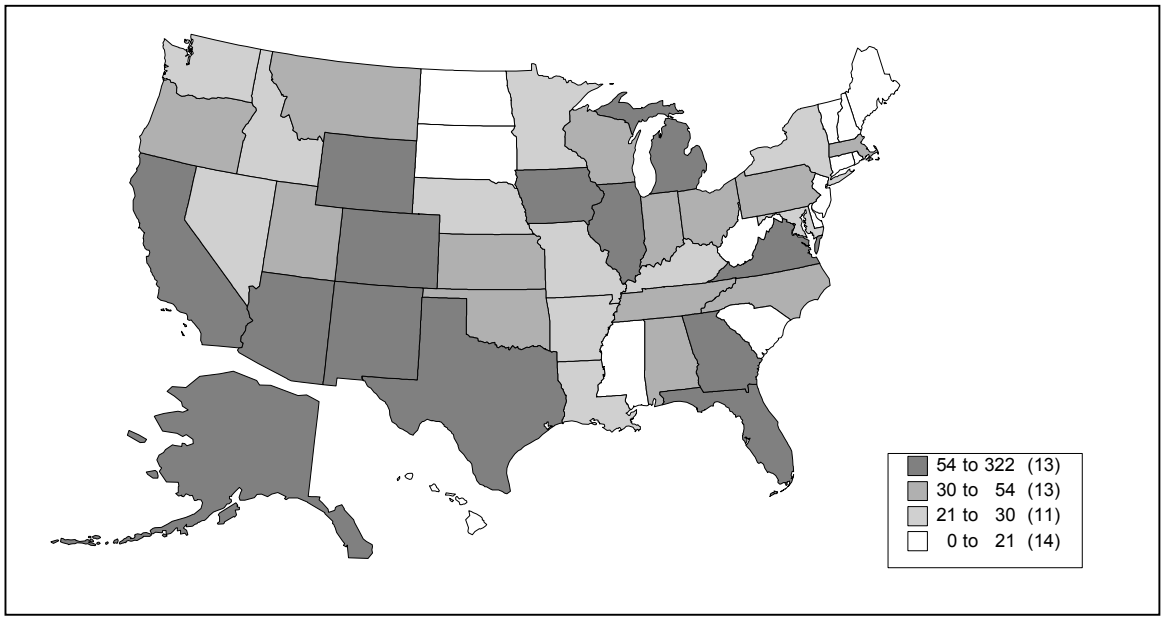


Figure 3. Distribution of Landfills[29]

[28] *Municipal Solid Waste in 1999*, op. cit., p. 15.
[29] *BioCycle,* June 1999.

Table 2. Landfills by State[30]

State	Landfills	State	Landfills	State	Landfills
Alabama	30	Kentucky	26	New York	28
Alaska	322	Louisiana	25	Ohio	52
Arizona	54	Maine	8	Oklahoma	41
Arkansas	23	Maryland	22	Oregon	33
California	188	Massachusetts	47	Pennsylvania	51
Colorado	68	Michigan	58	Rhode Island	4
Connecticut	3	Minnesota	26	South Carolina	19
Delaware	3	Mississippi	19	South Dakota	15
District of Columbia	0	Missouri	26	Tennessee	34
Florida	95	Montana	33	Texas	181
Georgia	76	North Carolina	35	Utah	45
Hawaii	8	North Dakota	15	Vermont	5
Idaho	27	Nebraska	23	Virginia	70
Illinois	56	Nevada	25	Washington	21
Indiana	45	New Hampshire	19	West Virginia	19
Iowa	60	New Jersey	11	Wisconsin	46
Kansas	53	New Mexico	55	Wyoming	66

framework for the management of nonhazardous wastes. RCRA focuses only on active and future facilities.

The turning point in landfill regulation and remediation occurred in 1980, first with the Superfund legislation, then by the Hazardous and Solid Waste Amendments (HSWA) in 1984, which finally gave the EPA regulatory authority over landfills.

Technically known as the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Superfund legislation governs closed and abandoned hazardous material waste sites, provides for the liability of persons responsible for the release of hazardous materials at these sites, and establishes a trust fund to provide for cleanup where no responsible party could be identified.

In 1984, the HSWA amended RCRA. HSWA required the phasing out of land-based disposal of hazardous waste and gave the EPA regulatory authority over landfills. The final major piece of legislation, the Superfund Amendments and Reauthorization Act (SARA), was passed in 1986 as an amendment to CERCLA. SARA increased the participation of states in the Superfund program and expanded the size of the cleanup trust fund.

In recent years, federal, state, local, and private programs have increased the emphasis placed on reducing the production of municipal waste to conserve resources and reduce pollution while delaying the entry of waste into the waste collection and disposal system. “Source

[30] Ibid.

reduction" focuses on designing, manufacturing, purchasing, or using materials in ways that reduce the amount or toxicity of trash created.

Some such programs include "pay-as-you-throw," where residents pay for each can or bag of trash they have collected for disposal rather than funding this collection by a flat rate or through the tax base. This provides tangible financial benefits for households that reduce the amount of waste they produce. Other programs target businesses and corporations in an effort to promote waste-reducing manufacturing processes and business practices.[31] The benefits of these practices include a reduction of the combustible material that enters the waste stream. Although MSW facilities will still contain large amounts of combustible materials, this reduction in waste can be a factor in the reduction of landfill fires.

CHARACTERISTICS OF LANDFILL FIRES[32]

Landfill fires fall into one of two categories, surface and underground fires. Depending on the type of landfill and type of fire, landfill fires can pose unique challenges to the landfill/ waste management industry and the fire service. This section addresses the particular challenges and the specific types of fires found in landfill sites and describes their characteristics and causes.

SURFACE FIRES. Surface fires involve recently buried or uncompacted refuse, situated on or close to the landfill surface in the aerobic decomposition layer, generally 1 to 4 feet in depth.[33] These fires can be intensified by landfill gas (methane), which may cause the fire to spread throughout the landfill.

Surface fires generally burn at relatively low temperatures and are characterized by the emission of dense white smoke and the products of incomplete combustion. The smoke includes irritating agents, such as organic acids and other compounds. When surface fires burn materials such as tires or plastics, the temperature in the burning zone can be quite high. Higher temperature fires can cause the breakdown of volatile compounds, which emit dense black smoke. Surface fires are classified as either accidental or deliberate.

Surface fires include the following:

- *Dumping of undetected smoldering materials into the landfill.* Hot load fires are caused by the disposal of refuse that is still burning on arrival to the landfill (e.g., cleared brush).
- *Fires associated with landfill gas control or venting systems.* Landfill gas control systems can themselves pose a fire hazard. Landfill gas (predominantly methane) can be

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[31] "Source Reduction and Reuse," Environmental Protection Agency, April 23, 2002. http://www.epa.gov/epaoswer/non-hw/muncpl/sourcred.htm.

[32] Much of this section represents a synopsis of a report prepared for the New Zealand Ministry of the Environment. The report, *Landfill Guidelines: Hazards of Burning at Landfills*, was published in December 1997.

[33] E-mail correspondence with Todd Thalhamer, California Integrated Waste Management Board.

ignited as it escapes from the vents or from leaks in the collection pipe network. Excessive gas extraction can also be a fire cause. The vacuum created by excessive extraction can increase the airflow and thereby increase the oxygen level in the landfill, which can cause underground fires (as discussed further in the following section).

- *Fires caused by human error on the part of the landfill operators or users***.** Landfill operators and users can cause fires through careless smoking on the landfill, which can ignite waste or landfill gas. Also, as some hazardous substances can ignite when mixed, operators must take care to prevent the dumping of reactive materials into the landfill.

- *Fires caused by construction or maintenance work*. Fires can occur while construction and maintenance takes place, including fires caused by sparks from vehicles used in the landfill (dump trucks, bulldozers, backhoes, etc.). A surface fire could also be ignited when drilling or while driving metal pipes through layers of buried waste if a hard object buried in the landfill is struck. Usage of welding or electrical equipment on site poses a fire hazard, due especially to the increased presence of methane gas.

- *Spontaneous combustion of materials in the landfill*. The mixing of certain materials in a landfill can result in spontaneous combustion. Even in small quantities, some chemicals can ignite if exposed to one another. Also, some materials, such as oily rags, can spontaneously combust under certain conditions. Spontaneous combustion can also result from bacterial decomposition, which is discussed in more detail later in this section.

- *Deliberate fires, which are used by the landfill operator to reduce the volume of waste*. Landfills contain refuse such as dry garden waste, grass, leaves, and branches. Sometimes these materials are deliberately set on fire to reduce refuse volumes, reduce operating costs, and increase a landfill's operating life. This is an accepted practice under strictly controlled conditions.[34] Uncontrolled, these deliberate fires could escalate into larger fires, cause explosions, or create hazardous products from the ash and residue burned.

- *Deliberate arson fires, which are set with malicious intent*. Arson is a serious problem in the United States; therefore, it is not surprising that landfills are targets for malicious fires.

UNDERGROUND FIRES. Underground fires in landfills occur deep below the landfill surface and involve materials that are months or years old.[35] These fires are generally more difficult to extinguish than surface fires. Underground fires also have the potential to create large

[34] This controlled combustion at landfills is regulated by U.S. Code of Federal Regulations, 40 CFR 60 (Title 40 – Protection of Environment Chapter I – Environmental Protection Agency. Part 60 – Standards Of Performance For New Stationary Sources).

[35] This report addresses operating landfills. Closed landfills are subject to a variety of restrictions on future development, maintenance, etc. It would be difficult to determine the frequency of fires in closed landfills because such sites are likely to be coded in NFIRS according to their property use at the time of the fire (e.g., open land, park, golf course).

voids in the landfill, which can cause cave-ins of the landfill surface. Further, they produce flammable and toxic gases (such as carbon monoxide) and can damage leachate containment liners and landfill gas collection systems.

The most common cause of underground landfill fires is an increase in the oxygen content of the landfill, which increases bacterial activity and raises temperatures (aerobic decomposition). These so-called "hot spots" can come into contact with pockets of methane gas and result in a fire. Of particular concern with these long-smoldering, underground fires is the fact they tend to smolder for weeks to months at a time. This can cause a build up of the byproducts of combustion in confined areas such as landfill site buildings or surrounding homes, which adds an additional health hazard.

Underground fires are often only detected by smoke emanating from some part of the landfill site or by the presence of carbon monoxide (CO) in landfill gas. In the event of an underground fire, CO may be present at toxic levels near the landfill's surface. Generally an underground fire can be confirmed by:[36]

- Substantial settlement over a short period of time.
- Smoke or smoldering odor emanating from the gas extraction system or landfill.
- Elevated levels of CO in excess of 1,000 parts per million (ppm).
- Combustion residue in extraction wells or headers.
- Increase in gas temperature in the extraction system (above 140°F).
- Temperatures in excess of 170°F.

To confirm a subsurface fire using CO, the results must be acquired through quantitative laboratory analysis (using portable monitors may result in artificially high concentrations). In California, levels of CO in excess of 1,000 ppm are considered a positive indication of an active underground landfill fire. Levels of CO between 100 and 1,000 ppm are viewed as suspicious and require further air and temperature monitoring. Levels between 10 and 100 ppm may be an indication of a fire but active combustion is not present.[37]

HEALTH EFFECTS OF LANDFILL FIRES. In addition to the burn and explosion hazards posed by landfill fires, smoke and other byproducts of landfill fires also present a health risk to firefighters and others exposed to them. Smoke from landfill fires generally contains particulate matter (the products of incomplete combustion of the fuel source), which can aggravate pre-existing pulmonary conditions or cause respiratory distress. As with all fires, those in landfills produce toxic smoke and gases. The danger and level of toxicity of these gases depend on the length of exposure one has to them and on the type of material that is burning.

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[36] *Response to Landfill Fires Guidance Document*, California Integrated Waste Management Board, Internal Bulletin 2001.
[37] Ibid.

Underground fires can result in CO levels in excess of 50,000 ppm—the Occupational Safety and Health Administration (OSHA) permissible exposure limit for CO is 50 ppm. OSHA standards prohibit worker exposure to more than 50 parts of the gas per million parts of air averaged during an 8-hour time period. Carbon monoxide is harmful when breathed because it displaces oxygen in the blood and deprives the heart, brain, and other vital organs of oxygen, which can cause permanent damage or death.[38]

Another serious concern in landfill fires is the emission of dioxins. Accidental fires at landfills and the uncontrolled burning of residential waste are considered the largest sources of dioxin emissions in the United States.[39] The term *dioxins* refers to a group of chemical compounds with similar chemical and biological characteristics that are released into the air during the combustion process. Dioxins are also naturally occurring and are present throughout the environment. However, exposure to high levels of dioxins has been linked to cancer, liver damage, skin rashes, and reproductive and developmental disorders.[40]

EXTINGUISHING LANDFILL FIRES

This section is not intended to address or recommend specific tactical approaches for landfill firefighting. It is important to note that the different dynamics, characteristics, and regulations of landfills and the fires that occur in them suggest that tactics need to be determined on a case-by-case basis depending on the materials buried, which materials have ignited, depth of the fire, and the fire's ignition source. This section explores some of the challenges posed in the suppression of landfill fires.

WIND/WEATHER. Wind and inclement weather can increase the health hazards for firefighters operating on the fireground (e.g., in extremely hot or cold weather) and can directly affect fire spread.

WATER SUPPLY. The use of water to suppress landfill fires is controversial. The application of large volumes of water may actually exacerbate a fire by contributing to the process of aerobic decomposition. Further, adding water to the landfill creates additional leachate, which may overwhelm the leachate collection system in the landfill (if one exists). If the collection system is overwhelmed, the additional leachate could contaminate ground and surface waters surrounding the landfill. Depending on the landfill's location, there might not be an adequate supply of water available for fire suppression. Firefighters may have to establish a water supply using tankers and nearby static water sources (e.g., lakes, reservoirs).

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[38] *OSHA Fact Sheet, Carbon Monoxide Poisoning*, U.S. Department of Labor, Occupational Safety and Health Administration, 2002. http://www.osha.gov/OshDoc/data_General_Facts/carbonmonoxide-factsheet.pdf

[39] *Questions and Answers About Dioxins*, Environmental Protection Agency, July 2000, p. 6. http://www.epa.gov/ncea/pdfs/dioxin/dioxin%20questions%20and%20answers.pdf.

[40] Idem, p. 4.

Foam is an important consideration in landfill fire suppression. There are two primary types of firefighting foam. Class A foam is a special formulation of hydrocarbon surfactants. These surfactants reduce the surface tension of water, which provides for better water penetration and increased effectiveness. When aerated, Class A foam coats and insulates fuels, protecting them from ignition. Class B foam is used to extinguish fires involving flammable and combustible liquids. It is also used to suppress vapors from unignited spills of these liquids.[41] As with all fires, there are advantages and disadvantages to using foam during fire suppression operations on landfills. The on-scene incident commander makes the decision to use foam based on the specific tactical situation at hand.

MULTI-AGENCY RESPONSE. A major landfill fire will likely require the expertise of personnel from multiple agencies (e.g., the EPA, Department of Natural Resources). Some fire departments have Standard Operating Procedures in place that define all landfill fires as hazardous materials incidents, which require a specialized response. To ensure that all personnel (regardless of their agency affiliation) are operating according to the same plan, landfill fires require a strong Incident Command System.

PERSONNEL SAFETY. Fires, particularly those underground, can undermine the integrity of the landfill, which could cause a collapse under the weight of landfill employees, firefighters, or equipment. Such a collapse could necessitate a confined space, trench, or other type of technical rescue operation in addition to fire suppression.

Given the potential adverse effects of exposure to burning landfill contents or the smoke produced by a landfill fire, personnel may have to use specialized personal protective equipment, which may be difficult to obtain.

ACCESS TO AND MANEUVERABILITY OF HEAVY EQUIPMENT. To access waste below the landfill surface or move burning waste away from the landfill, it may be necessary to use heavy equipment such as bulldozers. Landfill operators may already own this equipment and have staff trained in its use. If not, this equipment will need to be located and brought to the fireground. If a fire affects the structural stability of a landfill, operating heavy equipment on the landfill surface would be dangerous. Finally, depending on the landfill's location and design, operating heavy equipment on the site could be quite difficult.

LOGISTICS. As with any protracted fire suppression operation, Incident Commanders at landfill fires must address a variety of logistical concerns to facilitate operations. These include rotating personnel on a regular basis, compensating personnel for overtime spent operating at the landfill or filling in at fire stations in the jurisdiction, keeping firefighters on the landfill hydrated and fed, and, keeping records for future reimbursement. (Depending on the nature and location of the incident, local fire departments can seek reimbursement from the federal government or the landfill operator for costs associated with fire suppression.)

ENVIRONMENTAL IMPACT. The smoke and runoff from landfill fires can be dangerous to those living in the area and to the environment. It is important that air and water quality issues

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[41] *Essentials of Firefighting 4th Edition*, International Fire Service Training Association, 2001, p. 500.

be addressed early in a fire suppression operation to prevent contamination as much as possible. As mentioned earlier, water used to suppress a landfill fire can overwhelm a facility's leachate collection system, if one exists (older facilities may have been constructed prior to regulations requiring leachate collection systems).

LANDFILL CONTENTS. Fires occurring in landfills where hazardous wastes are buried can be particularly difficult. In past years, illegal dumping of hazardous and toxic materials in landfills and other dumping sites was relatively common. When a fire occurs and rescue workers have wrong or misleading information about the buried contents (e.g., illegal or unknown toxic or radioactive wastes), the fire suppression operation can be extremely dangerous.

Although not a landfill fire, the Wade Dump fire in February 1978 clearly illustrates the dangers posed by fires involving unknown hazardous materials. Firefighters responded to a suspected tire fire at an abandoned rubber shredding plant on the Delaware River outside of Philadelphia. They were unaware that the property's owner and namesake, Melvin Wade, had transformed the plant into one of the most toxic hazardous waste dumpsites in U.S. history. By the night of the fire, more than 3 million gallons of cyanide, benzene, toluene, and other chemicals were stored on the site—plus thousands of junk tires. The burning chemicals produced multicolored smoke and noxious fumes, which alerted firefighters to the unusual nature of the fire they were fighting. Intensified by chemicals and other fuels, the fire raged for hours. Drums of chemicals exploded, injuring firefighters and even damaging fire trucks. As the night progressed, firefighters and other emergency workers noticed that the chemicals were dissolving their protective gear and making it difficult for them to breathe; more than 40 firefighters were sent to a nearby hospital for treatment. Over the past 20 or more years, dozens of those who were present at the Wade Dump fire have become ill, and many have died from cancers and other diseases. Melvin Wade and others responsible for creating the toxic site were found criminally responsible for their actions.[42]

LANDFILL FIRES: STATISTICAL ANALYSIS

Data from the National Fire Incident Reporting System (NFIRS) does not include MSW landfills as a fixed property use category. Rather, the NFIRS data set includes a category for "dump or sanitary landfill: included are refuse disposal areas, trash receptacles, and dumps in open ground" (NFIRS Fixed Property Use code 932). Although this definition is broader than the definition of a landfill, it is the closest match available in NFIRS. As such, despite the broader definition, this section refers to these fires as *landfill fires* for the sake of clarity.

Based on extrapolation of the NFIRS data, each year in the United States an average of 8,400 landfill fires are reported to the fire service. This represents less than a half percent of all reported fires. Undoubtedly, some landfill fires go unreported because they burned undetected or they were on private property and extinguished by the landfill operator. Reported fires are responsible for less than 10 civilian injuries, 30 firefighter injuries, and between $3 and

[42] This paragraph is a synopsis of an investigative report published by the *Philadelphia Inquirer* in April 2000.

$8 million in property loss each year.[43] Deaths (civilian or fire service) are rare in these fires; since NFIRS represents a sample of data, it may be that fatalities occurred during the study period and were not reported or captured in the data.

TYPE OF LANDFILL FIRES. Table 3 shows the five types of fires that occur on landfills. The prevalence of refuse fires is not surprising, but it is interesting that other types of fires occur on landfill properties. Vehicle fires involve dump trucks, compactors, and other vehicles commonly found in landfills. Brush fires may occur when landfill fires spread to the surrounding lands. Structure fires at landfill sites probably involve small offices or other facilities constructed for the landfill staff.

Table 3. Types of Fires Occurring on Landfills[44]

Type of Fire	Percent of Fires
Refuse	77
Trees, brush, grass	12
Outside structure, where material burning has value	6
Vehicle	4
Structure	1

CAUSES OF LANDFILL FIRES. Over half of the landfill fires reported to NFIRS have no information available as to the primary ignition factor. This makes it particularly difficult to accurately pinpoint the cause of landfill fires. Of those fires with reported ignition factors, nearly 40 percent are of an incendiary or suspicious nature. Another 20 percent are attributed to lit or smoldering materials that have been abandoned or discarded, which include cigarettes, matches, or ashes that were discarded without being properly extinguished. Spontaneous heating accounts for about 5 percent of landfill fires. Other leading factors influencing fire ignition include rekindling from a previous fire and inadequate control of open fires.

WHEN LANDFILL FIRES OCCUR. Landfill fires occur most often between March and August. This half-year period accounts for nearly 60 percent of landfill fires, with the peak (11 percent) occurring in July (Figure 4). This monthly incidence of fires generally applies to the major causes of landfill fires (incendiary/suspicious and smoldering materials). Rekindled fires and spontaneous ignition fires, however, are exceptions. Rekindled fires have a peak period in April and May that accounts for one-third of these fires with an additional peak in July (15 percent). Landfill fires that result from spontaneous combustion gradually increase as the weather warms, dropping in September. The peak period, however, occurs in October and November, when 22 percent of the spontaneous combustion fires occur. Figure 5 illustrates the incidence of spontaneous combustion fires by month.

[43] National estimates are based on NFIRS data (1996–1998) and the National Fire Protection Association's (NFPA) annual survey, *Fire Loss in the United States*.

[44] U.S. Fire Administration NFIRS data (1996–1998).

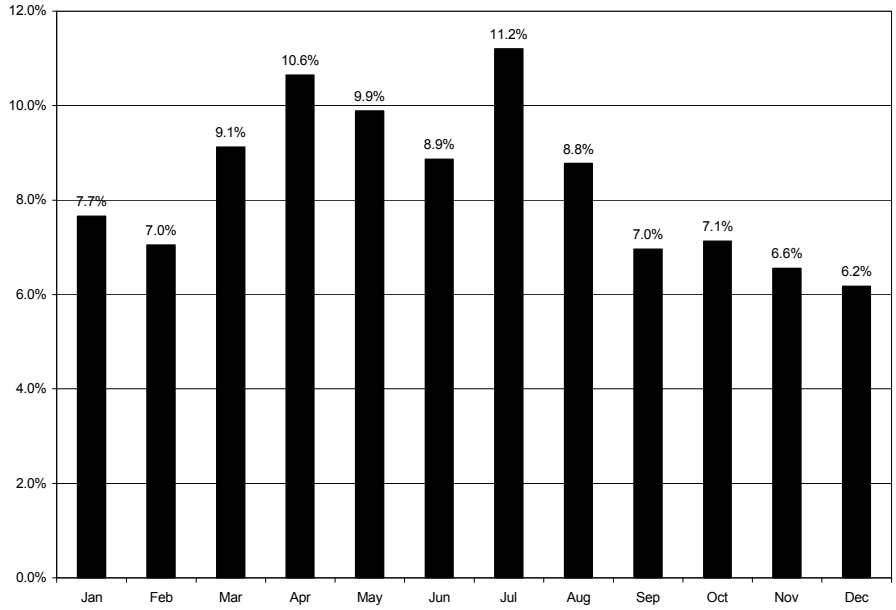


Figure 4. Incidence of Landfill Fires by Month[45]

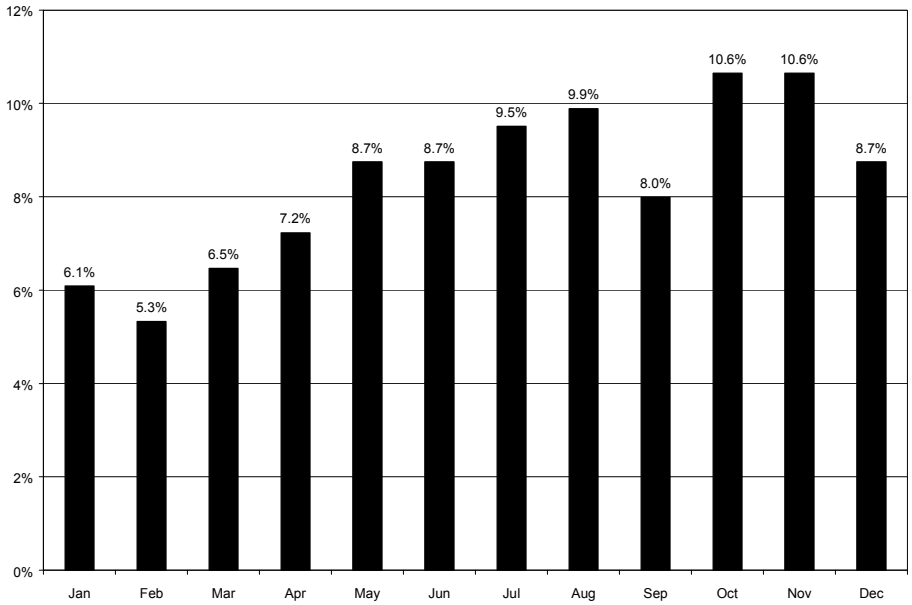


Figure 5. Incidence of Spontaneous Combustion Landfill Fires by Month[46]

[45] Ibid.
[46] Ibid.

The spring peaks in rekindled fires and the fall peaks in spontaneous combustion fires may result from increased winds during these months as many landfills may have inadequate caps (particularly if they use alternate daily covers) to prevent air infiltration. Inadequate caps can allow large volumes of air to enter the landfill, accelerating the oxidation reaction. The air intrusion is due, in part, to the differential in barometric pressure between the landfill and the atmosphere. This condition occurs most frequently in the late fall and spring with the large, naturally occurring atmospheric changes in conjunction with land surface heating and cooling. The increased oxidation raises the temperature in the landfill and can increase spontaneous combustion events. Some of the rekindled fires may be the result of earlier smoldering underground fires that, with the increase in airflow brought by winds, are oxygenated enough to break through to the surface.[47]

LANDFILL FIRE PREVENTION

Fire prevention can reduce property damage, injury, health, and environmental hazards of landfill fires. The cost of prevention is usually much less expensive than the cost of fighting and cleaning up a fire. In many cases, particularly for larger landfills, fire prevention activities are required by law. This section outlines some of the principal methods in landfill fire prevention.

LANDFILL MANAGEMENT. Effective landfill management is a vital key to efficient landfill fire prevention tactics. Management measures include prohibiting all forms of deliberate burning, thoroughly inspecting and controlling incoming refuse, compacting refuse buried to prevent hot spots from forming, prohibiting smoking onsite, and maintaining good site security.

METHANE GAS DETECTION AND COLLECTION. Landfill gas emissions can be a hazard to the environment and to the health of residents surrounding landfill sites. Methane gas, a flammable gas, can present a fire hazard. Federal regulations require all MSW landfill operators to monitor the emission of methane on a quarterly basis. If methane levels in or around the landfill become explosive, the landfill operator must take immediate steps to mitigate the danger. The operator must also implement a remediation program to prevent future explosive buildups.[48]

Federal regulations currently require MSW landfills that opened after November 8, 1987, and have a capacity of over 2.5 million cubic meters to install a gas collection and control system.[49] These regulations, however, affect only about 4 percent of operating landfills in the United States as the vast majority of landfills do not have such a large capacity.[50] Some states, however, (e.g., California) have stricter regulations for gas collection systems, which affect a higher percentage of facilities; these jurisdictions may include closed facilities as well.

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[47] E-mail correspondence with Dr. Tony Sperling and Todd Thalhamer.

[48] U.S. Code of Federal Regulations, 40 CFR 258.23 (Title 40–Protection of Environment Chapter I–Environmental Protection Agency. Part 258 – Criteria for Municipal Solid Waste Landfills).

[49] U.S. Code of Federal Regulations, 40 CFR 60.33c (Title 40–Protection of Environment Chapter I–Environmental Protection Agency. Part 60 – Standards of Performance for New Stationary Sources).

[50] *Air Rule for Municipal Solid Waste Landfills*, Environmental Protection Agency, January 10, 2002. http://www.epa.gov/reg3artd/airregulations/ap22/landfil2.htm.

Methane gas collection systems actively remove landfill gas using gas recovery wells and vacuum pumps with an interconnected pipe network. Operators must take care to ensure the system is not overdrawn, which can lead to fire ignition. Once the gas is collected, landfill owners/operators have two choices: (1) burn off the gas (flaring); or (2) convert the gas to an energy commodity.

Flaring. Burning landfill gas is the method most large landfills use (as opposed to the more costly waste-to-energy projects). Burning the landfill gas converts methane to carbon dioxide, which not only is less harmful to the environment, but also destroys the components of landfill gas that cause odor, stress vegetation, create smog, and increase the risk for fire or explosion.

Shallow gas venting trenches or gas venting pipes can also be installed in the landfill's surface. These vents allow gas from interior regions of the landfill to escape naturally to the surface where flares can burn off the gas.

Converting Landfill Gas to Energy. The conversion of landfill gas to energy turns this landfill byproduct into a marketable resource. The converted gas can be used to generate electricity, heat, or steam. According to the EPA, landfill gas is the only renewable energy source that, when used, removes pollution from the atmosphere.[51] By converting the landfill gas to energy, the harmful emissions causing global warming are removed from the air and converted to a useful form such as electricity to power a home. Reducing landfill gas emissions is imperative as it reduces local ozone levels and smog formation while simultaneously decreasing explosion and fire risks and unpleasant odors produced by the landfill.[52]

As of September 2001, the EPA estimates that there were more than 335 landfill gas recovery and utilization projects operating in the United States; another 500 landfills are considered good candidates for future program development.[53]

CASE STUDIES

A sample of landfill fires throughout the world sheds light on the landfill fire problem. Waste disposal practices and the regulation of landfill sites are similar in the comparison countries. Landfill fires have been investigated and studied in more detail in several countries outside the continental United States. The concluding portion of this section contains brief synopses of interviews and media reports detailing landfill fires in the United States and the lessons that were learned from them.

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[51] Landfill Methane Outreach Program, *Frequently Asked Questions*, Environmental Protection Agency, updated June 5, 2001. http://www.epa.gov/lmop/faq.htm.

[52] Ibid.

[53] Landfill Methane Outreach Program, *Current Projects and Candidate Landfills*, Environmental Protection Agency, January 10, 2002. http://www.epa.gov/lmop/projects.htm.

FINLAND.[54] An experimental study that sheds significant light on methods of extinguishing landfill fires was conducted in Finland in 1993. The study was conducted in two parts: a questionnaire was distributed to landfill operators throughout Finland, and an experimental landfill was constructed with similar characteristics to an MSW landfill. To determine the most effective methods for extinguishing landfill fires, an underground fire was ignited and allowed to burn in the experimental landfill. The fire was extinguished by smothering it with soil and dousing it with water.

From the questionnaires, the study determined that most landfill fires are small and tend to be of short duration. It concluded that using soil and water to extinguish the fires was insufficient and that a potentially significant factor in landfill fires is the improper compaction of waste in the landfill. The study suggested that one way to prevent landfill fires is to sufficiently compact all waste buried in the landfill site. Only one-quarter of the fires reported to the study team were underground; those fires were particularly difficult to extinguish and tended to last over 2 months. In fact, for underground fires, it was found that covering the smoldering refuse with layers of soil actually prolonged some fires. Another serious concern raised in the study was that by using water to extinguish landfill fires, the runoff could contaminate the surrounding soil and ground water.

Ultimately, based on both the questionnaire and the experimental landfill, the study concluded that the most effective way to suppress landfill fires is by digging out the burning material and cooling it with water, soil, or snow.[55]

CANADA.[56] In November 1999, a fire ignited at the Delta Shake and Shingle Landfill, a C&D landfill outside Vancouver, British Columbia. Although smoke and steam had been emanating from the landfill for weeks, the fire was finally discovered when flames broke through the landfill surface. The landfill operator originally attempted to extinguish the fire without fire department assistance; his efforts only served to exacerbate the fire. After several weeks, residents began to complain about the smoky haze hovering over Vancouver, and officials were concerned about air and water contamination from the suppression efforts. Ultimately, local officials declared a state of emergency and requested assistance from both the private sector and the provincial government.

To contain the fire and starve it of oxygen, officials covered the burning materials with a thick layer of refuse. Next, they determined that although using high-pressure water worked to extinguish the surface fire, it did not extinguish the burning refuse underground. To increase the water's effectiveness, firefighters misted the water and added Class A foam. Once the fire was contained, the firefighters used heavy machinery to excavate burning materials and move them to

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[54] Ettala et al., "Landfill Fires in Finland," *Waste Management & Research* (1996) 14, pp. 377-384.

[55] Other landfill fire suppression professionals, however, have found that landfill fires can be extinguished by excavating and extinguishing the burning debris layer-by-layer using soil and a suppressant agent, or simply by temporarily shutting down the gas extraction system.

[56] Sources for this section: "Landfill Fire in Delta Gets Provincial Emergency Funding," British Columbia Ministry of Environment, Lands, and Parks. Press Release 330-30:ELP99/00-340, November 30, 1999. Sperling, Tony. *Extinguishing the Delta Shake and Shingle Landfill Fire: Case Study*, Sperling Hansen Associates, January 18, 2002. http://www.landfillfire.com/delta1.html.

areas offsite where they could be fully extinguished. Firefighters used infrared technology to determine which loads were "hot" and required extinguishment and which ones were cool enough to be left alone. After the materials were fully extinguished using foam and water, they were returned to the reconstructed landfill.

A private contractor involved in the suppression effort summarized the following as lessons learned from this fire:

- Soil berms are effective at containing fire spread.
- Trenches that do not fully penetrate the refuse pile are ineffective; trenches should only be excavated if they penetrate the full thickness of the refuse to inert material.

HAWAII. In the late 1990s, fires in legal and illegal landfills were a serious concern for officials on all of the Hawaiian Islands. In July 1996, a fire at an illegal dumpsite in Lualualei, Oahu, attracted government and media attention. The site contained municipal waste, C&D debris, and hazardous materials. After explosions involving gas cylinders or drums, the State Department of Health hired a hazardous waste contractor to remove drums containing chemicals and some hazardous waste. Despite the attention, government officials had difficulty shutting down the dumpsite, as the property changed hands over the years and the cost of cleaning up the site exceeded the land's value.[57]

In January 1998, an odd odor at a C&D landfill in Ma'alaea led to the discovery of an underground fire.[58] Efforts to extinguish the fire with carbon dioxide were unsuccessful and, while the fire was contained, it smoldered for months.

Hawaii has less rigorous air quality standards than other areas of the United States because of its tradewinds, low population density, and isolation. Contractors are allowed to burn brush before depositing it in landfills. This practice decreases the waste volume and amount they are charged for using the landfills. Burned material goes through two inspection sites to check for "hot loads." In the Ma'alaea fire, it appears the ignition source was a smoldering palm tree. Palm trees are spongy inside and, though the outside may have appeared cool, the inside was still simmering. Once inside the landfill, the tree continued to smolder until it ignited surrounding waste.

Although relatively small, the fire sparked a debate involving the landfill operator, EPA, and different divisions of the Department of Health. The debate revealed that there were no regulations on methods to control landfill fires. This motivated government officials to develop guidelines that address underground fires and study the health effects of landfill fires. Also, the fire emphasized the need to thoroughly inspect suspected hot loads to ensure that smoldering materials do not accidentally enter the landfill.

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[57] "State Health Department To Close Illegal Dump in Lualualei," *Environment Hawaii*, Volume 11, Number 3, September 2000.

[58] "Ma'alaea Landfill Sparks State Effort To Develop Guidelines," *Environment Hawaii*, Volume 9, Number 4, October 1998.

OTHER EXAMPLES. The following examples were taken from media reports and interviews with fire officials in the affected jurisdictions. These examples shed light on firefighting tactics and local concerns associated with landfill fires.

Fairfax County, Virginia.[59] Fairfax County Fire Station 19 (Lorton) has two landfills within its call range. In November 2000, a fire broke out at the I-95 Landfill, near Lorton, VA. A 250-foot by 50-foot pile of debris, consisting of trees, stumps, and mulch, was ignited. Firefighters used water and foam to control and extinguish the fire. A fire technician who participated in the suppression effort stated that the most important tactic used in the fire was having firefighters and machinery overhaul the burning or smoldering areas to ensure that the fire did not rekindle.

Cumberland County, North Carolina.[60] In July 1998, flames at a landfill sent plumes of smoke over a large area. Firefighters were forced to contain the fire and let it burn since it was too hot for water to extinguish it effectively. An estimated 26 trailer loads of mulch were in the landfill. The mulch was very finely packed, the heat remained at the core, and water would not have cooled or extinguished the fire. Firefighters assured the fire did not spread to nearby tire piles by digging a ditch all around the fire, containing it. The fire burned itself out after several weeks.

Montezuma County Landfill, Colorado.[61] In June 2001, smoke from this 6-acre fire spread high over the Montezuma Valley. The 320-acre landfill was filled with compressed, baled trash and municipal and industrial waste.[62] Attempts were made to douse the fire with water, but they were ineffective. State landfill officials and other experts decided the best way to attack the blaze was to remove the smoldering bales of refuse, break them apart, and extinguish them individually. The cause of the fire was not determined. Landfill officials reported that confining the fire and smothering it proved to be the most effective method of extinguishing it.

Danbury, Connecticut.[63] In 1996 and 1997, numerous underground landfill fires occurred at the Danbury city landfill. These fires were caused by spontaneous combustion of decomposing waste and were rekindled and continued smoldering underground over 18 months. Different underground "hotspots" increased the intensity of landfill odors. These fires in the 47-acre landfill were the subject of extensive media coverage and residential complaints. As elsewhere, water was ineffective in extinguishing these fires, and its use added to the stench, causing additional citizen complaints. Residents filed lawsuits for damages caused by exposure to hydrogen sulfide gas from the smoke. As a result of the lawsuits, the landfill was forced to close. A 40-foot high permanent flare had to be installed to burn off landfill gas and reduce the odors.

Bend, Oregon.[64] A youth fell into a burning sinkhole on the site of an old landfill and suffered third-degree burns across 30 percent of his body. The youth and his friend had noticed a thin trail of smoke coming from the ground while walking home and went to investigate. There

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[59] Telephone interview with David Sweedland, Technician, Fairfax County Station 19, and *I-95 Landfill Debris Fire*, Fairfax County Fire and Rescue Department News Release, November 7, 2000.

[60] *Landfill Fire Continues To Burn,* WRAL 5 Cumberland County News, July 30, 1998.

[61] "Landfill Fire Fills Valley With Smoke," *Cortez Journal,* June 19, 2001.

[62] Telephone interview with Montezuma County Landfill official.

[63] *The News-Times*, Danbury, CT, December 1996–October 1997.

[64] "Youth Slips Into Burning Bend Sinkhole," *The Oregonian,* December 28, 1991.

was a small hole at the surface. While investigating the hole, the ground collapsed around the youth. The sinkhole was on a parcel of park district land on the outskirts of Bend, Oregon. The former landfill was owned by the county, and the land was later given to the park district. The original dump was used for wood waste. The decomposing waste smoldered and ignited through spontaneous combustion. Burned out pockets caused the landfill's earthen cover to weaken and collapse. Most of the problem areas were along the edges of the landfill where the earthen cap was the thinnest. The park district originally planned to put children's baseball fields on an unused portion of the old landfill, but reconsidered after conferring with the local Department of Environmental Quality.

Colerain Township, Ohio.[65] In 1996, the Colerain Township landfill experienced a major landslide that filled a nearby limestone quarry with acres of landfilled waste. The quarry was being excavated to hold additional waste in the landfill site when the landslide occurred. The area that had collapsed was dangerous; garbage was exposed and equipment was buried underneath, which made removal of the waste dangerous. The landfill officials could not move equipment to the site due to enormous voids in the exposed area; they feared bulldozers would be swallowed into the pile.

A series of four fires subsequently ignited, covering a 35-acre area. The first was a small 100-square-yard fire ignited by lightning. The second fire was as a result of combustion of decomposing waste and lasted 7 days covering a 20-acre area. Firefighters used pumped water and heavy equipment to tear down the fire area and then smothered it with dirt. Fifteen to 20 million gallons of water were used in the 7-day period. The last two fires were also a result of spontaneous combustion, but they were smaller in size. Water and heavy equipment were used to extinguish these two fires as well. Ultimately, restoring the landfill took approximately 2 years to complete.

San Bernardino County, California.[66] In 1999, funding was approved for the cleanup of a smoldering fire at an illegal dumpsite in Cajon Pass. The illegal dumpsite had been in operation for about 3 years. At the time of the fire, the dumpsite contained 200,000 cubic yards of waste, which filled an area about 60 feet high and 450 feet long. Most of the waste consisted of rubble, telephone poles, railroad ties, whole trees, shrubs, and large stumps. About 80,000 cubic yards (60,000 tons) were organic wastes, which spontaneously ignited, causing the fire. The smoldering fire posed a significant risk to nearby residences, wildlands, power lines, and railroad tracks, and it threatened serious water contamination. Agencies from the state and local level were involved in the funding effort.

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[65] Telephone interview with Ohio Colerian Township Dept. of Fire and EMS Fire Chief Bruce Smith.

[66] *State Waste Board Approves Funding for Cajon Pass Dump Cleanup,* California Integrated Waste Management Board, May 27, 1999, 99-053. http://www.ciwmb.ca.gov/pressroom/1999/may/nr053.htm.

CONCLUSION

Landfill fires are not common occurrences. When they do occur, however, they tend to attract a great deal of public attention and challenge the fire service. Illegal dumping continues to be a problem for regulatory agencies and the fire service. Illegal sites are particularly hazardous to firefighters, because the firefighters may be unaware of the presence or nature of chemicals or other toxic substances involved in the fire. Landfill fires in regulated facilities also challenge Incident Commanders, who must make a series of tactical decisions in a situation far different from that found at a "normal" structure fire.

Closed landfills are another area of concern, from both a regulatory and a fire service perspective. By federal law, landfill operators must commit to maintaining a landfill for at least 30 years after it has closed. Landfills continue to emit methane and other dangerous gases even after they are closed. As a result, buildings constructed on former landfills are often required to have automatic methane detectors, which sound an audible alarm in the event that methane levels become unsafe. Construction on closed landfills must not damage the final cover or the existing liners and leachate collection system. The true implications of closed landfills are not clear, largely because, for data collection purposes, these sites are likely coded not as landfills but as the property use at the time of an incident (fire, explosion, etc.).

Through EPA regulation and cleanup efforts of landfills, landfill fires are less likely to contain toxic chemicals than they were decades ago. Also, fire departments are gaining the experience to more efficiently and safely extinguish the fires that occur. Working in conjunction with the public and landfill operators, the fire service can reduce the occurrence of landfill fires, thereby better protecting the public, the environment, and emergency responders.

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 1:35:18 PM

Subject of Testimony: Coffin Butte Landfill

Full Name: Bryn Hazell

Email: brynhazell@msn.com

Street Address: 3247 SW Hawkeye Avenue 97333

Written Testimony:

Please reject the expansion of the Coffiin Butte Landfill. Benton County has done more than its share of disposing of garbage from around the State. It is time to set a date for its closure and come up with new plans for the future. I am appalled that leachate is dumped into the Willamette River in extraordinary amounts, that there is insufficient monitoring of methane and other gases and that Republic Services does not appear to be an honest and trustworthy reporter of what is going on at the landfill. Please reject the expansion. It is bad for our air, our water, the beauty of our space and its potential for future catastrophic damage to our area. Enough!!

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This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.138.133.138

From: Tom Hewes
To: Benton Public Comment
Subject: coffin Butte CUP testimony
Date: Monday, April 21, 2025 4:52:39 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Date: April 19, 2025

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission

Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

My name is Thomas Hewes and my wife, Audrey Perkins, and I own property at 37368 Blue Heron Rd, Corvallis 97330.

I appreciate the opportunity to comment on the future of the Coffin Butte Landfill, a county planning decision of great concern to our neighborhood. My wife and I lived in the Soap Creek valley for 30 years and in Benton County for 51 years. Our property is 5 miles south of the landfill and we are adversely affected by the landfill stench, the noise and the pollution of water and airspace. I oppose any further expansion of the Coffin Butte Landfill and urge the Planning Commission to reject this application.

We believe the Planning Commission will find that the Applicant, Republic Services, has not been honest about their activities and have not provided evidence that conditional use permit issuance would not violate County Development Code criteria and Comprehensive Plan policies.

The proposed expansion would seriously interfere with the use of our land and the use of land surrounding the landfill. Furthermore, any approval of Application LU-24-027 would directly violate Benton County Code criteria 53.215(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;* and BCC 53.215(2*): The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area.*

The PFAS—which are forever chemicals contained in the leachate that Coffin Butte produces— are currently trucked to public wastewater treatment plants in Corvallis and Salem, both of which discharge into the Willamette River. The last five years PFAS levels have ranged from 25.6 to 31.8 million gallons per year, with an average of 28.5. Last year the amount was 29.1 million gallons. These leachate tanker trucks have a capacity of 7,000 gallons, which means they are making 6 to 13 trips per day to effectively dump this toxic leachate into our river.

That PFAS laden leachate is ending up in the water we drink and in our bodies. Future generations are drinking the PFAS-laden water. That is in violation of Benton County Comprehensive Plan policy 6.5.5 ("*Benton County shall strive for the safe storage, collection, reduction, reuse, recovery, and appropriate disposal of hazardous waste materials*.")

For 30 years we have lived and witnessed the landfill grow, especially in the last 15 years.

We can see the landfill from our property, and it is a canker sore in the beautiful landscape of Benton County. Coffin Butte Landfill also pollutes the water we drink and the air we breathe.

The proposed expansion does nothing to align with Benton County's 2040 Thriving Communities Initiative. This expansion undermines our shared goals for responsible, environmental stewardship, prioritizing public health, and sustainable waste management.

I believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities!

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County and its residents.

From: Tom Hewes
To: Benton Public Comment
Subject: coffin Butte testimony against CUP
Date: Monday, April 21, 2025 4:58:15 PM

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Date: April 19, 2025

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission

Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

Thomas Hewes, mailto:thomashewes11@gmail.com, **37368 Blue Heron Rd, Corvallis, OR 97330 File Number** [LU-21-047

My name is Thomas Hewes. First, thank you for truly listening tonight.

My wife, Audrey Perkins, and I live in Soap Creek Valley at **37368 Blue Heron Rd, Corvallis, OR 97330**, about five miles south of the landfill. Hearing that very fact has caused some members of the county staff to dismiss my and other neighbors' concerns, using the glib term NIMBY- not in my back yard. This dismissal of Benton County residents' contributions to our shared governance strikes me as a convenient way of not having to consider complex issues and is both irresponsible and not wise governance.

Another comment made was that we are a small yet vocal minority that doesn't represent the thousands of Benton County residents who don't seem to object to this expansion approval, a fact that some committee members felt was obvious since those thousands of residents not living close by are not here objecting. Again, this does not reflect wise thinking. Consider that our location means that we are the ones who are aware of what is going on and thus are spending hours and hours and hours researching and considering the wisdom of this expansion so that we understand its implications. Rather than casting us as exceptions, it is prudent to reframe that as casting us as extremely informed representatives of Benton County.

My contribution to this discussion will be brief and quite personal but, I think, should raise some red flags.

In the 30 years that we have lived here in Soap Creek Valley, just on my little stretch of road —so, within a three quarter of a mile stretch — 6 of 8 households have had someone contract cancer. That's 75% of this one sample area. Three of those households have had a family member die from cancer (ages 48,58,58), and the other three, including myself, are fighting

for our lives. These are all long term residents of Soap Creek Valley. So far we have found an additional 7 cancer cases for a total of 13 in Soap Creek area. There are more cases that we don't know about as of today.

I am not saying that the landfill is responsible for any of this. But when I was diagnosed with a blood cancer, the first question I was asked was about any environmental toxins that I might have been exposed to. We often smell the gases from the landfill drifting our way, and there is no way for me to dismiss the possibility that— despite the regulations being followed—that anyone exposed to these fumes might end up in future statistics like mine. We know that the gene mutations that cause cancer are linked to environmental factors.

I am not laying the blame on the Coffin Butte site for our misfortune. But I am saying that to approve this expansion without really doing the rigorous testing needed to make **sure** that we are safe with even *more* of these fumes heading our way nor the increased potential of contamination of our water supply.

Therefore, I conclude by saying that this CUP proposal interferes with my personal property and the character of the area. Please reject this CUP.

Thank you for your thoughtful consideration.

From:	Rose Holdorf
To:	Benton Public Comment
Cc:	Debbie Palmer; Cathy Holdorf; Andrew Child; Adam Hyla E. Holdorf; Willow Holdorf; Chrystal Young; ben bliss
Subject:	Please oppose/Deny LU-24-027
Date:	Monday, April 21, 2025 7:14:56 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

My name is Rose Holdorf and I live at 38483 Plowshares Road–one of the landfill's closest neighbors. My parents purchased the land and built our family home the year I was born, 1989. We reside on tax lot 10419B001500 and share a property line with Republic Services.

I am writing because I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to deny this application.

It is horrifying to consider what might come if Republic Services is allowed to expand a landfill site onto Tampico Ridge, the same ridge that shares a forest, foundation, and water table as my home and the homes of my neighbors. In the past five years as Republic has ramped up business, the existing landfill has drastically changed the character of my neighborhood. It is a more prominent eyesore on my drive home, I have to pick up more fly away garbage from our property, it smells worse and more frequently than I ever remember in my 36 years of calling this place my home, and for the first time in my life I can actually see the landfill from my living room. The lights from the top of the landfill glare through the trees and the truck motors and beeping backup noises echo through my window early in the morning.

The proposed expansion could devastate the assets my family has cultivated on this land. Building a new landfill cell on the opposite side of Coffin Butte Road keeps me up at night. After 36 years, will we be forced to move? Will we lose all property value? Will our well water become contaminated and undrinkable, or dry up? Will living even closer to a landfill cell give us cancer or make us sick? How will the excavation of the cell, digging deep into our shared hillside, affect the literal foundation from which my family's life in the Soap Creek Valley was built?

The proposed expansion would seriously interfere with the character of the surrounding area and impose an undue burden on public resources, in violation of Benton County Code 53.215 (1) and (2).

In my adult years, every choice I have made–which jobs I choose, how I spend my

free time, how I envision my life ahead of me–has come down to a central question: how can I continue to steward and thrive in the place where I am from? I love where I live and feel so lucky to reside in a house and tend to the land that my family has nourished for my whole life. I feel I live in the most beautiful place in the world. I look forward to taking care of this place and making it even better for the generations to come. I hope Benton County will do its part and envision a future for our community that is sustained by clean air, drinkable water, and solutions to our waste that prioritizes its residents health and wellbeing.

Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County and my lifelong home.

Sincerely,

Rose Holdorf
38483 Plowshares Road
Corvallis, OR 97330

From: Cathy Holdorf
To: Benton Public Comment
Cc: Holdorf Rose; Debbie Palmer
Subject: Landfill permit app #LU-24-027
Date: Monday, April 21, 2025 12:53:45 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Benton County Planning Commissioners,

I am writing to testify in opposition to the landfill expansion - Republic Service's permit application #LU-24-027.

Our house and 60 acres is at 38483 Plowshares Rd. We share part of our northern boundary with the landfill.
My husband (deceased) and I designed and built our 3900 sq ft house 36 years ago with the intention of having a multi-generational property that could be carried on by our family after we were gone. We sit on 30 acres zoned R10 and 30 acres EFU.

We felt we'd done our due diligence in researching the future and impact of the landfill. It was relatively small at the time and not very noticeable from our property, nor from Hwy 99. It was well-kept by the Bunn Bros, with the installation of the wildlife area near the highway, and timely covering of garbage. They even planted wildflowers and clover in the covering soil. And we were told that the landfill would "sunset" in 30 or so years.

Well, things have certainly changed. Now we have a true mountain of garbage, much of which is visibly uncovered and in plain sight from Hwy 99, Tampico, and Soap Creek Roads. Even when areas are covered with plastic, it takes a long time before being covered with soil. There is an endless stream of trucks and noise, and an almost constant stench at all times of day and night.

Republic Services does not seem to show any regard for it's impact on neighboring properties - only on how much garbage they can pack in.

I am very concerned that if Republic is allowed to start a new landfill on the south side of Coffin Butte Rd, our property value would plummet and our well water would be at risk for contamination - or perhaps dry up altogether. This, in addition to the certainty of more noise, worse odors, and likely carcinogenic contaminants in the air. (Already, we are witnessing terrible dust clouds from some of the dumping vehicles.)

And aside from the issues of those of us along the ridge… what about all of those new Adair Village houses? That is a fast-growing community very close by.

This landfill is already a health hazard and has a big negative impact to the community at large - as an eyesore, from the stench and from the garbage along the roads and in fields & yards, and from the endless trucks that bring garbage from so many counties far away. And what of the leachate from all of that toxic garbage? What is that contaminating?

There is so much bad that will come if this landfill is allowed to get bigger. A landfill this size should be far away from a residential area. Please do not allow it to grow.
PLEASE deny this application!

Respectfully, Catherine Holdorf



Nick Fowler, Chair
Benton County Planning Commission

RE: Coffin Butte testimony

April 18, 2025

Dagmar Johnson, Fred Hughes
1455 NW Greenwood Place
Corvallis OR 97330



Benton County Planning Commission
Nick Fowler, Chair

Dear Mr. Fowler,

We are writing in opposition to the plan to expand the Coffin Butte Landfill, and urge the commissioners to **reject** this dangerously shortsighted proposal.

First of all, Valley Landfills has proven to be an untrustworthy partner in the past:

Dangerous under-reporting of methane pollution by Valley Landfills, despite 2023 satellite images that show some of the largest methane plumes in the Pacific Northwest emanating from Coffin Butte. In 2022 and in 2024, the EPA found levels of methane 20 times higher than EPA limits leaking from Coffin Butte, after Valley Landfills had reported only negligible leakage.

Other hazardous pollutants, including mercury, lead, industrial solvents, and "forever chemicals" (PFAs) leach out of the landfill and end up in the Willamette River. In 2021, 31 million gallons of leachate were pumped out of Coffin Butte and sent to wastewater treatment plants in Corvallis and Salem, where the leachate passed through treatment plants **not equipped to capture PFAs**, and then dumped into the Willamette River. Their leachate discharge permit has not been renewed, so where will they dispose of it next?

Where is the evidence that Valley Landfills will adhere to regulations in an expanded landfill?

Regarding your **Criteria 1**:
A landfill expansion will seriously interfere with the health and well-being of adjacent residents and public lands within a four-mile radius, where widespread drift of noxious chemicals is regularly detected by residents and recreationists.

The environmental impact of Coffin Butte extends well beyond the landfill itself. The smell of rotting garbage percolates across the northern part of Benton County along with a cocktail of toxic chemicals: vinyl chloride, ethyl benzene, toluene, benzene; that endanger public health and welfare. Expanding the Coffin Butte landfill will certainly expand the release of these toxins.

Criteria 2:
A landfill expansion will increase toxic pollution into the Willamette River, putting increased burden on public utilities by further fouling municipal sources of drinking water.

Expanding Benton County's burden of risk and liability will seriously hamstring the county's capacity to make future public improvements, facilities, utilities, or services available to the area and to the residents of Benton County.

Criteria 3:
Coffin Butte already receives one-third of all of Oregon's garbage, much of it in large loads of unsorted solid waste. Valley Landfills makes little effort to encourage recycling and waste reduction. An ever-larger landfill serves far-flung communities that choose to ignore the importance of waste reduction and leaves the residents of Benton County with ever increasing liability and cleanup costs.

An expansion of the landfill and the current status-quo approach to waste management violates the shift toward Sustainable Materials Management criteria endorsed by Benton County and the state of Oregon.

Thank you for your consideration,

Dagmar Johnson

Fred Hughes

From: George Hutchinson
To: Benton Public Comment
Subject: LU-24-027 : Coffin Butte Landfill Proposed Expansion
Date: Monday, April 21, 2025 11:42:43 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners-

My family of voters—daughter Molly Hutchinson, son Connor Hutchinson and I are strongly opposed to any expansion of the Coffin Butte landfill.

We have lived in Benton County for almost twenty years. We were drawn to Corvallis because of the quality of its public schools, OSU, the town's commitment to alternative means of transportation, the existence of the Sustainability Coalition its commitment to protect our and natural environment and the commitment of Corvallis voters to maintain that. The fact that the landfill—the dump—is as close to town as it is challenges our commitment to public health and a sustainable environment.

The landfill is, and will continue to be, a toxic waste site. As the Audubon Society correctly stated: "We oppose any further expansion of the Coffin Butte Landfill and urge the Planning Commission to reject this application. We believe the Planning Commission will find that the Applicant, Republic Services, does not provide evidence to conclude that conditional use permit issuance would not violate County Development Code criteria and Comprehensive Plan policies. Further, based on its current performance, Republic Services cannot be expected to demonstrate that it can assure the County of its future compliance with any conditions that the county might issue.

We assert that any approval of Application LU-24-027 would directly violate Benton County Code criteria 53.215(1) and 53.215(2). We further assert that such a decision would violate or otherwise evade County Comprehensive Plan policies 5.1.2, 5.1.5, 5.2.1, 5.3.1, 5.4.1, 5.4.2, 5.4.3, 5.6.7, 5.7.4, 5.8.2, 5.9.1, 5.9.4, 5.9.5, 5.9.7, 6.1.2, 6.5.7 and 6.5.8. In addition, as Benton County has committed to a Prairie Species Habitat Conservation Plan (HCP) under Section 10 of the U.S. Endangered Species Act, covered species protections and long-term actions committed to by Benton County under the accompanying Prairie Conservation Strategy must not be further compromised by permitting further expansion of the Coffin Butte Landfill. Such approval would also directly counter state-wide goals for species and county-identified priority habitats under the E.E. Wilson Wildlife Management Plan and the Oregon Conservation Strategy."

For generations this site will be producing and leaking climate changing methane gas, odors that affect neighbors and travelers, and leachate that contaminates ground water and the

Willamette River. Though good management practices could reduce, but not eliminate, the adverse effects of the landfill on our community, the history of management at Coffin Butte landfill has not indicated compliance with best practices.

The county needs to develop waste management plans that eliminate land filling. Alternatives could include packaging which is either compostible or already has an established market for recycling/reuse. It is high time we all recognize that there is no safe "throwing away" of toxic materials and chemicals on our planet.

Thank you for rejecting this proposed expansion and for working to create an alternative to land filling—burying our toxic garbage.

Sincerely,

George Hutchinson 305 SE Park Avenue Corvallis, OR 97333



Nick Fowler, Chair
Benton County Planning Commission

RE: Coffin Butte testimony

April 18, 2025

Dagmar Johnson, Fred Hughes
1455 NW Greenwood Place
Corvallis OR 97330



Benton County Planning Commission
Nick Fowler, Chair

Dear Mr. Fowler,

We are writing in opposition to the plan to expand the Coffin Butte Landfill, and urge the commissioners to **reject** this dangerously shortsighted proposal.

First of all, Valley Landfills has proven to be an untrustworthy partner in the past:

Dangerous under-reporting of methane pollution by Valley Landfills, despite 2023 satellite images that show some of the largest methane plumes in the Pacific Northwest emanating from Coffin Butte. In 2022 and in 2024, the EPA found levels of methane 20 times higher than EPA limits leaking from Coffin Butte, after Valley Landfills had reported only negligible leakage.

Other hazardous pollutants, including mercury, lead, industrial solvents, and "forever chemicals" (PFAs) leach out of the landfill and end up in the Willamette River. In 2021, 31 million gallons of leachate were pumped out of Coffin Butte and sent to wastewater treatment plants in Corvallis and Salem, where the leachate passed through treatment plants **not equipped to capture PFAs**, and then dumped into the Willamette River. Their leachate discharge permit has not been renewed, so where will they dispose of it next?

Where is the evidence that Valley Landfills will adhere to regulations in an expanded landfill?

Regarding your **Criteria 1**:
A landfill expansion will seriously interfere with the health and well-being of adjacent residents and public lands within a four-mile radius, where widespread drift of noxious chemicals is regularly detected by residents and recreationists.

The environmental impact of Coffin Butte extends well beyond the landfill itself. The smell of rotting garbage percolates across the northern part of Benton County along with a cocktail of toxic chemicals: vinyl chloride, ethyl benzene, toluene, benzene; that endanger public health and welfare. Expanding the Coffin Butte landfill will certainly expand the release of these toxins.

Criteria 2:
A landfill expansion will increase toxic pollution into the Willamette River, putting increased burden on public utilities by further fouling municipal sources of drinking water.

Expanding Benton County's burden of risk and liability will seriously hamstring the county's capacity to make future public improvements, facilities, utilities, or services available to the area and to the residents of Benton County.

Criteria 3:
Coffin Butte already receives one-third of all of Oregon's garbage, much of it in large loads of unsorted solid waste. Valley Landfills makes little effort to encourage recycling and waste reduction. An ever-larger landfill serves far-flung communities that choose to ignore the importance of waste reduction and leaves the residents of Benton County with ever increasing liability and cleanup costs.

An expansion of the landfill and the current status-quo approach to waste management violates the shift toward Sustainable Materials Management criteria endorsed by Benton County and the state of Oregon.

Thank you for your consideration,

Dagmar Johnson

Fred Hughes

From:	Debora Johnson
To:	Benton Public Comment
Subject:	Oppose/Deny LU-24-027
Date:	Monday, April 21, 2025 4:18:08 PM

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Dear Benton County Planning Commissioners:

Our Names are Debora L. and K. Norman Johnson
28831 Tampico Road, Corvallis OR. 97330
541-745-5261

We have lived at our current residence near Coffin Butte Landfill for 30 years. We oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte Landfill.

Over the past 30 years we have watched as:

- The landfill's wetland mitigation projects have gone from ponds with native plant species heavily used by waterfowl, to ponds overgrown by invasive species like the yellow flag iris (*Iris pseudacorus*). The adjacent uplands are increasingly covered by an expansive and diverse assemblage of invasive species.
- Production at what was once a modest quarry ramped up and took down an entire side of Coffin Butte leaving an enormous scar.
- The noise from backup beeping alarms on landfill equipment has continued to increase and oftentimes starts very early in the morning (although we were told 30 years ago by landfill employees that quieter backup warning systems were available).
- There has been a general decrease in communication between landfill representatives and the local community. It seems like Republic Services has absolutely no interest in the well-being or concerns of nearby residents.

We oppose the landfill expansion proposal because we believe that:

- The natural environment on the lands owned by Republic Services in and around the landfill will continue to be degraded and destroyed.
- The expansion that we have watched over the past 30 years as more and more refuse is taken in from distant locations has impacted both the community and the environment. The landfill is poorly located to begin with and should not be allowed to expand without end.
- The groundwater that provides the water that we drink and the water we use for our large vegetable gardens could be irreversibly contaminated.
- The noise from the backup beeping will only get worse.
- Methane emissions from the landfill are poorly managed and contribute to anthropogenic climate warming.

Republic Services should not begin to discuss landfill expansion until it has made significant progress filling the quarry and restoring Coffin Butte to its former pastoral beauty. We believe that this will take quite a few years, during which time they could also try to build community trust.

Thank you for considering our comments.

From: Legrande Johnson
To: Benton Public Comment
Subject: Oppose/deny LU-24-027
Date: Monday, April 21, 2025 2:40:04 PM

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Dear Benton County Commissioners,

My name is Becky Legrande and I live at 1730 NW Sulphur Springs Road in Corvallis.

I am writing because I strongly oppose Republic Services Conditional Use Permit application LU-24-027 to expand Coffin Butte Landfill. I urge the Planning Commission to deny this application.

The proposed expansion would seriously interfere with the character of the surrounding area and impose an undue burden on public resources in violation of Benton County Code 53.215 (1) and (2)..

The concern over air and water pollution are legion and apparently Republic Services does not comply with the regulations. They have not demonstrated that they believe they have any need to comply with these regulations.

They apparently expanded this landfill beyond its original size by hauling in garbage from all over the state. Our local neighbors should not fall victim to decreasing quality of life because a corporation is trying to make as much money as it possibly can. If they received only the garbage from nearby areas, this expansion would not be an issue.

But there would still be the issue of compliance, which they have been unable to demonstrate a willingness to follow.

The proposed expansion does nothing to align with Benton Sounty's 2040 Thriving Communities Initiative.

I believe the county should invest in waste reduction, recycling and circular economy solutions, not expanding landfills that perpetuate pollution and place a long term burden on local communities!

Please reject LU-24-027.. Thank you for your consideration and for protecting the health and future of Benton County

Sincerely,

Becky J Legrande
Corvallis, OR. 97330

From: Legrande Johnson
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 3:31:50 PM

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To: publiccomment@bentoncountyor.gov

Subject: Oppose/Deny LU-24-027
Body:

Dear Benton County Planning Commissioners,

My name is Jennifer Johnson and I live at 1730 NW Sulphur Springs Rd, Corvallis.

I am writing because I strongly oppose Republic Services Conditional Use Permit application LU-24-027 to expand the Coffin butte landfill. I urge the Planning Commission to deny this application.

The proposed expansion would seriously affect Benton County property owner's use of and value of their homes. Nearby properties are already adversely affected by the presence of the landfill. It is a massive, odorous, eyesore sited poorly on cracked basalt which poses great environmental risk. Allowing it to become any larger, causing increased pollution and risk to our water and air is unacceptable. Those of us who live in Benton County have no need for a bigger landfill. Our waste makes up only a tiny fraction of the daily intake at the landfill. There is no benefit to residents of Benton County for an even larger, massive landfill.

Republic Services has not been a good neighbor to the residents of the county and they have not earned the trust of the community. They have been fined repeatedly for exceeding gas limits and yet they have not made good faith efforts to remedy the methane leaks and fire risk. How can their promises to follow the rules be trusted when fines do nothing to deter bad management? Allowing an expansion will only insure additional pollution and risk to our community. Payment of fines for safety violations and polluting our air and water does nothing to remedy the harm caused to the community.

The expansion request offers no benefit to our community. It is not needed. Housing is limited, land for development is limited, land for natural areas and wildlife is increasingly limited, land for sustainable business in our community is limited. Our community has many competing needs for our limited resources. Allowing the expansion of a landfill that the community does not need is completely in opposition to Benton County's 2040 Thriving Communities Initiative.

The landfill has already permanently damaged our environment. What possible benefit to the county can there be to allowing additional land to be permanently destroyed?

I urge you to reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.

Sincerely,

Jennifer Johnson
Corvallis, OR 97330

From: Kevin Kenaga
To: Benton Public Comment
Subject: LU-24-27 PLEASE DENY
Date: Monday, April 21, 2025 11:41:33 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

Benton County certainly does not need any landfill expansion. Republic Services, an Arizona based corporation, is requesting an expansion to benefit its shareholders. While placing an undue burden on the residents of not only Benton County and the state of Oregon but beyond. The EPA inspections (which were submitted by Mark Yeager on April 20, 2025 as testimony) disclose Republic Services lack of compliance with state and federal regulations covering landfill emissions. The methane emissions from Republic Services Coffin Butte landfill are placing an ongoing undue burden on Benton County and beyond. It is hard to understand how Republic Services can even be allowed to file an expansion application with the existing undue burden on Benton County residents. Republic Services had plenty of time to remedy the methane emissions problem between the 2022 and the 2024 inspections and failed to do so. Their failure to remedy the methane emissions problem is evidence that they can't control the methane emissions from Coffin Butte landfill.

I want to thank all of you on the Planning Commission for your volunteer work.
Please DENY LU-24-27 due to the undue burden this DUMP operator has placed and will continue to place with any expansion allowed.

Sincerely,
Kevin Kenaga
37461 Soap Creek Road
Corvallis, Oregon 97330

From:	HOTCHKISS Jason F
To:	HOTCHKISS Jason F
Subject:	FW: LU-24-027
Date:	Tuesday, April 22, 2025 12:21:34 PM

From: Kevin Kenaga <kjkenaga@gmail.com>
Sent: Monday, April 21, 2025 2:27 PM
To: Benton Public Comment <PublicComment@bentoncountyor.gov>
Subject: LU-24-027

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Dear Benton County Planning Commissioners,
I am sending you these photos and others to document issues with the daily landfill operation. These photos document the lack of daily cover and also no daily cover at Republic Services Coffin Butte landfill. I believe that leading up to this CUP application you were given a tour of the landfill. Please keep in mind that the tour you were given is much like a realtor's open house with everything all spiffed up and nothing out of place.
When you read the testimony of what was previously known as the Audubon remember these photos because at the end of the work day literally thousands of birds come to the uncovered area of the landfill to scavenge on garbage. Lots of unhealthy meals and plenty of plastic for the birds to consume.
If you happen to read testimony from residents and local farmers about crop damage think about these photos because this landfill buffet increases bird population and not in a healthy way.

I want to thank all of you on the Planning Commission for your volunteer work.
Please DENY LU-24-027 due to the undue burden this DUMP places on gardeners, farmers and wildlife.

Sincerely,
Kevin Kenaga
37461 Soap Creek Road
Corvallis, Oregon 97330

From: HOTCHKISS Jason F
To: HOTCHKISS Jason F
Subject: FW: LU-24-027 Please DENY
Date: Tuesday, April 22, 2025 12:32:28 PM

From: Kevin Kenaga <kjkenaga@gmail.com>
Sent: Monday, April 21, 2025 2:46 PM
To: Benton Public Comment <PublicComment@bentoncountyor.gov>
Subject: LU-24-027 Please DENY

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commission,
This group of photos document the dust that blows off the landfill. Please keep these photos in mind when you are reading a testimony about dust being an undue burden. Dust not only covers the area surrounding the landfill but literally travels for miles. Also keep in mind that this isn't organic soil blowing off a farm field but rather most likely a mix of pollutants and toxic materials being dumped onto the landfill. Dust is an undue burden and this application should be DENIED.

I want to thank all of you on the Planning Commission for your volunteer work.
Please DENY LU-24-027 due to the undue burden this DUMP places and will continue to place on Benton County and beyond.

Sincerely,
Kevin Kenaga
37461 Soap Creek Road
Corvallis, Oregon 97330

From: Kevin Kenaga
To: Benton Public Comment
Subject: LU-24-027 PLEASE DENY
Date: Monday, April 21, 2025 4:21:46 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commission,
During this public testimony period and your deliberations please keep in mind that any expansion of Republic Services Coffin Butte landfill is, has been and will continue to be a generational issue and undue burden on BentonCounty residents and beyond. The request for an expansion has been denied multiple times why because what was once a small whole in the ground where garbage was burned has grown into a massive pile of garbage covering a hillside of Coffin Butte. Coffin Butte landfill is not the little county landfill it once was it is now a massive industrial scale landfill that has quite simply put outgrown its footprint. The applicant is now asking that an area that was once considered part of the buffer zone be used for the placement of garbage. This massive pile of garbage and the operation which involves truck traffic into and out of the landfill, machinery being operated on the landfill which all creates dust that covers the immediate area and also is wind blown for literally miles around 1)does seriously interfere with uses on adjacent property, with the character of the area, and with the purpose of the zone; 2) the proposed use does impose an undue burden on public improvements, facilities, utilities, and services available to the area, just in the amount of traffic to and from the landfill.
Owners of the landfill applied for an expansion in the 1980's denied, another applied again in the 1990's denied, Republic Services applied for an expansion in 2021 denied (this is all of record in #BCTT). Yet, Republic Services is back with another expansion application. This is part of what I mean when I say generational issue. Expansion requests in the past were denied because of the undue burden placed on previous generations undue burdens that continue today. This continuous return with an application to expanded is another undue burden on Benton County residents.
I not only ask that you DENY LU-24-027. I ask that you please have verbiage in your denial that prevents any further expansion applications for the area around Coffin Butte Landfill? Future generations should not have to go through this process ever again!

I want to thank all of you on the Planning Commission for your volunteer work.

Please DENY LU-24-027 due to the undue burden this DUMP has placed and will continue to place on Benton County and beyond with any expansion allowed.

Sincerely,
Kevin Kenaga
37461 Soap Creek Road
Corvallis, Oregon 97330

From:	Kevin Kenaga
To:	Benton Public Comment
Subject:	LU-24-027
Date:	Monday, April 21, 2025 5:00:50 PM
Attachments:	bctt_final_report_4-11-2023.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Submitted as public testimony.

https://cd.bentoncountyor.gov/wp-content/uploads/2023/12/bctt_final_report_4-11-2023.pdf



Benton County

TALKS TRASH SOLID WASTE PROCESS WORKGROUP REPORT

April 2023

WORKING TOGETHER FOR A BETTER FUTURE

BENTON COUNTY TALKS TRASH

Sponsored by:

Benton County OREGON

While the Benton County Talks Trash workgroup was sponsored by the Benton County Board of Commissioners, this document represents the independent deliberations and decisions of the Workgroup. It was not reviewed or endorsed by the Board of Commissioners before publishing.

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WORKING TOGETHER FOR
A BETTER FUTURE
BENTON
COUNTY
TALKS
TRASH
Benton
County
OREGON

Letter of Transmittal

April 11, 2023

To: Benton County Board of Commissioners
From: BCTT through Sam Imperati, Facilitator
RE: Benton County Talks Trash Workgroup Report

Please accept this final report, which summarizes the results of a community-driven Benton County solid waste workgroup process, also known as "Benton County Talks Trash" (BCTT).

The Benton County Board of Commissioners (BOC) hired ICMresolutions to assess, design, and facilitate a Workgroup process to establish common understandings, to develop findings and recommendations for processing future Conditional Use Permits (CUP), and to develop a detailed outline for a Sustainable Materials Management Plan (SMMP).

To accomplish this, the Board appointed Workgroup members that were representative of community voices. The Charter elements were allocated between five subcommittees consisting of both Workgroup and interested community members. The process began on September 8, 2022, and ended on April 10, 2023. During that time, participants attended 11 public Workgroup meetings and 86 subcommittee meetings.

The Workgroup formally vetted 124 Findings and 94 Recommendations for the Board's consideration. Overall, the Workgroup achieved 94% agreement on the 218 Findings and Recommendations. There were six findings and six recommendations where at least one member voted against it, but each received a majority recommendation.

Here is a summary table of the final polling.

SMMP = Sustainable Materials Management Plan

LSCL = Landfill Size/Capacity/Longevity

LLU = Legal Issues and Land Use

CUP = Past Land Use Application Conditions

CEO = Community Education and Public Outreach

Consensus Polling Process

"Consensus" is achieved when all Polling Members poll "1" or "2." If "consensus" is not achieved, the Majority-Minority result is noted. The following definitions are used to reflect the range of options available to members.

- "1" indicates full support for the proposal as stated.
- "2" indicates the participant can agree with the proposal as stated but would prefer to have it modified in some manner to give it full support. Nevertheless, the member will support the consensus even if his/her suggested modifications are not supported by the rest of the group because the proposal is worthy of general support as written.

- "3" indicates refusal to support the proposal as stated.

We did not have time to poll on items where there were only 2s. Based on experience, that exercise would likely have created an even more robust consensus. It was noted several times during the process that anyone could poll a 3 to block a "consensus." The full record of what was polled upon, the alternative language that was considered, and the provided reasoning in the informal polling for 2s and 3s can be found in Appendix B. The Workgroup only polled on the findings and recommendations in each subcommittee's section of IV. Key Workgroup Findings & Recommendations. While vetted by each responsible subcommittee in advance, the remaining contents of those sections were not polled upon by the entire Workgroup.

			Unanimous Agreement		"Consensus" Agreement		Majority-Minority Approval	
WG/Sub Committee	Findings and Recs	Total	# with all 1s	% with only 1s	# with no 3 votes	% with no 3 votes	# with at least one 3	% with at least one 3
Total	Findings	124	73	58.9%	117	94.4%	6	4.8%
Total	Recs	94	42	44.7%	88	93.6%	6	6.4%
SMMP	Findings	8	1	12.5%	8	100.0%	0	0.0%
SMMP	Recs	28	10	35.7%	28	100.0%	0	0.0%
LSCL	Findings	42	26	61.9%	41	97.6%	1	2.4%
LSCL	Recs	12	1	8.3%	12	100.0%	0	0.0%
LLU	Findings	35	23	65.7%	30	85.7%	5	14.3%
LLU	Recs	13	5	38.5%	9	69.2%	4	30.8%
CUP	Findings	33	22	66.7%	33	100.0%	0	0.0%
CUP	Recs	25	13	52.0%	23	92.0%	2	8.0%
CEO	Findings	6	1	16.7%	5	83.3%	0	0.0%
CEO	Recs	16	13	81.3%	16	100.0%	0	0.0%

Not every member polled on every topic. Some were absent and one member polled "present" on some topics. In some cases, there are multiple polls on the same topic. Three potential findings on the petition circulating were removed at the last meeting. Details surrounding who polled in what way can be found in the M-11 Meeting Minutes HERE.

The following information is provided for further context.

1) The Workgroup process was designed to serve as a "bridge" between past events and any next steps. The goal was to help reset the current dynamics through the development of "common understandings" and recommended protocols for future consideration of solid waste issues.
2) The Workgroup accomplished a substantial amount of work in a relatively short period of time, but much remains to be done.

3) For example, the Workgroup recommends conducting a benefit-cost analysis during the SMMP process that will follow.
4) To the disappointment of some, BCTT was never designed to complete an SMMP, nor to opine on the merits of any past or future CUP expansion. It was designed to develop common understandings and identify paths forward. Those goals were met.
5) The History section was not part of the original Charge, but the Workgroup felt it would provide important context. It was not designed to be an advocacy piece. It contains consensus-based facts and events.
6) The process and its scope were challenged throughout by those who insisted on a different approach and scope despite clear and repeated Board direction. At times, those challenges became personal in nature.
7) When creating findings, the goal was to produce relevant, verifiable facts – not speculation or opinions framed as facts.
8) The Planning Commission and the Solid Waste Advisory Council (SWAC) provided feedback on an earlier draft of this report, which the Workgroup considered and responded to in the form of edits to this report.
9) A summary of the public outreach and public involvement efforts can be found HERE. They include extended comment periods, open houses, and an informal poll of emerging recommendations. The informal public poll was designed to offer the public an additional opportunity to express their views to the Workgroup. The results can be found HERE.
10) For the first time, the County has virtually all of the key documents organized and accessible in one place. They include both County and DEQ records over the past five decades.
11) During the process, the Board agreed with the facilitator's Assessment recommendations to retain outside legal and planning advice for the anticipated expansion CUP application.
12) The main body of the official report contains appriximately 188 pages. The polling results in Appendix B are also part of the official report. The numerous hyperlinks in the body to the other appendices are provided for convenience. The contents of the Appendices were not polled by the full Workgroup. They were vetted by each relevant subcommittee and are provided for background. Where inconsistent, the official report controls, and the meeting video controls over the report.
13) Past and present Workgroup and subcommittee members were given an opportunity to submit an individual member statement. Those can be found HERE and are an important part of this report because the candid comments provide both substantive and process insights ranging from criticism to support.
14) A BCTT process evaluation was conducted and the results can be found in Appendix F, HERE. With regard to the overall process, one member was "dissatisfied," one was "somewhat dissatisfied," and seven were "satisfied." Readers are encouraged to review the full results and form their own conclusions.
15) In light of the sheer volume of material and limited time between the last meeting and today, there was insufficient time to have this document professionally edited or formatted. We apologize.
16) The Board's authorized public comment process begins today and ends on May 26, 2023. Information can be found HERE.

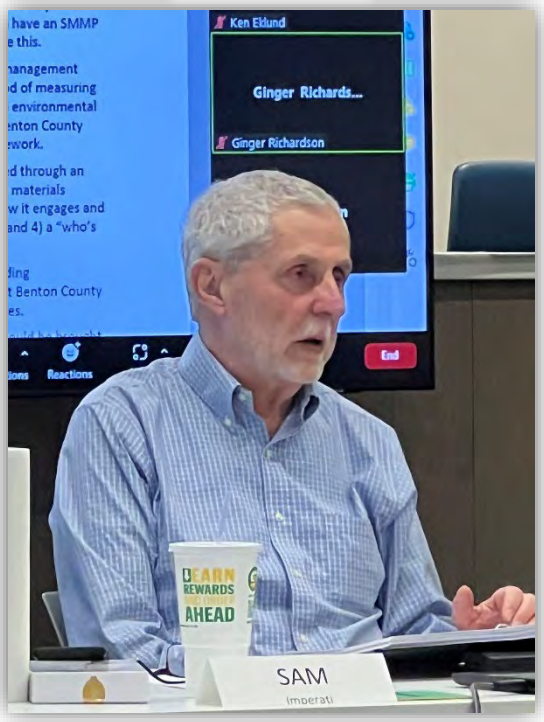
Finally, we want to thank the Board and staff for their leadership and support on this important effort. Most of all, we want to thank the members of the public who served on this project for their tireless efforts and meaningful contributions. This is their work product.

Respectfully Submitted,

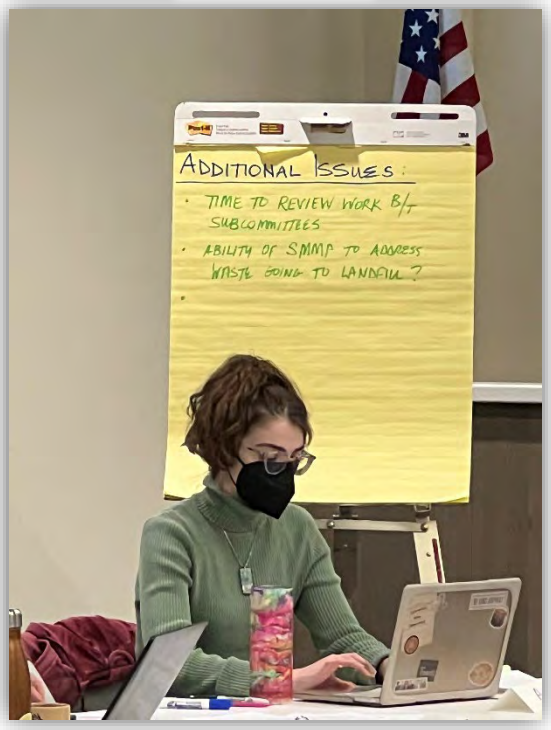
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How to read this document

For a general overview of the process and key recommendations, please see the Executive Summary. For more detail, please read the body of the full report. The Findings and Recommendations are often linked to the relevant appendix for background purposes only.

Project Website

https://www.co.benton.or.us/cd/page/solid-waste-process-work-group

On behalf of the Workgroup and the Benton County Board of Commissioners, thank you for reading this report – and *a special thank you for your interest in a sustainable materials management future!*

Executive Summary

Since World War II, the southern end of Coffin Butte in north Benton County, Oregon, has served as a solid waste dump site in one form or another. Over time, the site has changed and grown – beginning as a rock quarry, then a U.S Army garbage dump/burn pile, Coffin Butte now serves as a full-scale regional landfill serving dozens of communities in western Oregon and Washington. While the site has changed and grown over time, Benton County has not adopted a plan for managing the site or the waste left there over the decades.

From Conflict to Collaboration

Following a pair of conflicting 2021 decisions from its appointed solid waste and land use bodies, and in response to substantial community concern over a proposed landfill expansion, the Board of County Commissioners asked Oregon Consensus to help understand the situation and identify, if possible, a constructive path forward on solid waste and disposal, including at the Coffin Butte Landfill. Following the Board's direction, a third-party facilitation team helped convene a community member-based Workgroup representing a diverse balance of perspectives and established a Charter and Bylaws to guide the work.

Dubbed "*Benton County Talks Trash*," the Workgroup was tasked with building "common understandings" around key topics and outlining the table of contents for a modern, long-term Sustainable Materials Management Plan. To complete these tasks, the Workgroup established five subcommittees to dive into specific topic areas and then report back to the full Workgroup. Subcommittees focused on:

- Developing a Sustainable Materials Management Plan (SMMP)
- Estimating the Landfill Size, Capacity and Longevity
- Clarifying legal issues and reviewing land use law
- Determining the status of past land use Conditions of Approval
- Improving Community Education and Outreach

Sustainable Materials Management Plan (8 Findings and 28 Recommendations)

One key purpose of the BCTT Workgroup is to develop a list of issues that should be addressed in a long-term Sustainable Materials Management Plan. That subcommittee spent some time fleshing out the scope of a recommended plan and then organized that scope into a draft "Table of Contents" for a plan that will be completed by an experienced third-party consulting team working with the Board, the community, and the landfill operators. The scope emphasizes cradle-to-cradle lifecycle analyses and a shift to circular economic thinking and incorporating 2040 Healthy Communities values to replace traditional linear materials models that end in a landfill.

Subcommittees focused on understanding the history and decisions surrounding solid waste over the past fifty plus years that led to where we are today. The SMMP report focuses on the needs and issues that will help lead Benton County, the mid-Willamette Valley and Oregon to where it needs to be in a more sustainable future. This section includes a list of Questions that consultants and the County can use to frame the thinking about this new paradigm, its benefits, and the practical paths to get there. Learn more about the cutting edge thinking and a new approach to materials management, including the SMMP Subcommittee's recommendations HERE.

Landfill Size, Capacity and Longevity (42 Findings and 12 Recommendations)

Estimating the size, capacity and life span of the Coffin Butte Landfill required that Subcommittee to weigh a balance a range of disparate factors, all of which could impact the amount of waste placed at the landfill. Members used tables, charts and graphs to understand and communicate solid waste volumes, including potential wildfires, regulatory changes and the future size of the landfill. The Subcommittee offers a range of possible life spans based on those variables and provides recommendations in its Report HERE.

Land Use and Legal Issues (35 Findings and 13 Recommendations)

The Legal Issues and Land Use Subcommittee provides analysis of Oregon land use law and the Benton County Development Code, as well insights into past negotiations of fee and hauling agreements between Benton County and the landfill operators. Attorneys representing the community, Republic Services and Benton County, along with staff and community members explore insights into the legal constraints and authorities surrounding solid waste and the landfill, and offer Recommendations HERE.

Past Conditions of Land Use Approval (33 Findings and 25 Recommendations)

To understand how we got to where we are, the Past Land Use Applications Committee collected and reviewed more than five decades of documents – many pulled from boxes at the various archive storage rooms at Benton County and the Oregon Department of Environmental Quality – to develop recommendations that highlight the importance of making clear public decisions, and also highlight the need for more transparency in decisions and documents that effect solid waste and the landfill. The Subcommittee asked searching questions about the volume and treatment of liquid leachate that is collected from the landfill's rainwater runoff. They asked about the logic for prior conditions of approval and whether and how those conditions are enforced over time.

As a result of the Subcommittee's diligent exploration, Benton County now has a nearly complete set of records relating to the Coffin Butte Landfill – one of several important "firsts" that emerged from the BCTT effort. This section of the Report holds insights that will benefit the community, the County, landfill operators and the State of Oregon. Read the Subcommittee's detailed critique and specific recommendations for improvement HERE.

Community Outreach and Education (6 Findings and 16 Recommendations)

Picking up on the themes of transparency, public outreach and community-wide inclusion, the Community Education and Outreach Subcommittee identified areas of opportunity to improve how Benton County and Republic Services communicate with the public about landfill and solid waste issues, including providing earlier notice of potential decisions at the landfill and in negotiated solid waste agreements. Many of the Subcommittee's recommendations are simply good practice for government.

Overall Process and Public Participation

Benton County's "Benton County Talks Trash" Workgroup met eleven times between September 8, 2022, and April 4, 2023. All Workgroup meetings were open to the public and

included opportunity for written and oral public participation. The project hosted an initial Open House at the County's Kalapuya Building on November 17, 2022, after the fifth Workgroup meeting. The project hosted a second Open House at the County's Kalapuya Building on April 4, 2023.

The county engaged in various outreach efforts throughout the process. The highlights can be found HERE.

Recordings of the Workgroup meetings are available HERE, as well as meeting minutes and summaries.

The Benton County Talks Trash Workgroup members spent countless hours researching, discussing, and organizing the common understandings and recommendations outlined in this Report. The efforts reflected in this Report provide a resource that will serve Benton County and interested community members for the *next* fifty years . . . and beyond. Their leadership, and their combined commitment to accuracy and collaboration are a model for other efforts and will serve Benton County and Oregon for generations.

During the process, the Workgroup created five Subcommittees to take on various parts of the Charter Elements. Information on the Subcommittees' work products can be found in Appendix C of this report. This report contains the Workgroup's complete work product from the community-driven process. The Workgroup's formally vetted Findings and Recommendations are provided to the Board of Commissioners and posted publicly on April 4, 2023, for their consideration.

In addition to the Findings and Recommendations, the Workgroup polled on the Executive Summary and History. It did NOT poll on the rest of the document, including the Appendix. While linked to the findings and recommendations for ease of reference, the Appendix is for background purposes only.

One item came up too late in the process for the Workgroup to vet or was left unresolved for future work. Metro Council adopted Ordinance No. 17-1401, a Landfill capacity policy that prohibits the disposal of waste generated within the Metro region at a new or "limited capacity landfill." A "limited capacity landfill" is one that seeks a site development plan amendment for expansion.

Finally, this process did NOT opine on Republic Services' expected Coffin Butte expansion application. It was designed to serve as a "bridge" between past events and next steps through the development of "common understandings."



Project Acknowledgments

Board of Commissioners

Nancy Wyse
Pat Malone
Xan Augerot

Workgroup Members

Voting Members

Andrew Struthers

Catherine Biscoe
Christopher McMorran
Chuck Gilbert
Ed Pitera
Elizabeth (Liz) Irish
John Deuel
Kathryn Duvall
Louisa Shelby
Marge Popp
Mary Parmigiani
Russ Knocke
Ryan McAlister
Shawn Edmonds

Non-Voting / Ex-Officio Members

Audrey O'Brian
Brian May
Daniel Redick
Sean McGuire
Shane Sanderson

Alternates

Andrew Johnson
Ginger Rough Richardson
Jennifer (Jen) Brown
Julie Jackson

Previous Members

Brandon Bates
Brian Fuller
Joel Geier
Nancy Whitcombe
Scott Kruger

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Maura Kwiatowski
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Vance Croney

Facilitation Team

Sam Imperati, Principal Facilitator
Institute for Conflict Management, Inc.
Amelia Webb, Associate Facilitator
Institute for Conflict Management, Inc.

Land Acknowledgment: The Land We're On

Indigenous tribes and bands have been with the lands that we inhabit today throughout Oregon and across the Pacific Northwest since time immemorial and continue to be a vibrant part of Oregon today. We would like to express our respect to the First Peoples of this land, including the federally recognized and the traditionally recognized Tribal communities that have historically and currently reside on these lands. We also recognize that a land acknowledgement is only the first step as we continue to learn and build relationships with Tribal Nations and members of their communities.



Map credit: Atlas of Oregon (2nd ed.) University of Oregon Press, 2001.

What we now know as Benton County was previously inhabited by tribes of the Kalapuya people indigenous to this location. Today, most of the Kalapuya people are enrolled as members of the federally recognized Confederated Tribes of the Grand Ronde Community of Oregon and/or the Confederated Tribes of the Siletz. Prior to colonization and white settlement, the Kalapuya people were believed to have a population of around 15,000 souls. Diseases, illnesses, and violence from settlers led the Kalapuya population to drastically shrink, and by 1849, there are estimates that the population varied between 60 to 600 people. Today, the Kalapuya Tribe is believed to include around 4,000 people.

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. Despite the settlement of these lands, this was and will continue to remain the home of the Kalapuya. We recognize the pre-existing and continued sovereignty of the tribes who have ties to this place and thank them for continuing to share their knowledge and perspectives on how we care for, impact, and protect the land we live on. We commit to honoring the history of this County as we continue engaging in collaborative partnerships with the tribes and communities indigenous to these lands.




Benton County
HISTORY O
COFFIN BUT
LANDFILL
Benton County Talks Trash

Acronyms

BCTT	Benton County Talks Trash
BOC	Board of County Commissioners
CAC	Citizen Advisory Committee
CUP	Conditional Use Permit
CY	Cubic Yard (yd^3)
CY	Calendar Year
DEQ	Department of Environmental Quality, State of Oregon
DSAC	Disposal Site Advisory Committee (DSAC)
EOL	End of life
EPA	Environmental Protection Agency, United States
FA	Franchise Agreement
FAQs	Frequently Asked Questions
LS	Landfill Site and/or Landfill Site zone
LUBA	Land Use Board of Appeals
MOU	Memorandum of Understanding
MT	Million tons
RFP	Request for Proposals
RSI	Republic Services, Inc. (also “Republic”)
SMMP	Sustainable Materials Management Plan
SWAC	Solid Waste Advisory Council (SWAC)
SWMP	Solid Waste Management Plan
TAC	Technical Advisory Committee
VLI	Valley Landfills, Inc.

I. Process Background

Context

Before the formation of the "Benton County Talks Trash" (BCTT) workgroup, the County contracted with Oregon Consensus to conduct a situation assessment with the following Scope:

> Benton County and key stakeholders seek assistance identifying and implementing a constructive path forward relating to sustainable materials management and the future of solid waste disposal in the Mid-Willamette Valley, including at the Coffin Butte regional landfill. Following a [December 7, 2021] Benton County Planning Commission denial of a proposed conditional use permit to expand the landfill, key participants recognize that a constructive path forward could benefit from the assistance of a third-party facilitator. Key stakeholders believe that an objective assessment of the situation, conducted by an impartial third party, would be a good first step. (Emphasis added).

Based on this original Scope, the County asked Oregon Consensus to complete a third-party situational assessment. The Benton County Solid Waste Situational Assessment Report (Assessment Report) can be found HERE. The BOC accepted the Report during its July 19, 2022 meeting and approved funding for the third-party facilitated process at its July 26, 2022 meeting.

Subsequently, on August 23, 2022 the Board approved a Charter and Bylaws for the BCTT workgroup, which can be found HERE.

Membership

Workgroup members fall into one of two categories: a) Polling Members; and b) Ex Officio Members. Polling Members have full rights of participation and are authorized to "poll" on issues to determine levels of consensus. Ex Officio Members have full rights of participation but are "non-polling" information sources. All members could bring technical resources to the meetings; technical resources could be used to participate in the discussions with permission of the Facilitator after a WORKGROUP discussion on the advantages and disadvantages surrounding their participation.

Each WORKGROUP member was allowed to assign one alternate for the process. That person was required to have full authority to represent their Organization/Interest Group. If the alternate was attending, the primary member was required to provide written notice to the Facilitator at least 72 hours in advance of that meeting's start time.

Original Membership - Provided in the Charter

Organization/Interest Group	WORKGROUP Member	Polling	Ex Officio	Charge
SWAC/DSAC	Joel Geier	X		All
SWAC/DSAC	Marge Popp	X		All
Planning Commission	Nancy Whitcombe	X		All
Planning Commission	Elizabeth Irish	X		All
Republic Services: National	Russ Knocke	X		All but C

Republic Services: Local	Shawn Edmonds	X		All but C
Public	Brandon Bates	X		All
Public	John Deuel	X		All
Public	Kathryn Duvall	X		All
Public	Christopher McMorran	X		All
Public	Ryan McAlister	X		All
Public	Mary Parmigiani	X		All
Public	Ed Pitera	X		All
Public	Louisa Shelby	X		All
DEQ	Brian Fuller		X	All but D
Neighboring Jurisdiction	Marion County: Administrator Designee		X	Only C
Neighboring Jurisdiction	Linn County: Administrator Designee		X	Only C
Benton County Staff	Daniel Redick		X	All
Benton County Staff	Scott Kruger		X	All

Membership at the End of the Process

Organization/Interest Group	WORKGROUP Member	Polling	Ex Officio	Charge
SWAC/DSAC	Chuck Gilbert	X		All
SWAC/DSAC	Marge Popp	X		All
Planning Commission	Elizabeth Irish	X		All
Planning Commission	Andrew Struthers	X		All
Republic: National	Russ Knocke ALT: Ginger Rough	X		All but C
Republic: Local	Shawn Edmonds ALT: Julie Jackson	X		All but C
Public	John Deuel	X		All
Public	Kathryn Duvall	X		All
Public	Christopher McMorran	X		All
Public	Ryan McAlister	X		All
Public	Mary Parmigiani	X		All
Public	Ed Pitera	X		All
Public	Louisa Shelby	X		All
Public	Catherine Biscoe	X		All
DEQ	Audrey O'Brien		X	All but D
Marion County	Brian May ALT: Andrew Johnson		X	Only C
Linn County	Shane Sanderson		X	Only C
Benton County Staff	Daniel Redick		X	All
Benton County Staff	Sean McGuire ALT: Jen Brown		X	All

Charter

1. Scope & Charge

The Workgroup process was designed to serve as a "bridge" between past events and next steps. The goal was to help reset the current dynamics through the development of "common understandings" and recommended protocols for future consideration of the solid waste issues.

This Workgroup is not a decision-making body. It is a recommendation-making body with the following Scope. (See ASSESSMENT REPORT for details.) The recommendations are not binding on decision makers in any subsequent land use review but will help inform all parties going into a review process.

Here are the core elements of the Charge.

A) Develop Common Understandings to form the basis of the work
B) Clarify existing criteria and information requirements for the land use review process for any proposed landfill expansion
C) Scope the necessary tasks to start a Long-Term Sustainable Materials Management Plan process
D) Provide input on additional topics raised in the ASSESSMENT REPORT
E) Consider creating a public-facing document and community education campaign on these topics

2. Process for Workgroup Recommendations

The Facilitator assisted the Workgroup and its members in identifying objectives, addressing the diversity of perspectives, and developing substantive, practical recommendations. The Workgroup strove for and used a "consensus" recommendation-making approach to determine their level of agreement on proposals. This allowed members to distinguish underlying values, interests, and concerns with the overall goal of developing widely accepted solutions.

Consensus does not mean 100% agreement on each part of every issue, but rather support for a decision, "taken as a whole." This means that a member may poll to support a consensus proposal even though they would prefer to have it modified in some manner to give it their full support. Consensus is a process of "give and take," of finding common ground and developing creative solutions in a way that everyone can support. Consensus is reached if all members support an idea or can say, "I can live with that."

When developing recommendations, the Workgroup addressed each issue individually, and in various combinations. The Workgroup determined whether it wanted to make packaged or individual recommendations at the end of the process, following the full benefit of hearing all Subcommittee and Workgroup discussions.

"1-2-3" Consensus Polling: The Facilitator assisted the WORKGROUP in articulating points of agreement, as well as articulating concerns that required further exploration. The Workgroup used a "Consensus Polling" procedure for assessing the group's opinion and adjusting proposals. In "Consensus Polling," the Facilitator articulates the proposal. Each voting member then offers "one," "two," or "three," reflecting the following:

- A “1” indicates full support for the proposal as stated.
- A “2” indicates the participant can agree with the proposal as stated but would prefer to have it modified in some manner to give it full support. Nevertheless, the member will support the consensus even if his/her suggested modifications are not supported by the rest of the group because the proposal is worthy of general support as written.
- A “3” indicates refusal to support the proposal as stated.

The Facilitator repeats the consensus voting process as reasonably practical and as time allows to assist the group in achieving consensus regarding a particular recommendation, so that all Polling Members poll “1” or “2.” The results are noted in the Workgroup Report.

No Consensus – Majority and Minority Recommendations: If consensus on an issue is not likely, as determined by the Facilitator, the poll results for the options considered will be presented to the BOC.

Summary of Workgroup Recommendations: The meeting summaries serve as the record of the Workgroup recommendations. Past and present members of the workgroup and public members of the subcommittees were invited to submit additional information. The Facilitator packaged all these submittals for Board review in Section VII, below.

Subcommittee Introduction

At the third Workgroup meeting (October 6, 2022), the Workgroup identified five Subcommittees that would take on various parts of the Charter elements, consistently reporting back to the Workgroup as they progressed. This was done so specific Charter elements could be addressed at the level of depth deemed necessary by the Workgroup and by those with the most expertise and interest. Once formed, each Subcommittee met roughly twice between each Workgroup meeting.

The information surrounding these Subcommittees (such as charge, members, and key work products) can be found in their respective sections of Part IV. of this report, “Key Workgroup Findings & Recommendations.”

History of Coffin Butte

Main Themes

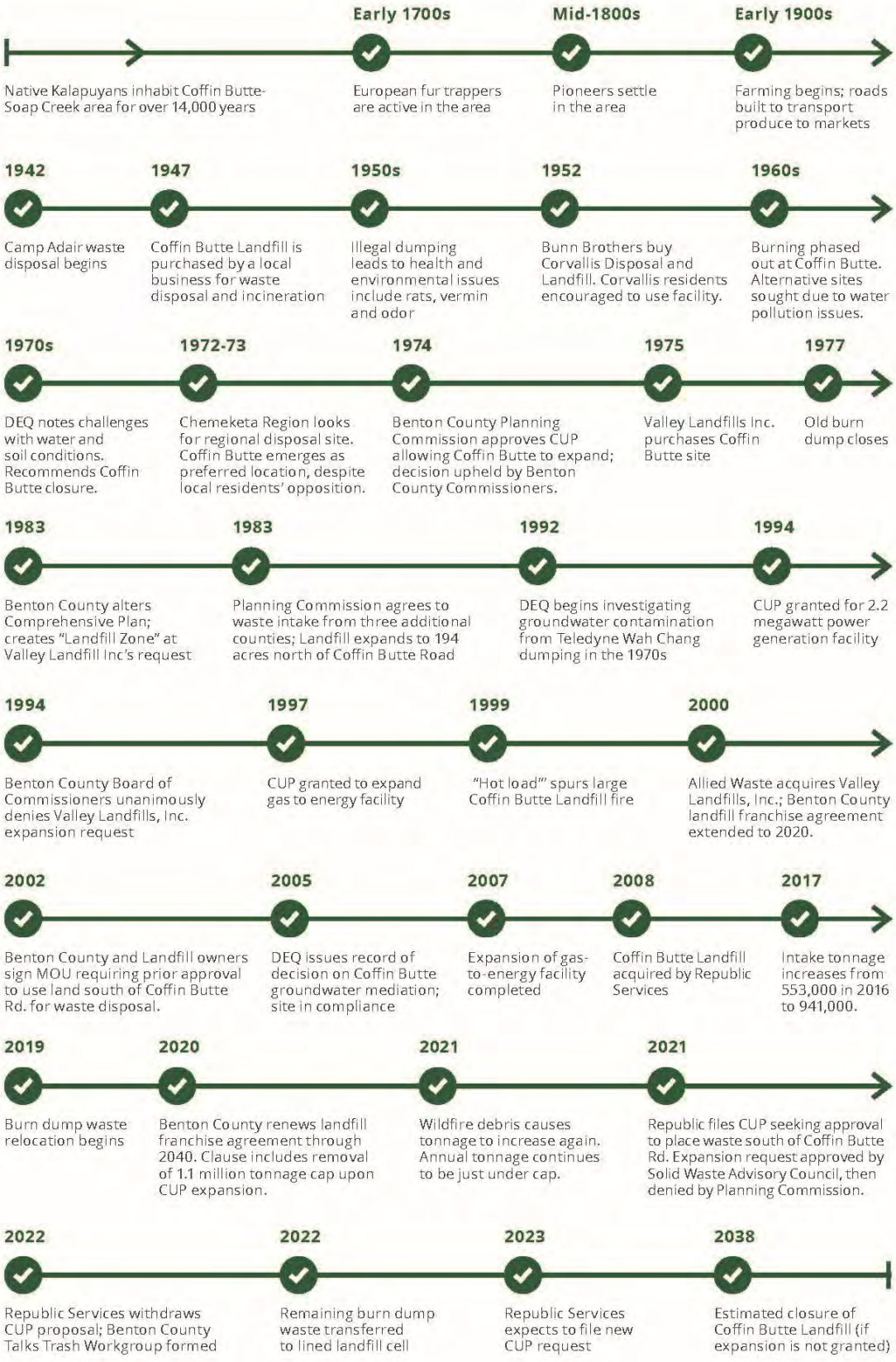
- The siting of the Coffin Butte landfill reflected Benton County’s early desire to control random dumping in rural areas and the initial choice of location stemmed from the historical uses of Camp Adair in the 1940s. Benton County explored alternative sites in the 1970s.
- Coffin Butte Landfill transitioned incrementally from local ownership to becoming part of a national corporate strategy under Allied Waste. Republic Services acquired Allied Waste and the Landfill in 2008, following a Department of Justice review of the merger.
- Historically, the interests of landfill owners and operators and those of the neighbors and other Benton County residents have not always coincided.

- Both remaining landfill capacity and lifespan are based on industrial modeling and have been historically overestimated.
- Issues surrounding the Coffin Butte Landfill have been the subject of strong public involvement. Periodic conflicts were equitably resolved with parties reporting adequate acceptance. Sometimes expansion was approved and sometimes it was not.
- Before the late 2020s, SWAC meeting notices and major upcoming Franchise Agreement renewals were regularly posted in the local papers. No public notice was found for either the 2020 Franchise Agreement or the 2021 CUP application.
- Increased pressure for landfill expansion is driven largely by demand from outside Benton County. This includes other counties that represent 88% of CBL annual intake.
- Benton County discretionary revenue from the surcharge on tonnage delivered to the Coffin Butte Landfill in 2022 is estimated to be $2,040,000.[1]



[1] See *Benton County, Oregon: Adopted Biennium Budget 2021-2023*, page 11.

Coffin Butte: Key dates and ownership changes



The Coffin Butte landfill can be thought of as the product of diverse historical factors. The current Benton County operation evolved in response to:

- a longstanding local need for a place to dispose of solid waste refuse,
- the development of the specific Coffin Butte site through a series of incremental decisions, and
- searches for lower-cost refuse disposal sites in western Oregon and Washington.

To help understand the diversity of these factors, this History is organized under three sections:

1) a review of the geographical and historical context of the Coffin Butte location,

2) Benton County's history of landfill decision-making leading up to Coffin Butte becoming the preeminent site for the county and region, and

3) the social context surrounding specific events regarding ownership, operation, and permitting leading to the current facilities and practices found at Coffin Butte in 2023.

Section 1: The History and Geography of the Coffin Butte Area

Geography, Geology, and Climate of the Coffin Butte Area

The Coffin Butte landfill site is located about seven miles north of Corvallis on Highway 99W. The site is at the northwest corner of the intersection of Highway 99 and Coffin Butte Road, immediately west of the E.E. Wilson State Wildlife Refuge. Coffin Butte is at the northern end of Soap Creek Valley, but Soap Creek and its valley continue north along the west side of Coffin Butte before entering the Willamette Valley.

While the needs and concerns regarding waste disposal and associated issues affect Benton County and neighboring counties of Polk, Linn, Marion, and Yamhill, the areas most impacted by Coffin Butte operations are the neighboring areas to the north and south along Highway 99W, Soap Creek Valley, the E.E. Wilson Wildlife Area, Adair Village, areas to the east which can see the operation and are most likely to be impacted by the potential for off-site odor, and Independence Road which bears much of the truck traffic and debris.

The landfill is in a topographic divide between the two valleys. Groundwater flows both east and west from the area of Coffin Butte Landfill and Tampico Ridge, depending on the underlying geology.[2] Steve Taylor et al. note that there is an unnamed tributary between Coffin Butte and Tampico Ridge and that "associated wetlands drain east-ward toward the E.E. Wilson National Wildlife Refuge."[3] Rainfall in the area is approximately 42 inches a year, with the majority falling between November and May.[4]

[2] Oregon Department of Environmental Quality, "Coffin Butte: Record of Decision," October 2005, p. 4. https://www.deq.state.or.us/Webdocs/Controls/Output/PdfHandler.ashx?p=a9aeec5b-8ac7-4658-b0e5-d475ca0c6ebd.pdf&s=CoffinButteROD(10-05).pdf

[3] Steve Taylor, Bryan Dutton, and Pete Poston. "Luckiamute River Watershed, Upper Willamette Basin: An Integrated Environmental Study for K12 Educators". This is an instructional field note for a course taught by full professors of Earth Sciences and Biology.

[4] Oregon Department of Environmental Quality, "Coffin Butte: Record of Decision", October 2005, p. 3. https://www.deq.state.or.us/Webdocs/Controls/Output/PdfHandler.ashx?p=a9aeec5b-8ac7-4658-b0e5-d475ca0c6ebd.pdf&s=CoffinButteROD(10-05).pdf

Figure 1 - the Coffin Butte Landfill & Pacific Region Compost Annual Report 2021, Page 1



Coffin Butte itself is approximately 738 feet above sea level. The operating landfill is on the southeastern slope of Coffin Butte, north of Coffin Butte Road. Ancillary facilities such as administrative offices, leachate ponds, and a power station fueled by methane from the landfill are located south of Coffin Butte Road. The southwest side of Coffin Butte has a rock quarry operated by Knife River. The rock quarry area, also referred to as Cell Six, is currently planned to be the next area of expansion for the landfill unless the permits are changed.

The earthquake hazard in this area is significant, particularly because of the Cascade subduction zone. Kent Yu et al. note that there have been over 40 earthquakes of magnitude eight or greater and in 1700, one of magnitude 9.[5] A published study by Ram Kulkarni and others states: "… the probabilities of an M9 earthquake during the next 50 and 100 years were estimated to

[5] Kent Yu, S, J Wilson, and Y, Yang. "Overview of the Oregon Resilience Plan for Next Cascadia Earthquake and Tsunami". *Proceedings of the 10TH National Conference in Earthquake Engineering*, Earthquake Engineering Research Institute, Anchorage, AK, 2014. https://www.researchgate.net/publication/281411611_Overview_of_the_Oregon_Resilience_Plan_for_next_Cascadia_Earthquake_and_Tsunami\

be 0.17 and 0.25, respectively."[6] When approving the expansion of the Riverbend Landfill in Yamhill County, the DEQ noted that the only westside landfill rated for a 9.0 earthquake was Short Mountain, while Coffin Butte and Hillsboro were rated to withstand quakes lower than the 8.5 that Riverbend was designed for.[7] Nevertheless, Coffin Butte landfill is in compliance with all EPA regulations regarding the construction of landfills to withstand seismic activity and, according to Republic Services, is rated for an 8.48 event.

History of the Coffin Butte Area

The archeology and history of the region are of great importance to many people involved in Coffin Butte decision-making. In his oral history of the Soap Creek Valley, Zybach notes how before Western contact, the Pacific Northwest was one of the world's more densely populated nonagricultural regions. However, with the introduction of smallpox, malaria, measles, influenza, and other diseases from explorers and traders, over 96% of the local Kalapuyan people died within two generations, particularly from malaria, in 1831-1832.[8]

Tools from the Kalapuyan people have been found throughout the Soap Creek and Coffin Butte area.[9] In 2022, the Oregon State Archeologist, John Pouley, recommended a professional archaeological survey of the proposed expansion area and consultation with all appropriate Native American tribes.[10] Republic Services has hired the firm Archaeological Investigations to research the area. Their report is expected in Spring 2023. One significant cultural practice of the Kalapuyans was the use of annual prescribed fires. Zybach notes this "broadcast burning" served a variety of purposes, including control of unwanted plants (such as Douglas Fir), the enhancement of favored plants (such as camas), easier hunting, and other benefits such as gathering grasshoppers.[11] The Soap Creek Valley was settled early by white pioneers, probably aided by the native American clearing of land by burning.

Figure 2 - View of Coffin Butte Before the Landfill: Rohner family on their farm in the 1930s (photo by Bob Zyback).



[6] Ram Kulkarni, Ram Kulkarni; Ivan Wong; Judith Zachariasen; Chris Goldfinger; and Martin Lawrence, "Statistical Analyses of Great Earthquake Recurrence along the Cascadia Subduction Zone." *Bulletin of the Seismological Society of America*. October 8, 2013. P. 3205.

[7] Scott Learn, "Bigger Yamhill Landfill OK'ed". The Oregonian (May 31, 2013).

[8] Zybach, 2000, p. 72-73.

[9] Ibid., P. 120.

[10] 2022 Conditional Use Permit Staff Report. Benton County Development Department. File No. LU-21-047

[11] Zybach, 2000, pp. 118-119.

The area had a colorful history in the 1800s and 1900s. For example, the town of Tampico, located south of Coffin Butte in Soap Creek Valley on the Applegate Trail, was briefly a thriving and boisterous place until purchased by the wealthy pioneer Greenberry Smith. A local driving guide notes that, "On January 23, 1860, the pious Smith purchased Tampico and burned the entire town to the ground, including stores and homes as well as the saloons, brothels, and gambling dens."[12]

Letitia Carson, one of the first black pioneers in the Willamette Valley, was a very early resident of Soap Creek Valley. A formerly enslaved African American, Carson came to Oregon with David Carson in 1845. When David died in 1852, her neighbor Greenberry Smith (the same man who burned down Tampico) took advantage of her unclear legal status to sell off her property. Letitia soon moved to Douglas County but successfully sued Greenberry for $300 in lost wages and $1400 for the loss of her cattle and legal costs. The Black Oregon Land Trust has expressed interest in establishing a model farm on the Letitia Carson homesite.[13]

Figure 3 - Construction of Camp Adair & Coffin Butte Road: Overlook of Camp Adair in early 1940s, from slope on Coffin Butte looking east/southeast (photo from the Salem, OR Library's "Ben Maxwell Collection").



The biggest local change, following white settlement, occurred in 1941 when the U.S. Army chose to build a military training base on the site of the town of Wells which was at the center of the present-day E.E. Wilson Wildlife Area. Within one month, the town was vacated, and houses and barns were bulldozed to be replaced by barracks. The camp itself covered an area two miles wide and six miles long with 1800 buildings. The camp was the second-largest city in Oregon at the time and housed roughly 40,000 troops. The area that eventually became E. E.

[12] "Northwest Benton County Route". Benton County, Oregon. < https://www.co.benton.or.us/sites/default/files/fileattachments/historic_resources_commission/page/6876/driving_tour_part_ii.pdf

[13] "Resilience, opportunity, and struggle: Preserving and sharing the history of Letitia Carson" *Salem Statesman-Journal* (June 20, 2022)

Wilson was referred to as “Swamp Adair” due to the constant rain, mud, and standing water. The Army built sewer and drainage systems that emptied wetlands and channelized streams.[14]

Following the World War II, the residential population slowly increased until the 1970s, at which time growth accelerated rapidly. While there are no estimates of the population of other north Benton County areas close to Coffin Butte, *Nextdoor* estimates that Soap Creek Valley has 1992 residents.[15] Although there is extensive farming along the transit routes leading to Coffin Butte, most area adults commute to work; most homes are on lots less than 10 acres in size, and most families are not directly associated with large-scale farming or forestry practices. But the values generated by ‘living on the land’ are still strongly felt. Coffin Butte Road serves as a primary emergency exit route for Soap Creek residents and a commuter route for those working in Monmouth-Independence and Salem.

Today, the unusually cohesive Soap Creek community works together to restore and maintain the Soap Creek Schoolhouse, a symbol of the valley. Built in 1935 and actively used until 1946, the structure was restored by the community and remains a meeting place for local activities and an annual fund-raising event.[16]

Figure 4 - Soap Creek Schoolhouse (photo by Charles Risen at Adobe Stock Images).



The Coffin Butte Area Today: Wildlife Habitat and Protection

Besides the vibrant community in Soap Creek Valley and the historical significance of Camp Adair, this area is noteworthy today as the home to the E.E. Wilson Wildlife Area, located just across Highway 99W from Coffin Butte Landfill.

E. E. Wilson Wildlife Area

The E.E. Wilson Wildlife Area came into existence in 1950 when the U.S. Government gave quitclaim title to the property to the Oregon Department of Fish and Wildlife. The site was originally built to serve as a US Army cantonment in 1940 and functioned as Camp Adair during the WWII era. The wildlife area covers approximately 1,788 acres of oak woodland, upland shrub, and grassland habitats. The refuge management plan’s primary goal is to manage the

[14] Oregon Department of Fish and Wildlife. “Visitor Guide: E.E. Wilson Wildlife Area History”. https://www.dfw.state.or.us/resources/visitors/ee_wilson_wildlife_area/history.asp

[15] “Soap Creek, Corvallis”. Nextdoor. https://nextdoor.com/neighborhood/soapcreek--corvallis--or/

[16] Historic Soap Creek Schoolhouse Foundation, “Soap Creek Schoolhouse”, 2021. <https://soapcreekschoolhouse.org/index.html>

area consistent with conservation and enhancement priorities for native wildlife and the production of game species.[17]

The Coffin Butte Landfill and the E.E. Wilson Wildlife Area are located at the midpoint of a triangle of National Wildlife Refuges. This National Wildlife Refuges (refuges or NWRs) system, managed by the U.S. Fish and Wildlife Service, was established in the mid-Willamette Valley during the 1960s when the Migratory Bird Commission approved the establishment of three refuges: Ankeny, Baskett Slough, and William L. Finley.

Figure 5 - View of E.E. Wilson Wetlands opposite Angler's Pond, 2023 (photo by Marge Popp).



The area containing Coffin Butte Landfill is part of a wildlife corridor and refuge system connecting the Basket Slough, Ankeny, Luckiamute, and E. E. Wilson refuges to the William L. Finley refuge south of Corvallis on through to the Fern Ridge Wildlife area near Eugene. Soap Creek Valley, E.E. Wilson Refuge, and entire area surrounding the landfill has been identified by Benton County as a high-priority area for conservation actions to benefit key local species.[18] Tampico Ridge, the next ridge immediately south of Coffin Butte, hosts a complex mix of habitats, particularly Oak Savannah, and is the site of an ongoing research project looking at plant succession being conducted by Western Oregon University faculty and students.[19]

[17] Oregon Department of Fish and Wildlife, E.E. Wilson Wildlife Management Plan (Updated January 2019) https://www.dfw.state.or.us//wildlife/management_plans/wildlife_areas/docs/ee_wilson.pdf

[18] For one example, see: "Benton County Prairie Species Habitat Conservation Program," Benton County Natural Areas and Parks Department, 2010. https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/20770/BentonCo_001-13_ADOPTION.PDF?sequence=1&isAllowed=y

[19] Dickey, Eric. "Tampico Ridge LTER Provides Research Opportunities for WOU Students." Western Oregon University. May 14, 2021. https://wou.edu/research/2021/05/14/tampico-ridge-lter-provides-research-opportunities-for-wou-students/ A video of this project can be found at https://www2.wou.edu/nora/woutv.video.viewer?pvideoid=1754

Section 2: Historical and Social Context of Coffin Butte Landfill

Benton County Confronts Its Waste Issues: Up to 1983[20]

Waste disposal was simple in the early days of Benton County. What little waste there was before the age of plastics would simply be deposited into rivers, ravines, or anywhere convenient. Dumping along roadsides was particularly common. Over time, however, unsystematic dumping created health and sanitation problems, and eyesores. For example, on July 27, 1906, The *Corvallis Gazette* advised: "Another thing in connection to cleaning up, don't dump your trash, dead cats, dogs, and other rubbish onto the vacant lot just over the fence." By May 15, 1911, Corvallis residents could use a "garbage ground" available just a ferry ride across the river, and in June 1921, the *Daily Gazette-Times* advised residents to burn their refuse rather than dispose of it in nearby streams. By May 7, 1937, the *Gazette-Times* was reporting on the city dump's location by Kiger Island and reminding citizens they would be fined if they continue to simply dump their trash along roads.

On February 28, 1950, the county sanitarian warned the public to stay clear of the dumpsite south of town since they would be poisoning the approximately 200,000 rats there.[21] By April 5, 1950, Benton County had established a free refuse facility at the Coffin Butte Site. By April 8, 1954, Robert and Daniel Bunn owned and operated Corvallis Disposal and the Coffin Butte facility, and the *Gazette Times* boasted of the clean efficient service. But roadside dumping remained a problem for decades even after commercial trash pickup was extended to nearly all parts of the county by 1964.[22]

The late 1960s brought changing attitudes toward traditional practices of dumping and burning. By 1967 burning was being phased out as Coffin Butte evolved to be a landfill operation involving covering and sealing refuse. Accordingly, the volume of waste became an increasing problem. The early 1970s brought pressure to re-locate Benton County's landfill and the exploration of several alternate approaches to disposal. As early as October 9, 1969, Corvallis Disposal began looking for an alternate landfill site and had begun negotiating with Oregon State University to use lands east of Corvallis for that purpose. In the March 19, 1971, *Gazette-Times*, County Sanitarian Roger Hayden speculated that one day soon Benton County may be barging its wastes downriver to a regional site where proper sorting and recycling could take place. Hayden suggested at the time that eventually local solid waste would have to be taken to the eastern side of the state since western Oregon had location, water, and soil condition difficulties.[23] Without a ready alternative, however, in November of 1971, the County Commissioners approved an extension of Corvallis Disposal to use the Coffin Butte area as a landfill until December 31, 1974. Corvallis Disposal negotiated a 99-year lease option on the "Granger" site on the Independence Road near Highway 20 where they hoped to develop a landfill despite some concerns by officials about the proximity of the Willamette River.[24]

[20] Unless otherwise noted, all information here is from the *Corvallis Gazette-Times*.
[21] *Corvallis Gazette-Times*, February 28, 1950.
[22] *Corvallis Gazette-Times*, June 24, 1966.
[23] *Corvallis Gazette-Times*. May 12, 1972.
[24] *Corvallis Gazette-Times*, August 26, 1972.

In 1970, there were 17 disposal sites in a five-county area that included Benton County.[25] Only two met the new standards for landfills, as set by the Oregon DEQ. Coffin Butte was one of many sites recommended for "phasing-out" and "closure" at a later date. In April 1970, individuals representing Benton, Linn, Marion, Polk, and Yamhill counties met to discuss solid waste solutions for the five-county area. Two years later, they formed the Chemeketa Regional Solid Waste Program, a cooperative program funded via a grant from the Environmental Protection Agency (EPA).[26] The Chemeketa program is no longer in existence and no record can be found of an updated plan after the projected timelines expired.

At the time, "the Granger site" was the leading location for a regional landfill in Benton County. However, Benton County officials and residents soon expressed concerns about the plan, noting that the parcel was on prime farmland and the Willamette River Flood Plain. The opposition prompted the Chemeketa Board to go back to the drawing table, and by September 1973, four sites were under consideration for a regional landfill.

Two months later, Coffin Butte was designated as a preferred site due to cost and convenience considerations. The selection came following a public hearing in which residents opposed all four sites and a written public comment period during which Benton County received five letters opposed to Coffin Butte and four in favor. Two additional public hearings were held in February and March 1974. At the first, testimony was overwhelmingly in favor of the project. At the second, there was significant public opposition to the proposal, especially from the North Benton County Citizens Advisory group. Testimony lasted more than 3.5 hours.[27]

Ultimately, the Benton County Planning Commission approved a conditional use permit (CUP) request allowing Coffin Butte to be expanded into a regional landfill, one of several designated by the Chemeketa agreement.[28] Residents appealed but two months later the Benton County Commission upheld the Planning Commission's decision. The Chemeketa agreement was not a sweeping commitment by Benton County to take all refuse from the other counties. While the charge of the Resource Recovery center being planned for the former Camp Adair site, and now in operation, was broad, access to use Coffin Butte for refuse disposal was limited to specific areas within the partnering counties, including the general areas of Monmouth/Independence (MI), West Salem (WS), Dallas (DA), Kings Valley (KV), Corvallis (CO), Albany (AL), Lobster Valley (LV), and Monroe/Harrisburg/Halsey.[29]

[25] *Chemeketa Region Solid Waste Management Program Summary, Volume 1*. Stevens, Thompson, and Runyan, Inc. 1974. P.9
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_summary_volume_i.pdf

[26] *Chemeketa Region Solid Waste Management Program Summary, Volume 1*. Stevens, Thompson, and Runyan, Inc. 1974. PP. 3-4.
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_summary_volume_i.pdf

[27] *Corvallis Gazette-Times*, March 6, 1974.

[28] *Chemeketa Regional Solid Waste Program Technical Report*. 1974. pp. 105-112.
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_technical_report_volume_ii.pdf

[29] *Chemeketa Regional Solid Waste Program Technical Report*. 1974.
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_technical_report_volume_ii.pdf
Also see BCTT, Subcommittee A, Compliance with Past Land Use Actions and Their Status

Pressures for expansion renewed by 1981, notably with the closure of the Roche Road landfill in Linn County. The next level of expansion for Coffin Butte came in 1983 when the Benton County Planning Commission approved another expansion that the Landfill's operators said would add half a century to the site's life.[30] Although this expansion provoked less protest than in the early 1970s, the North Benton Citizen's Advisory Committee (CAC) specified that there would be no disposal of municipal solid waste on the 59.23 acre property south of Coffin Butte Road;[31] this parcel, however, was part of Republic Services' 2021 CUP application.

During the 1980s, the landfill operator purchased several properties surrounding the landfill, some belonging to residents whose water supplies were compromised as a result of landfill operations. A household well west of the landfill, on the former Helms home site, received sufficient contamination from the landfill site and was decommissioned under DEQ supervision. A DEQ report on the situation notes that practices at the landfill were being adjusted to minimize future problems, and the responses included the decommissioning of some wells. "Decommissioning water wells within the LOF ("Location of Facility") or in areas potentially downgradient of impacts removes potential exposure to contaminants in groundwater. Two wells currently proposed for decommissioning include PW-1, which is within the LOF, but currently unused, and the Helms well, which is outside and downgradient of the LOF. The Helms well will be used (with carbon filter unit) until September 2006 at which time it will be disconnected from use and scheduled for decommissioning."[32]

Coffin Butte Landfill History: Operating as a Landfill, 1983-2010[33]

In the early 1980s, plans for Coffin Butte began to evolve, driven by increasing demand to expand the volume embedded at the site and changes in ownership. The 1983 Benton County decision to allow Linn County waste operators to use Coffin Butte generated significant attention but not powerful opposition and a new 'landfill site' zone was created for the 266-acre CBL site and the site development plan allowed Valley Landfills to expand the landfill site by 10 acres.

In the 1980s, there appeared to be little concern about Coffin Butte's site life. An article in the *Gazette-Times* in August 1990 noted that Coffin Butte had an estimated lifespan of 60 to 70 more years and detailed the purchase of a new machine, the "Horizontal Fixed Hammer Hog", that could process wood into compost and wood chips. At the time, company officials said the machine would extend the Landfill's life by 20 years.[34]

In April 1994, Benton County Commissioners proposed eliminating a 10 percent surcharge on all waste coming to Coffin Butte from surrounding counties and replacing it with a 1 percent franchise fee levied on all customers. The move was an attempt to keep waste from coming into Coffin Butte from Lincoln and Tillamook counties; the latter was being sued by a company

[30] *Corvallis Gazette-Times,* April 27, 1983.

[31] North Benton County Citizen's Advisory Council submission, Benton County File PC-83-07-c(5)

[32] *Record of Decision for Coffin Butte, October 2005.* Oregon Department of Environmental Quality, October, 2005, p. 16. Also see: Wilson, Bob and Gordon Brown, "1993 Coffin Butte Annual Report", July 19, 1994. P. 4 https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8139/1993_coffin_butte_landfill_annual_report.pdf

[33] References in this section are from the *Corvallis Gazette Times* or *Albany Democrat Herald*, which generally share their reporting on these issues.

[34] *Corvallis Gazette-Times*. August 26, 1990.

that said it could offer a better rate for disposal elsewhere. County Commissioners approved the franchise fee in July to provide a "more stable funding source" for the County's solid waste program.[35] In 1994, Coffin Butte lost a significant amount of business, including 43,000 tons of paper from the James River Paper Plant and 12,000 tons from Tillamook County. Overall tonnage placed at Coffin Butte in 1993 was 313,572; that dropped to 270,645 in 1994.[36]

In addition to the surcharge debate, newspapers also covered Valley Landfills Inc.'s gas-to-energy project, a $2.4 million effort to turn methane into electricity. At its inception, the facility was capable of powering 1,500 homes with clean energy. Today, PNGC Power Plant is capable of powering 4,000 homes with clean energy. Generating energy this way is a partial solution to controlling methane produced by decomposing waste at the Landfill.

Also in 1994, Valley Landfills filed another CUP, seeking to rezone 26 acres it owned from rural residential for use as a landfill, as part of its long-term planning efforts. This was estimated to increase the capacity of the landfill by 64 to 80%.[37] As reported in the *Gazette Times* on November 3, 1994, this request encountered stiff opposition when local landowners cited concerned over smell, noise, groundwater contamination while other county residents wondered how large the county would let the landfill grow and whether increased capacity would affect the incentives to reduce consumption or recycle. About 50 people attended a Board of Commissioners' meeting in early November.[38]

The residents' perspectives in 1994 are similar to those in the 2020s. Community members argued that approval of the expansion by the County Commission after the extensive negative public testimony would show a lack of concern about what the community thinks. Specific concerns focused on the potential impact on springs and water supplies, that the change would be an exception to our state land-use goals, and how it could set precedent for even more massive change in waste disposal in the future.

Newspaper archives indicate that numerous residents wrote letters to the editor, authored op-eds or said they were concerned that: 1) eventually the county would have to close Coffin Butte Road, a critical emergency route; 2) they had existing concerns about traffic, noise, smells, and roadside litter; and 3) that potential earthquake damage to landfill liners could cause contaminants to seep into the underground water supply.[39] After delaying the vote at an earlier date, in a December 14, 1994 hearing, the Board of Commissioners unanimously denied the expansion. An article in the *Albany Democrat-Herald* reported that Commissioner Pam Folts said the Willamette Valley is not a good place for landfills because the high amount of rainfall can cause leachate to reach groundwater.[40]

In the mid-1990s, Coffin Butte, its neighbors, and elected officials worked cooperatively to solve leachate-related problems. Heavy rains in 1996 led DEQ to authorize the Landfill to pump

[35] "Proposed Franchise Fee May Eventually Boost Garbage Rates," Wed. April 6, 1994, Corvallis Gazette-Times. See also: "County Increases Fee on Landfill," Thursday, July 21, 1994, *Corvallis Gazette-Times* and original sourcing in draft: "Wilson, Bob and Gordon Brown, Benton County Environmental Health Division. Coffin Butte Landfill Annual Review 1994 Operations." August 22, 1995. P. 4

[36] *Coffin Butte Landfill and Pacific Region Compost Annual Report, 1993*, and *Coffin Butte Landfill and Pacific Region Compost Annual Report, 1994.*

[37] *Corvallis Gazette-Times*, November 3, 1994.

[38] Corvallis Gazette-Times, November 3, 1994.

[39] Example: *Corvallis Gazette-Times*. November 3, 1994 and November 14, 1994.

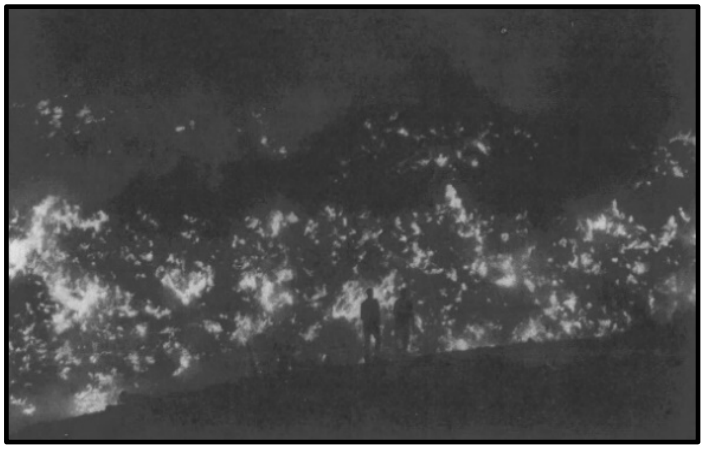
[40] *Albany Globe Democrat*. December 15, 1994.

leachate into the Willamette River on an emergency basis. (The agency later said the rain had diluted the liquid, and there was no environmental harm to the area.) To avoid a similar situation, the Landfill announced plans to raise the walls on its storage ponds, sent some leachate to the City of Corvallis for treatment, and tried new liquid processing techniques.[41]

By 1997, the landfill property had grown to 790 acres of which 194 acres were zoned for disposal. Public meeting notices regularly placed in the local paper by the County's Solid Waste Advisory Committee (SWAC) show that the public was invited to hearings that were held to approve the extension of services to each of the seven counties then served.

The second half of 1999 was eventful for Coffin Butte. On August 24, 1999, at around 6:30 pm, the landfill caught fire.[42] This fire, large enough to be covered by the Associated Press as national news, burned for more than 24 hours, prompting fire crews from Adair Village, Corvallis, Albany, and Polk County to respond. The Landfill's owner said the blaze was caused by a 'hot load' delivered to the site.

Figure 6 - Karl Maasdam/Gazette-Times August 25, 1999. Permission to use granted by OWH News Archives and Licensing Manager.



Probably more notable in the long run, on December 14, 1999, after 40 years of operating Corvallis Disposal and Coffin Butte Landfill, the Bunn Family announced they had sold their operation to Allied Waste Industries, the second largest solid waste services company in the world. Company President Duane Sorensen said of Allied, "We're really excited about these guys, they run pretty decentralized just like we do…you won't see any change."[43]

Operations at Coffin Butte changed little in the early 2000s. Throughout this period, the Solid Waste Advisory Council frequently posted public meeting notices in the local paper. In November of 2002, the Benton County Board of Commissioners signed a Memorandum of Understanding with Valley Landfills stating that Valley Landfills, Inc (VLI), "will not conduct, without the prior approval of Benton County and the State of Oregon, the placement of solid waste on the approximate 56 acres, within the landfill zone which it owns south of Coffin Butte

[41] *Corvallis Gazette-Times*, July 16, 1996.
[42] *Corvallis Gazette-Times*. August 25, 1998.
[43] *Corvallis Gazette Times*. December 15, 1999.

Road."[44] The required Benton County approval process specifies the need for a Conditional Use Permit (CUP) approved by the County Planning Commission.

In 2008, Republic Services merged with Allied Waste Industries and acquired control of the Coffin Butte facility. Republic Services, headquartered in Phoenix, has managed the landfill since.

Section 3: Current Political and Social Context of Coffin Butte Landfill

Throughout the 2000s and 2010s, the landfill operators raised trash hauling rates with relatively little public concern. In 2018, that changed when Republic Services announced that the per-load tipping rate would rise nearly fourfold, from $28.75 to $85.75. Republic Services said the rate increase sought to discourage the general public from bringing their trash to the landfill.[45] "We have a lot of traffic in and out of Coffin Butte Landfill," Julie Jackson, Republic Services' municipal manager told the Board of Commissioners. "It's becoming increasingly dangerous to have the public there."[46]

Figure 7 - View of Coffin Butte Landfill, Feb. 2023 from E.E. Wilson Archery Park (photo by Marge Popp).



Even after Republic Services dropped the rate to $40, county residents voiced their displeasure at a Commissioners Meeting.[47] Because Coffin Butte is a privately-owned landfill, Benton County could not then, and cannot now, directly regulate the rates Republic charges. However, the County was able to encourage a lower fee increase because it was in the process of renegotiating its franchise fee agreement.

The current pressure for expansion is tied to the annual volume of waste placed in Coffin Butte landfill. Although Benton County contributed less than 12% of the total intake at Coffin Butte in 2021, pressures to expand the landfill's footprint include population growth, diversion rate, wildfire debris, and according to EPA data, more waste is being generated per capita today than

[44] "Memorandum of Understanding Relating to Land Use Issues". Benton County and Valley Landfills, Inc (2002) https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/landfill_mou_2002.pdf

[45] *Corvallis Gazette Times*. December 8, 2018.

[46] *Corvallis Gazette Times*, December 8, 2018.

[47] *Corvallis Gazette Times*. December19, 2018. This article was entitled: "Public rips dump rate hike".

ever before in history.[48] It is important to recognize that the current issue of Coffin Butte is not about closure, but about the manner of expansion.

As the science behind landfill siting and maintenance progressed, sites with high rainfall and soils that have low compaction have lost favor. Also, as landfills increase in size, location in remote areas is preferable. Therefore, the newer large landfills, such as Roosevelt and Columbia Ridge disposal sites, are located east of the Cascades where meteorological, geologic, and population density conditions are more favorable.[49] Locating landfills must take into consideration factors other than environmental conditions and immediate impacts on close neighbors, including the costs to local residents of refuse disposal, the suitability of alternative disposal sites, and the financial impacts on the local government of hosting a facility. Still, many landfills on the west side of the Cascades have been closed or are in the process of closing, and the impending closure of Riverbend Landfill in Yamhill County is one justification for Coffin Butte expansion.[50]

The capacity issue is discussed in detail in another section of this report, but there is a historical component to it. The amount of waste (tonnage) being delivered to Coffin Butte has increased steadily in recent years. Annual reports submitted to the county show that tonnage in 2016 was 552,978.53. The following year, tonnage increased by 66.63 percent. Republic Services has noted that much of that increase is due to the diversion of waste from the Riverbend Landfill in Yamhill County, which was having difficulties with its expansion plans.[51] Tonnage has continued to increase on an annual basis, except for 2020, a year that was marked by significant lifestyle changes due to the global COVID-19 pandemic. There was 1,046,066.96 tons of waste deposited at Coffin Butte in 2021, an 89.17 percent increase compared to 2016 numbers. Coffin Butte currently operates under a tonnage cap of 1.1 million.[52]

The current Benton County Talks Trash (BCTT) process is a reaction to three specific decisions made by Benton County officials and Republic Services:

1. First, the public process and outcome of the December 2020 franchise agreement between Benton County and Republic Services.
2. Second, the issues raised when Republic Services applied for a CUP to expand landfill operations south of Coffin Butte Road in 2021, an application approved by the SWAC, but unanimously rejected by the county Planning Committee.
3. The third action leading to the creation of the BCTT process was the decision of Republic Services to withdraw their Board of Commission appeal of the Planning Commission decision. Instead, it reserved the option to request another CUP in the future. As a result, BCTT was created by the County Commission to develop common understandings that could inform the Board, other decision-makers, and the public on solid waste issues, including any possible future request.

[48] Environmental Protection Agency, National Overview: Facts and Figures on Materials, Wastes and Recycling. December 2020. https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials#GenerationTrends

[49] Republic Services, "Roosevelt Landfill Site: FAQs". https://www.republicservices.com/roosevelt-landfill

[50] BCTT Subcommittee A.1 Revision 5 1/10/2023

[51] The ongoing difficulties with Riverbend Landfill can be seen at: Nicole Montesano, *Yamhill County New-Register.* "Riverbend landfill stops accepting garbage". June 18, 2021.

[52] Benton County Trash Talks, "Data from Coffin Butte Landfill Annual Reports – 2014-2021", https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8317/data_from_coffin_butte_landfill_annual_reports.pdf

In each of the above situations, some residents raised concerns about the public notice process and the lack of information given to residents before decisions were made or contracts were signed. Recommendations for addressing these communication gaps are part of Subcommittee E charge to: "Develop protocols for the timely and broad distribution of CUP-related information to the public, other governmental entities, and internal committees, groups, and divisions."[53]

Benton County and Republic Services approved a hauling franchise fee agreement on June 7, 2022, a ten-year agreement, with the possibility of re-negotiation July 1, 2024. As County Commissioner Xan Augerot observed, "… while county officials have a long-standing working relationship of trust with Republic's local staff, many members of the community haven't been party to that."[54]

The Benton County Commissioners chose to transfer responsibility for solid waste management from the Health Department to the Community Development Department (effective on July 1, 2019) as negotiations over the 2020 franchise agreement were underway.

In response to a community member's public records request, an e-mail exchange was found between Republic Services Representative Julie Jackson and County Counsel Vance Croney on October 14, 2020 where County Counsel sought to clarify how the expansion across Coffin Butte Road would affect the lifespan of the landfill, and also noted that Republic Services "has many acres of EFU-zoned land that certainly can be used for additional cells, but would require rezoning."[55]

A communication breakdown between some residents and county officials regarding landfill issues became very apparent following the signing of the new Coffin Butte franchise agreement signed in mid-December 2020, which assumed an expansion of the landfill. Unlike the more highly publicized prior franchise negotiations, a review of local newspapers through 2020, while the landfill franchise agreement was being negotiated, did not reveal any announcements about the process, nor did the public seem to be made aware of the negotiation of a new franchise agreement. At the Board of Commissioners meeting to vote on the franchise agreement, the county attorney attested that there were no public comments.[56] Members of the SWAC acknowledged that they were told that this was not a matter for their consideration. This is surprising considering that a September 2020 solicitation notice for Advisory Board membership explicitly states 'review franchise agreements' as a primary responsibility.[57]

The 2020 franchise agreement over landfill operations enhanced the financial incentive for the county to support increased solid waste intake. Under the 2020 agreement, Benton County receives compensation in two forms. The "franchise fee" given for allowing the landfill to operate starts at $2 million in 2021 and rises to $3.5 million by 2024. The agreement was designed to incentivize the county to favor increased disposal volume and the landfill's expansion by adding a "host fee" compensation model. The "host fee" starts at $2.87 per ton of

[53] Benton County Talks Trash. BCTT Subcommittee E, January 23, 2023. https://www.co.benton.or.us/cd/page/bctt-subcommittee-e1-community-education

[54] *Corvallis Gazette Times*. June 9, 2022.

[55] The full email exchange and related documents can be found in Appendix G.

[56] Benton County Commissioner Meeting, December 15, 2020. From recording archive.

[57] *Corvallis Gazette-Times*. September 8, 2020.

waste in 2021, increasing to $3.99 per ton in 2024. Before the county receives the "host fee," however, the franchise fee is first subtracted from the per ton charge. If too little is disposed of, the county may receive no host fee, and the county is rewarded if more waste goes to Coffin Butte. As the franchise fee increases, the volume required to receive the host fee also increases. Furthermore, the fees will go up slightly if the landfill expansion is approved by 2023 and will go down slightly if the landfill expansion is not approved by 2025.[58] Before the vote to sign the franchise agreement, Benton County Counsel Vance Croney stated that Republic Services maintained that its ability to pay higher fees was dependent on reducing cost or increasing capacity.[59]

In May 2021, Republic Services applied to Benton County for a CUP to expand the landfill. At the July 28, 2021, meeting, the Benton County Solid Waste Advisory Committee 'strongly supported' the CUP, according to a memo submitted to the Planning Commission the next day. A search of the local papers did not reveal a public notice regarding the 2020 Franchise Agreement process nor the Republic Services CUP request that followed, but by August members of the local community formed a coordinated effort to educate themselves and fellow Benton County residents regarding what could be a doubling of the size of the Coffin Butte Landfill. Letters to the editor critical of the planned expansion began to appear in the local papers, and public meetings were well-attended by people objecting to the expansion.[60] Reporting at the time also noted Mr. Croney's financial arguments in favor of the expansion, particularly the revenue implications and possible future disposal costs for county residents of denying the expansion request.[61] These arguments engendered a *Gazette Time*s editorial endorsing the expansion.[62]

Public notice of the Planning Commission Hearing for the Republic Services CUP application (County File Number LU-21-047) regarding the Coffin Butte Landfill appeared in the local papers on October 14, 2021. Public outcry had been building over the past few months as residents began to understand the ramifications of the 2020 Franchise Agreement and the corresponding CUP, which proposed extending the landfill area south of Coffin Butte Road, which had long been viewed locally as a 'case closed' impossibility given the 1983 and 1994 agreements. During the period leading up to the first LU-21-047 Planning Commission meeting, neighbors of the landfill and residents throughout the county wrote numerous letters to the editor in the local papers, convened meetings, and gathered data regarding the proposed expansion.

While much public commentary in attributed editorials and letters to the editor opposed the expansion, several *Gazette Times* articles written by veteran reporter James Day throughout the period from October 2021 through January 2022 gave a positive account of the Coffin Butte expansion and could be said to advocate for its approval. In addition, on November 12, 2021, an unattributed full-length staff editorial in the *Gazette Times* recommended approval of Coffin

[58] Benton County/Valley Landfills, Inc. Franchise Agreement. PP. 5-6. https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/valley_landfills_landfill_franchise_agrmt_2020.pdf

[59] Benton County Board of Commissioners Meeting. December 15, 2000. Recording.

[60] There were at least three letters alone on October 20, 2021. The letters emphasized that the waste was overwhelmingly from outside of Benton County, transportation implications of an enlarged facility, and impacts on a great blue heron rookery. Another news article from that day discussed the hearing that Republic Services held to explain their plan.

[61] *Corvallis Gazette-Times*. October 31, 2021, and November 12, 2021.

[62] *Corvallis Gazette-Times*. December 2, 2021.

Butte expansion, and on December 19, 2021, the paper's editorial page feature "Roses and Raspberries" assigned a raspberry rating "to the Benton County Planning Commission for unanimously denying a proposal by Republic Services to expand the Coffin Butte landfill."

The first LU-21-047 Planning Commission meeting generated so much controversy that over a hundred residents signed up to testify at the 4.5-hour hearing, and a second meeting was scheduled to hear public comment. The more than 30 citizens speaking at the November 2, 2021, and the November 16, 2021, Planning Commission hearings all opposed the expansion.[63] Objections raised in public comments in this process are partially why the County Board of Commissioners created the Benton County Talks Trash process.

On December 7, 2021, the Planning Commission unanimously denied the LU-21-047 CUP. Republic Services filed a timely appeal of that decision to the Benton County Board of Commissioners, claiming the evidence in the record did not support the Planning Commission's conclusions. Republic also said the landfill has maintained compliance with DEQ's air quality permit regulations. But on March 15, 2022, the company informed the Board of Commissioners it would withdraw the appeal.

Meanwhile, from October 2021 to January 2022, the Solid Waste Advisory Council membership changed; three members finished their terms and two other members resigned. The Board of Commissioners then appointed four new members.

Based in part on the distinctly different decisions at the Solid Waste Advisory Council and at the Planning Commission and based on the level of opposition from neighboring community members, the Board of Commissioners asked Oregon Consensus to conduct a situation assessment to understand whether and how the County, the community, and the landfill operators might be able to move forward constructively. Oregon Consensus conducted the situation assessment and presented a Report to the Board on July 12, 2022. Based on the findings from that assessment, the Board voted to establish a Solid Waste Process Workgroup "Benton County Talks Trash." The Solid Waste Process Workgroup first met on September 8, 2022.

[63] *Corvallis Gazette-Times*. December 8, 2021.



II. Project Website and Workplans

PROJECT WEBSITE

WORKGROUP CHARTER AND BYLAWS

Initial Project Workplan

Meeting One: 9/8/22
• Introductions • Review of Charter with Process Overview • Member Comments • Charge A: Discuss Common Understandings document draft • Next Steps and Homework • Meeting Evaluation
Meeting Two: 9/15/22
• Charge A continued: Develop Common Understandings • Coffin Butte Tour • Next Steps and Homework
Meeting Three: 10/6/22
• Charge B: Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion • Next Steps and Homework
Meeting Four: 10/27/22
• Charge B continued: Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion • Next Steps and Homework • Mid-Process Evaluation

Meeting Five: 11/3/22
● Charge B continued, and Charge C: Scope the necessary tasks to start a Long-Term Sustainable Materials Management Plan process ● Next Steps and Homework
Meeting Six: 11/17/22
● Provide input on Charges D and E: Additional Topics o Hauling Reopening o Roles/Responsibilities o Timeline for code changes o Consider creating a public-facing document and community education campaign on these topics ● Authorize Draft to SWAC/DSAC and Planning Commission for comment ● Next Steps and Homework
Meeting Seven: 12/1/22
● Review SWAC/DSAC and Planning Commission Feedback ● Edit Draft Report ● Next Steps and Homework
Meeting Eight: 12/15/22
● Finalize Report to BOC ● Next Steps: The BOC is expected to consider the findings and recommendations in January 2023. ● Process Evaluation ● Celebration!

The workplan evolved over time to accommodate the needs of the Workgroup and there were 11 Workgroup Meetings held to complete the charge. The last meeting was held on April 3, 2023. The list of meetings and the links for the meeting websites are located on the Project Website linked above.

III. Workgroup Meeting Topics

Meeting Summaries for the Workgroup Meetings can be found on the Project's Website HERE

Meeting One: September 8, 2022

- Welcome & Introductions
- Participant Meeting Instructions
- Participant Commitments
- How We Got Here
- Review Major Charter Sections:
- Collaboration 101 Training
- Public Comment
- Triage Charge Elements
- Draft Report Structure Explore Common Understandings Section
- Mechanics: Add Representative Table
- Next Steps

Meeting Two: September 15, 2022

- Welcome & New Member Introductions
- Participant Meeting Instructions
- Participant Commitments
- Approve Draft Minutes from Meeting One
- Public Comment
- Meeting One Evaluation Highlights
- Homework Highlights
- Explore Common Understandings & Refine List of Missing Topics/Questions
- Discuss SWMP Table of Contents Concept
- Triage Charge Elements/Workplan
- Next Steps

Landfill Tour: September 24, 2022

- Republic (Ian) gave agenda, safety, & scale liner model speech.
- At the top of Coffin Bute hill observed the dumping area and machinery, observed the self-tipping/emptying trailers, and discussed the gas pump vacuum system.
- At an overlook of the quarry had Q&A time.
- At the power plant a CPI representative (Roman Gillen) spoke about PNCG Power owning this landfill power plant, and the Facility Manager (Steve King) gave an overview of the facility.
    - The tour was split into two groups to view the generators and interior of the power plant.

Neighborhood Tour: October 1, 2022

- Tour guide Joel Geier began with some geology, local history, and comments about the community. Then Joel and Nancy Whitcombe provided comments on topics including bird watching, disc golf, airport for model airplanes, North Palestine Baptist church, Santiam Christian school, local geology, and geologic fault lines.

- At a stop 3 miles southeast of the landfill, the group discussed tree cover and property siting.
- As the tour moved to the E.E. Wilson Archery Range, the discussion covered vehicle traffic, Yamhill landfill, Red Barn Farm, the PRC composting facility, a WWII maintenance shed, zoning, land use, terracing versus continuous slope, vegetated or productive slopes, settling and gasification processes, and the siting of landfills.
- The tour stopped at and discussed Bit-By-Bit Horse Farm.
- When viewing the quarry, the discussion focused on the leachate facility, Republic's office, invasive species, properties purchased by landfill, OSU beef ranch, monitoring wells and water contamination.
- At the historic Soap Creek Schoolhouse, Kevin Higgins, a firefighter and employee with the Benton County Sherriff's Office, gave a talk on growing up in the area, landfill fires, types of items in landfill, and DEQ. This was followed by a video testimony from Priya Tucker, of Rising Joy Flower Farm, and resident Elisabeth Pott.
- Discussion on the bus ride back focused on affordable housing and local buildings.

Meeting Three: October 6, 2022

- Welcome & New Member Introductions
- Review Participant Meeting Instructions & Agenda
- BOC Presentation
- Approve Draft Minutes: Last Meeting & Tours
- Landfill Tour Questions
- Public Comment
- Comments on Meeting Two Evaluation Suggestions
- Discuss County Counsel Deference Memo & Set Stage for Legal Subcommittee
- Check-in Activity
- Big Picture Discussion
- Stand-Up the Subcommittees
- Review Amended Workplan
- Next Steps

Meeting Four: October 27, 2022

- Welcome & New Member Introductions
- Review Participant Meeting Instructions & Agenda
- Approve M3 Draft Minutes
- BOC Action on Updated Workplan
- Public Comment
- Update on Tour Questions & Answers
- SMMO Values & Goals Discussion
- Q&A Session with Representatives from other Counties
- Subcommittee Reports
- Next Steps

Meeting Five and Open House: November 17, 2022

- Welcome
- Review Participant Meeting Instructions & Agenda

- Approve M4 Draft Minutes
- Approve Updated Tour Q&A
- Updated Workplan Facilitator 11/16/22
- Public Comment
- Subcommittee Reports
- Reintroduce Charges D & E
- Next Steps
- Open House

Meeting Six: December 15, 2022

- Welcome & New Member Introduction
- Review Agenda
- Member Shares Original Document
- Public Comment
- Subcommittees A.1. & E.1. Report
- Review & Approve M5 Minutes & Evaluation Summary
- Discuss Consultant/Attorney for Next CUP
- Subcommittee A.2 Report and A.3 B.1 Report
- Introduce & Approve Third Attorney with Poll
- Subcommittee C.1. Reports
- Updated Project Workplan
- Next steps

Meeting Seven: January 19, 2023

- Welcome and Review Agenda
- Meeting 6 Minutes and Evaluation Summary
- Review Workgroup Report Draft 2
- Land Use Acknowledgement Discussion
- Subcommittee E Presentation
- SMMP Subcommittee Presentation
- CUP Subcommittee Presentation
- Legal Subcommittee Presentation
- Capacity Subcommittee Presentation
- Key Dates Review
- Review Consultant Selection Process
- Next Steps

Meeting Eight: February 23, 2023

- Welcome and Review Agenda
- Meeting 7 Minutes
- Review Updated Workplan
- Introduce Key Findings and Key Recommendations Crosswalk Document
- Review the Feedback Plan
- Member FRs Feedback Session 1
- Member FRs Feedback Session 2

- Member FRs Feedback Session 3
- Next Steps

Meeting Nine: March 16, 2023

- Welcome and Review Agenda
- Meeting 8 Minutes
- Review Updated Workplan
- Public Polling on Recommendations
- Introduce Key Findings and Key Recommendations Crosswalk Document
- Review the night's Feedback Plan
- Member FRs Feedback Session 1
- Member FRs Feedback Session 2
- Member FRs Feedback Session 3
- Member FRs Feedback Session 4
- Discuss Final polling on Body of the WG Report, not on the Appendix.
- 1-2-3 Polling Refresher
- Next Steps

Meeting Ten: March 23, 2023

- Welcome and Review Agenda
- Meeting 9 Minutes
- Public Polling Results: Recommendations
- Review the Polling Plan
- 1-2-3 Polling Plan
- Explore F&Rs with "3s" and any New Items

Meeting Eleven: April 3, 2023

- Welcome and Review Agenda
- Meeting 10 Minutes
- Updated Public Polling Results: Recommendations
- Review the Polling Plan
- Explore F&Rs with "3s" and any New Items

Open House: April 4, 2023

- Seven stations that focused on:
    - Check-in and survey submittal
    - History section
    - Landfill Size/Capacity/Longevity
    - Sustainable Materials Management Plan
    - Past Land Use Application Conditions
    - Legal Issues and B.1. Land Use Review
    - Community Education

IV. Key Workgroup Findings & Recommendations

Each of the Subcommittee sections below is organized similarly. First, each section provides an Introduction and a link to the Subcommittee's webpage, including its Charge and Members, and a link to each Subcommittee's "Master Document" with the agendas, attendance, and notes for each subcommittee meeting. Each section then provides the Subcommittee's Key Findings and Recommendations. Next, a section called Additional Details includes items that fall outside of a Key Finding or Key Recommendation. Finally, each section ends with a summary Conclusion.

Note that Findings and Recommendations in the Subcommittee reports in Appendix C may differ in places from the Findings and Recommendations of the BCTT Workgroup as shown in this report section. The Subcommittee reports reflect the work of each Subcommittee as it was submitted to the BCTT Workgroup on March 16. The Workgroup discussed, and in many instances revised, findings and recommendations during Meetings 9, 10, and 11 with the goal of achieving a consensus.



Section A: Sustainable Materials Management Plan (SMMP)

INTRODUCTION

Benton County is seeking to develop a first ever Sustainable Materials Management Plan (SMMP) to help guide decisions and policies for the future of solid waste and disposal consistent with Benton County values. Historically, the County has not had the benefit of such a plan. The main theme of the subcommittee's findings and recommendations are that an SMMP should help transition and re-focus from linear, end-of-life waste management to more holistic, systemic, circular approaches for all materials. The many positive impacts of this transition include:

- Efficiencies of full life cycle/cradle-to-cradle sustainable material management.
- Cost savings and other benefits from waste reduction
- Creating opportunities for efficient circular economies both locally *and regionally*
- Better inclusion of equity and shared prosperity in waste considerations
- Recognizing and encouraging innovation in the materials stream

Traditionally, Benton County has managed waste materials with an end-of-life approach – largely by landfilling them locally in Coffin Butte Landfill, and by recovery, recycling, and composting. This has presented challenges, which include, but are not limited to, the landfill's limitations environmentally and economically. The SMMP Subcommittee sought to chart the expectations and aspirations for a longer-range vision to guide the County towards more sustainable materials management. Our report advises the County on the parameters for a Request For Proposals (RFP) that would bring in consultants to develop a Plan that enables the County to achieve that longer-range vision.

Based on the magnitude of ideas and possibilities we encountered, the SMMP could usher in a paradigm shift in how we view and interact with the materials we use in our everyday lives. In addition to Findings and Recommendations, this section includes a list of Questions that consultants and the County can use to frame the thinking about this new paradigm, its benefits, and the practical paths to get there.

The subcommittee was tasked to develop a "table of contents" outlining subjects that should be covered in an SMMP. The group started by looking at examples of Solid Waste Management Plan (SWMP) documents from other Oregon counties, and by listing, reviewing, and comparing the topics covered in each. The group was able to add to and edit that list, creating a "table of contents" of topics to cover in a future SMMP, as well as an associated list of questions for the SMMP to answer. This overarching sustainable materials management approach evaluates impacts across the full life cycle of materials and weighs the costs and benefits in the decision-making process.

The Subcommittee also reviewed Benton County's 2040 Thriving Communities Initiative, as well as the values and goals expressed in other planning documents, to develop an overarching framework for developing an appropriate SMMP for Benton County.

The more recent subcommittee work focused on future next steps and recommendations for the RFP process, including contracting out, workplan and timeline, and who should "at the table" in future discussions. The Subcommittee included lessons learned from outside of

Benton County, including information and lessons from neighboring counties' presentations to the full work group.

SUBCOMMITTEE WEBPAGE LINK

SUBCOMMITTEE CHARGE

Long Term Sustainable Materials Management Plan (SMMP) tasks:

1) Contracting out;
2) Subjects to be covered;
3) (Moved from Common Understandings) Benefit-Cost Topics are only Outlined;
4) (New) Add in Vision 2040 and related County documents with similar from other counties referenced;
5) Who needs to be at the table beyond those in the County;
6) A workplan outline with a timeline for completion;
7) Topics covered in recent similar planning efforts across the state; and
8) What "lessons learned" should be brought forward in this process. Includes necessary foundational "common understandings" and protocols needed before beginning the actual planning process.

NOTE: This charge does not include completing the plan. It only includes a discussion of the preliminary scoping to start that planning process.

If there is sufficient time to complete the original Charge and the following activities, subcommittee to provide recommendations on:
1. the most important topics/subjects from the draft of the SWMP Table of Contents;
2. brainstormed options for those topics/subjects; and
3. the reasoning, both pro and con, for their selection.

SUBCOMMITTEE MEMBERS AT END OF PROCESS

Brian May
Daniel Redick
John Deuel
Ken Eklund
Marge Popp
Ryan McAlister
Sean McGuire
County Staff: Daniel Redick

The **SUBCOMMITTEE'S REPORT can be found linked HERE** in Appendix C.

The **SUBCOMMITTEE'S "MEETING NOTES" can be found linked HERE**.

KEY FINDINGS AND KEY RECOMMENDATIONS

This section lists Key Findings and Key Recommendations from the full subcommittee report below. These key findings and key recommendations do not capture the comprehensive discussions of the subcommittee, nor are they intended to do so. Instead, these provide a summary overview of key observations. The link adjacent to each Key Finding and Key

Recommendation provides access to the full report. These summaries encourage readers to follow the links to find detailed content in the full subcommittee report.

			Unanimous Agreement		Consensus Agreement		Majority-Minority Approval	
Sub. Comm.	Findings and Recs	Total	# with all 1s	% with only 1s	# with no 3 votes	% with no 3 votes	# with at least one 3	% with at least one 3
SMMP	Findings	8	1	12.5%	8	100.0%	0	0.0%
SMMP	Recs	28	10	35.7%	28	100.0%	0	0.0%

Key Findings:

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
SMMP F-1	Many Sustainable Materials Management Plans (SMMP) and related Request For Proposals (RFP)s have been formulated, executed, and are in use in Oregon and beyond.	11	1	0
SMMP F-2	The charges of the SMMP Subcommittee are intimately related to and should be embodied when scoping the necessary tasks to start a Long-Term Sustainable Materials Management Plan process.	11	1	0
SMMP F-3	Contracting-out processes often include a Technical Advisory Committee (TAC), which vet technical information in the RFP, and a Community Advisory Committee (CAC), which review the RFP from the community perspective. Institutions of higher learning, including Oregon State University has a large population of faculty, faculty emeriti, staff and students that are subject matter experts in many of the technical areas that the SMMP will address.	12	0	0
SMMP F-4	The overall length of the project can be heavily impacted and defined by the level of public interaction/engagement included in the project. The consultant may help define the scope of public engagement, including engagement in rural areas of the county and in communities outside the county.	10	2	0
SMMP F-5	There are aspects of the work to be performed that are technical in nature or lend themselves toward extensive research, that the consultant may conduct at the same time as public engagement. To expedite the process, certain procedural elements can be done	11	1	0

	concurrently. The timeline can generally be defined throughout the process.			
SMMP F-6	The SMMP aims to reduce the full lifecycle impacts of materials management practices in Benton County and where other jurisdictions' practices overlap with Benton County. Addressing only materials from Benton County would have limited impacts compared to that of all the materials from neighboring counties, as Benton County's waste contribution to the landfill is relatively small. SMMPs are not specifically about landfills, but about materials management across the full lifecycle of materials, including addressing impacts from production, transportation, use, reuse, recovery, and disposal.	10	2	0
SMMP F-7	Benton County has limited control over the waste management practices of the counties that emplace the vast majority of the annual landfill waste intake, and the volume of waste material they haul to Coffin Butte Landfill, however, the county and its infrastructure is impacted by other counties' waste stream contributions to facilities within Benton County (via Coffin Butte Landfill, Pacific Region Compost, and transportation methods through the county).	9	3	0
SMMP F-8	The 2040 Thriving Communities Initiative identified our communities' Core Values and has been adopted by Benton County government which is used as a benchmark or lens for initiatives such as the Benton County SMMP.	10	1	0

Key Recommendations:

#	Recommendation	Formal Workgroup Polling		
		1's	2's	3's
SMMP R-1	Benton County Sustainable Materials Management Plan should be developed within a Sustainable Materials Management framework, reflecting full lifecycle impacts. The development of a Sustainable Materials Management Plan should consider, 1) the 2040 Thriving Communities Initiative and our communities' Core Values, 2) national, State and local goals, vision documents (DEQ's Materials Management in Oregon 2020 Framework for Action), plans, policies,	10	3	0

	ordinances, etc. relating to materials management and climate change, 3) examples of values and goals expressed in state and local jurisdiction materials management plans, and 4) long-term strategies (to 2040) with short-term action items (5 years or less).			
SMMP R-2	Benton County should use the 2040 Thriving Communities Initiative as a high-level lens to frame our communities' Core Values in developing the SMMP.	12	0	0
SMMP R-3	The SMMP should not just be about how Benton County can better manage materials, but to also address how to approach inter-county collaboration from a regional perspective. The RFP should indicate the need for researching and exploring opportunities for a regional multi-county approach to achieve the goals of sustainable materials management. RFP firms with experience with Oregon's materials management legislation, policies and other county materials management plans may have the capability to address this need.	10	2	0
SMMP R-4	Counties impacting Benton County through their materials management practices (including by contributing materials to Coffin Butte Landfill) should have an SMMP in place. The SMMP should have a perspective on how to strategize this.	10	3	0
SMMP R-5	SMMP content should incorporate the sustainability of materials management strategies/tactics. The result of the process should give us a method of measuring costs and benefits to evaluate the impact on economic, social, and environmental indicators. Specific goals should be included of how materials in Benton County can fit within a circular economy, cradle-to-cradle, or similar framework.	12	0	0
SMMP R-6	The SMMP should clarify Benefit-Cost perspectives being addressed through an equity analysis, including, 1) financial cost impacts associated with materials management and outcomes, 2) the equity of circular economy, how it engages and impacts consumers, 3) a perspective that goes beyond landfilling, and 4) a "who's at the table" list of stakeholder perspectives.	12	0	0
SMMP R-7	Bring "lessons learned" into the process from other sources, including international examples as well as other counties, lessons from past Benton County experiences, and West Coast states. See full report for more sources.	11	1	0

SMMP R-8	Beyond those in the County, a wide assortment of stakeholders should be brought to the table. Stakeholders include community members, advocacy groups, businesses and industry, local and state government, and resources for innovation. See report for full stakeholder list. The consultant should provide recommendations based on analysis and extensive outreach and engagement with community stakeholders from the "who should be at the table" list. These stakeholders should represent a broader area than Benton County.	10	2	0
SMMP R-9	Benton County should use an RFP to find consultant(s) for developing a Sustainable Materials Management Plan.	11	0	0
SMMP R-10	The SMMP subcommittee researched other jurisdiction's plans, compared and aggregated a list of subjects, and the SMMP should evaluate and address the subjects listed in the full subcommittee report, answering the 117 questions listed as RFP priorities allow, and include recommended courses of action.	11	2	0
SMMP R-11	Recruitment for the RFP needs to be extensive, and selection of successful proposal should be careful and thorough. Qualities of a successful applicant should include those listed in the full subcommittee report.	11	1	0
SMMP R-12	The scope of work for this project is expected to be broad and comprehensive, with specific goals recommended for the County to consider as milestones.	12	0	0
SMMP R-13	The RFP development process should: 1) provide details about the Workgroup process and its findings to RFP applicants, 2) prioritize topics, adding additional topics that are important to consider, and 3) communicate accurate priorities to applicants.	12	0	0
SMMP R-14	Members of this BCTT SMMP subcommittee should be offered to participate in subsequent stakeholder group meetings for RFP development and review. Benton County's Advisory Committees related to SMMP work should have an advisory role during the development of the plan.	11	1	0
SMMP R-15	The RFP Release/Announcement should 1) communicate an expectation that this plan can be approached by teams (multiple firms), instead of just single firms, 2) put guidelines on the size/length of proposals and sections of proposals, and 3) be	11	1	0

	distributed to allow enough time for it to be posted to various trade groups, shared with underrepresented groups, and internationally minded outlets.			
SMMP R-16	The County should share the various steps of the process with the public, making updates available, and demonstrating transparency (cross-referencing subcommittee E.1. work).	12	0	0
SMMP R-17	The RFP should demonstrate flexibility in allowing further work plan development after applications are reviewed and accepted.	10	1	0
SMMP R-18	The SMMP Timeline should allow for extensive public interaction and engagement. In order to expedite the process, procedural elements should be done concurrently as possible. The timeline should generally be defined throughout the process.	10	2	0
SMMP R-19	Applicants should include various scope/cost options for one year, two years, and three-year timelines. The report should be released in sections, based on timeline and content priorities.	12	0	0
SMMP R-20	It's important that the SMMP process include extensive public outreach and engagement. In addition, a Technical Advisory Committee (TAC) should vet the consultant's technical work (SMMP development) and a Community Advisory Committee (CAC) to provide more general review. SMMP Sub-Committee members should be included in the CAC. The TAC should include subject matter experts from Oregon State University, and other regional academic institutions. Many of the subject areas of central importance to the SMMP are characterized by fast-moving science, and a SAC could help the SMMP consultant to navigate to the best available data and knowledge.	11	2	0
SMMP R-21	Proposals contain the following information, with parameters around each of these items in terms of document length. Requested information includes project team experience and qualifications, understanding of the project, approach to the scope of work, cost of the proposal, the project schedule, social/environmental responsibility, and references. Each criteria includes a total set of points the proposal can be awarded. See full report for more information.	10	2	0
SMMP R-22	An evaluation team consisting of County staff and members of the stakeholder group should determine	11	1	0

	the best proposal deemed most qualified based on the above criteria.			
SMMP R-23	The SMMP should emphasize impacts of the results of the RFP on social equity, innovation, to understand and emphasize the upstream aspects of material sustainability, and creative solutions that provide pathways for tangible long-term outcomes.	10	2	0
SMMP R-24	The workplan should include ongoing adaptive management and refinement and include a timeline for completion. The sections of the workplan outline include RFP development and release, a webinar for prospective consultants, a pre-proposal Q&A period, a period for application submittal, and the selection committee to identify shortlisted firms who are given time for additional presentation. The committee then evaluates proposals, selects a consultant, and develops a workplan with selected consultant. See full report for more information.	10	2	0
SMMP R-25	The County should evaluate if it would be in their best interest to have an SMMP in place prior to any major materials management decisions.	13	0	0
SMMP R-26	The county should consider using alternative funding mechanisms, including landfill revenue, to support the SMMP recommendations.	13	0	0
SMMP R-27	A complete materials audit is highly recommended as both a benchmark and a way to measure progress. Benton County should initiate a Waste Audit to characterize more precisely what is in the waste stream of Coffin Butte Landfill. The SMMP consultant can use this audit information when formulating this plan, and there is no up-to-date information specific to the landfill currently available. The benchmark audit should be completed as soon as possible, along with recommendations for follow up audits.	10	2	0
SMMP R-28	The SMMP should evaluate the costs, benefits, risks, and opportunities of a wide range of materials management strategies to find the most sustainable future for Benton County. The successful applicant should present a complete benefit-cost analysis of a wide range of strategies that work as a more integrated system, including but not limited to, the benefit-costs analysis of Benton County acting as the host of a regional landfill that contributes a small portion of the total waste the landfill receives. This analysis should	11	2	0

include key parameters of Coffin Butte landfill, such as its operating life, its large intake from outside the county, its franchise fees, and its long-term environmental risks and costs.

CONCLUSION

A modern, long-term SMMP that reflects the unique needs and values of Benton County, the Willamette Valley, and Oregon will serve the County, its residents and the state now and into the future. Acknowledging the long-term nature of such a plan, the SMMP should be adaptable to new technologies while aligning with clearly stated County and Statewide goals.

Benton County should not rush the selection process or solicitation process – selecting a partner team whose core values and vision align with what has been assembled will be a key component to getting the best outcome in the process of developing a long-term SMMP.



Section B: Landfill Size/Capacity/Longevity

INTRODUCTION

The landfill size/capacity/longevity subcommittee aimed to research and compile factual information about the landfill as it relates to the group's charge. One of the primary interests of the group was to communicate accurate information about the landfill's estimated end-of-life and capacity, which resulted in estimates provided by Republic Services staff, as well as other information about how the estimated life span of the landfill can change depending on various additional factors and scenarios not included as assumptions in Republic Services' estimate. The subcommittee's report includes information about the landfill's size over time, including annual tonnage accepted, landfill volume, and the landfill's geographic footprint. The report also includes information about specific locations at the landfill which relate to the capacity, including the status of the current active cell, the future disposal area currently occupied by the quarry operation, the landfill site zoning designation, and areas approved for disposal.

Supporting data researched and compiled by the group includes historical end-of-life projections, and annual intake tonnage over time. Some information about the landfill was not available for the group to review, a challenge most prevalent with the lack of information available about the landfill prior to 1974. The following Key Findings and Key Recommendations are based on the information compiled in the subcommittee's report, as well as the subcommittee's discussions in each of the topic areas.

SUBCOMMITTEE WEBPAGE LINK

SUBCOMMITTEE CHARGE

A chronological history of key Coffin Butte Landfill topics:

1. Size
2. Specific locations
3. Assumptions (e.g., when will the landfill close?)

SUBCOMMITTEE MEMBERS AT END OF PROCESS

Bill Bromann
Brian May
Chuck Gilbert
Daniel Redick
Ginger Rough
Ian Macnab
Ken Eklund
Mark Yeager
Paul Nietfeld
Shane Sanderson
County Staff: Daniel Redick

The **SUBCOMMITTEE'S REPORT can be found linked HERE** in Appendix C.

The **SUBCOMMITTEE'S "MEETING NOTES" can be found linked HERE**.

KEY FINDINGS AND KEY RECOMMENDATIONS

This section lists Key Findings and Key Recommendations from the full subcommittee report below. These key findings and key recommendations do not capture the comprehensive discussions of the subcommittee, nor are they intended to do so. Instead, these provide a summary overview of key observations. The link adjacent to each Key Finding and Key Recommendation provides access to the full report. These summaries encourage readers to follow the links to find detailed content in the full subcommittee report.

			Unanimous Agreement		Consensus Agreement		Majority-Minority Approval	
Sub. Comm.	Findings and Recs	Total	# with all 1s	% with only 1s	# with no 3 votes	% with no 3 votes	# with at least one 3	% with at least one 3
LSCL	Findings	42	26	61.9%	41	97.6%	1	2.4%
LSCL	Recs	12	1	8.3%	12	100.0%	0	0.0%

Key Findings:

Landfill Estimated Remaining Life, Projected End of Life (EOL)

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
LSCL F-1	In 2003 EOL was projected to be approximately 2074, with a Landfill Life estimate of 71 years (2003 East Triangle CUP document, Benton County file PC-03-11.pdf). Twenty years later EOL is projected to be 2037-2039 with a Landfill Life of 14.5-16 years, a reduction of approximately 36 years of estimated life in 20 elapsed years. In 2013 Valley Landfills Inc. reevaluated an area of Landfill Site zoned property in the northeast corner of the site for waste placement stability engineering. This area was removed from the landfill's site development plan based on updated state seismic guidance for landfill stability.	13	0	0
LSCL F-2	In 2013 EOL was projected to be 2053-2062, with a Landfill Life estimate of 40-49 years[64]. Ten years later EOL is projected to be 2037-2039 with a Landfill Life of 14-16 years, a lower and upper range reduction of approximately 16 and 23 years respectively.	13	0	0
LSCL F-3	Current (1Q2023) estimate for landfill EOL = CY 2037 – 2039, with a landfill life estimate of 14-16 years, based on an annual intake level of 1.0 – 1.1 MTons/year and a	13	0	0

[64] 2013 Coffin Butte Landfill and Pacific Region Compost Annual Report

	density of 0.999 Tons/yd3, assuming the quarry area will be fully excavated by the time the current disposal areas are full. Valley Landfills, Inc. has represented that this nominal life projection ("baseline") is derived from a few data points in annual measurements, and is the product of a modeling process that is standard in the landfill industry. Valley Landfills, Inc. acknowledges that a variety of factors, including human factors, can impact landfill site life, but are not included in this baseline calculation. Valley Landfills, Inc.'s baseline projection of a 2037-2039 closure date is based both upon existing demand and Valley Landfill Inc.'s efforts to maintain and/or grow its service area and business in the market.			
LSCL F-4	The 2021 Site Development Plan is a registered engineer of record stamped and dated plan set which includes but not limited to a projected a 2039 EOL based on an annual intake of approximately 846,000 Tons/year, but this intake tonnage is not considered binding or controlling by either ODEQ or Valley Landfills, Inc. This is based on the best information available at time of approval by Oregon DEQ, which can change based upon service area impacts.	11	2	0
LSCL F-5	Under the 2020 Franchise Agreement, the 1.1M tonnage cap is eliminated upon Benton County's approval of a CUP (expansion). If intake volumes increase, an **expansion would not necessarily guarantee an increase in site life** or the extension of the Landfill's closure date. For example, if an expansion increases available airspace but intake volumes increase the fill rate even more, the overall life of the landfill could decrease. Republic Services said it was unlikely such a scenario would occur, due to operational limitations at the Landfill and in the Service Area [could not reach consensus]. Nonetheless, transitioning from the current linear landfill economy to a circular economy landfill can potentially extend the life of a landfill. This is because a circular economy landfill is designed to minimize the amount of waste sent to the landfill and extract value from the materials that are discarded. By recovering valuable materials through recycling, composting, and other forms of recovery, a circular economy landfill reduces the volume of waste that needs to be disposed of in the landfill. This, in turn, reduces the rate at which the landfill is filled up, which can extend its lifespan with or without tonnage cap limitation.	6	6	0

	Notwithstanding, a landfill tonnage cap is a regulatory limit on the amount of waste that can be disposed of in a landfill over a certain period of time. The tonnage cap is typically set by the local or state government and is intended to prevent the landfill from becoming overfilled and causing environmental or problems such as contamination of groundwater, soil, air, or demand and supply equilibrium problems, while transitioning to a circular economy.			
LSCL F-6	For purposes of this discussion, the subcommittee agreed to rely on data from the annual reports and other landfill filings with the county. EPA also provides data in in its greenhouse gas reporting webpage that uses different data from another source.	12	0	0
LSCL F-7	Factors such as population growth and debris from disasters may drive up intake rates and thus shorten landfill life; factors such as recycling and waste diversion, plus emerging factors such as extended producer responsibility (EPR) incentives and climate crisis legislation, may drive down intake rates and thus lengthen landfill life.	12	1	0
LSCL F-8	Landfill Life (longevity) is the availability of the landfill reserve resources and landfill ancillary resources that currently operates the landfill's demand, supply and equilibrium of refuse disposal in a linear economy model.	12	1	0
LSCL F-9	The subcommittee identified these factors that could impact usable landfill airspace: Landfill expansion(s) and associated removal of tonnage cap; the quarry excavation schedule; water table concerns; disasters that happen to the landfill itself.	9	4	0
LSCL F-10	The subcommittee identified many factors that could impact the landfill's annual tonnage, i.e., the rate at which its usable volume fills up. These included: exceedance of the tonnage cap; recession(s); economic growth; structural and societal reductions in waste generation; disposal alternatives; transportation alternatives; global health issues such as pandemics; climate change and other environmental legislation concerning methane and other greenhouse gases; climate change and other environmental legislation concerning the reduction of waste and pollution in landfilled material; state and local legislation upgrading waste diversion efforts; environmental activism,	13	0	0

	especially about the climate crisis; wildfires and other disasters that generate debris for landfilling; service area changes; changes in population in the service area.			
LSCL F-11	Recognizing that the question "What factors could make the landfill close earlier than the Baseline Scenarios (by 2037–39)?" is of particular importance to this report's readers, the subcommittee has prepared a table that contains background information about each factor and proposes questions for the County and the SMMP to answer. This information can be found in Table 4.	11	1	0
LSCL F-12	Landfills are known to be major emitters of methane, but previously these emissions have typically been estimated through mathematical modeling, because the emissions themselves were hard to measure directly. The methane emissions from Coffin Butte Landfill have not been well-characterized, so the possible effects of methane-reducing legislation on the landfill's waste intake rates are also hard to characterize.	10	3	0
LSCL F-13	One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the Oregon DEQ estimated that Coffin Butte Landfill's controls (engine/generators with backup flare) collected 57% (https://downloads.regulations.gov/EPA-R10-OAR-2019-0640-0011/content.pdf). Republic Services provided data to Oregon DEQ for inclusion in EPA's 2021 Greenhouse Gas report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent. (Reference: https://ghgdata.epa.gov/ghgp/service/html/2021?id=1007054&et=undefined)	11	1	0
LSCL F-14	The impetus to curtail methane emissions is focusing attention on ways to divert organic waste from landfill wastestreams. The 2023 Food Donation Improvement Act, for example, enables existing food donation organizations to expand operations and incentivizes the creation of new methods and innovations in preventing food waste, both to stop wasting a valuable resource and to reduce methane emissions.	13	0	0

Landfill Size: Capacity

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
LSCL F-15	A significant portion of the permitted airspace in the quarry area (also known as Cell 6) is currently unavailable for waste disposal due to unexcavated rock. As with other cells at Coffin Butte, permitted airspace is ultimately the result of two separate decisions by two separate entities. Benton County approves the land use for the landfill's footprint, while DEQ and the franchisee (Valley Landfills Inc.), approve the cell design that determines the physical volume available.	13	0	0
LSCL F-16	The addition of Cell 6 added approximately 13,400,000 cubic yards of airspace. The Landfill total capacity increased by approximately 9,000,000 cubic yards in 2003 with the addition of the West and East triangle areas for a total of approximately 35,500,000 cubic yards. Since 2004, reported remaining airspace has decreased gradually, while total permitted airspace has remained remaining somewhat constant. As of end 2021 approximately 44% of permitted capacity remained unused. [See also LSCL F-17]	12	0	0
LSCL F-17	Valley Landfills Inc. anticipates it will no longer be able to place waste in Cell 5 by mid-year 2025. When Cell 5 is full, Republic Services is working on a plan to deposit waste in the permitted area of the landfill known as the quarry known as Cell 6. Excavation of the primary quarry footprint is scheduled to begin in Spring of 2023 with completion in Spring 2025.	11	2	0

Landfill Size: Intake Tonnage

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
LSCL F-18	The amount of waste placed into the landfill has grown dramatically over the past 40 years. In 1983, 375 tons per day were placed into the landfill (117,000 tons per year). By 1993, the tonnage volume increased to 310,000 tons per year. In 2003, 550,000 tons were placed into the landfill. In 2013, the waste tonnage was 479,000, and in 2021, 1,046,000 tons were placed into the landfill.	12	1	0

LSCL F-19	The official 2022 Coffin Butte annual intake tonnage is not available at the time of this report (February 2023). The size of the Host Fee payment to Benton County in January 2023 indicates a 2022 intake volume of 1,066,436 Tons. Actual tonnage should be updated upon receipt of the 2022 Coffin Butte Landfill Annual Report.	12	1	0
LSCL F-20	The 2000 Landfill Franchise Agreement stipulated that the County was to perform a "Baseline" study as a reference for measuring potential future adverse effects (completed in 2001), and defined a ramping intake tonnage threshold to be applied during the term of the agreement (CY2001-2019). Intake volumes in excess of this threshold granted the County clear right to pursue specific remedies: a) the County, at its expense, could perform an updated Baseline assessment, and b) if the County determined that the new assessment indicated an adverse impact on "the Baseline," the agreement stipulated that "the parties shall immediately proceed in good faith to negotiate an increase in the Franchise Fee and/or Host Surcharge…".	12	0	0
LSCL F-21	The 2000 intake tonnage threshold was exceeded in calendar years 2017, 2018 and 2019.	12	0	0
LSCL F-22	Washington County waste tonnage accepted at the landfill increased by over 400% between 2016-2017, with the increased tonnage continuing through 2019. Riverbend Landfill was a regional landfill that accepted waste from many counties, including Washington County. Riverbend's owner/operator diverted tonnage to Coffin Butte in an effort to extend Riverbend's site life.	12	0	0
LSCL F-23	Benton County did not utilize either of the contractual remedies available to it as a result of the intake tonnage exceeding the threshold in 2017-2019. No updated Baseline study was performed, and no renegotiation of the landfill fee structure was undertaken.	12	0	0
LSCL F-24	Benton County received approximately $3.1M of incremental revenue from the increased intake volumes over the 2017-2019 period. Of this, approximately $1.08M was the result of intake volume in excess of the annual limits over the three-year period. This equates to roughly $11.50 total per Benton County resident for the three-year period.	11	0	0
LSCL F-25	In an official 2018 presentation to Benton County Board of Commissioners, Benton County represented the 2000	12	0	0

	Franchise Agreement intake threshold as “Annual Maximums Specified in Franchise Agreement.” However, the 2000 Franchise Agreement does not describe the tonnage threshold as a “limit” or “maximum” and does not limit the number of tons that can be accepted.			
LSCL F-26	Both the 2000 Landfill Franchise Agreement and the 2020 Landfill Franchise Agreement include a section stating that “The parties acknowledge that there may be adverse effects to the County’s infrastructure and environmental conditions due to increased annual volumes of Solid Waste accepted at the Landfill.” In both agreements this section of the agreement then stipulates terms regarding intake volumes.	12	0	0
LSCL F-27	The intake threshold defined in the 2000 Landfill Franchise Agreement and the Tonnage Cap defined in the 2020 Landfill Franchise Agreement were stipulated as contractual provisions, with consequences explicitly defined in the 2000 agreement and implicit (violation of contract) consequences in the 2020 agreement.	11	1	0
LSCL F-28	The 2020 Landfill Franchise Agreement defined a 2020 Tonnage Cap of 1.1 M Tons/year that the Landfill "shall not exceed." That includes 75,000 tons reserved annually for Benton County. The Tonnage Cap does not apply to fire, flood, natural disaster, or Force Majeure event materials.	10	2	0
LSCL F-29	The 2020 Landfill Franchise Agreement also includes a provision that the tonnage cap would be eliminated upon governmental approval of an application to “expand the landfill onto the Expansion Parcel.”	12	0	0
LSCL F-30	It is unclear if the 2020 Franchise Agreement’s enforcement mechanisms are strong enough to prevent agreement violation or if the County will pursue the options at its disposal.	12	0	0
LSCL F-31	The landfill operator generally chooses how much tonnage to accept, based on demand and their contracts with various jurisdictions and haulers. Some of the increasing tonnage accepted at the landfill from 1993-2021 reflect the increase in business development. (See, Post-meeting note in M11 Meeting Minutes, prepared by Republic in response to a member request - NOT vetted by the Workgroup and not part of the finding.)	12	0	0

LSCL F-32	The slow downward trend in intake volume in the 2006-2010 period is explained by the franchisee as resulting from the economic downturn of 2008.	12	0	0
LSCL F-33	Republic Services states that the drop in volumes to Coffin Butte in 2020 is due to the global COVID-19 pandemic, coupled with diversion of tonnage from Riverbend Landfill to other landfills besides Coffin Butte. However, tonnage volumes increased again in 2021 due in part to changes in lifestyle/development/at home shopping patterns as a result of the pandemic, as well as debris from the Oregon wildfires.	12	0	0
LSCL F-34	A range of human factors have been seen to influence the landfill's intake rate and therefore its operating life in the past. These include business factors such as expansions or contractions of the Service Area, social factors such as recessions and population growth, and environmental factors such as recycling and other initiatives that divert materials out of the waste stream.	12	0	0
LSCL F-35	More human factors are emerging that could influence the landfill's intake rate and therefore its operating life in the future. These include newly enacted state legislation assigning responsibility for disposal costs to the producers of waste material, newly enacted national legislation addressing food waste, and national legislation being rolled out that targets methane and other greenhouse gas pollution.	12	0	0
LSCL F-36	A 2016 MOU between Benton County and Republic Services acknowledged "Coffin Butte Landfill will be accepting municipal solid waste currently being delivered to Waste Management's Riverbend Landfill for a term of 1-2 years, beginning in January of 2017."	12	0	0
LSCL F-37	The 2016 MOU does not contain language preventing Benton County from exercising its rights under the 2000 Landfill Franchise Agreement (see Recommendations).	12	0	0

Specific Locations

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
LSCL F-38	Approval of the 1983 rezoning was recommended by SWAC and CAC with on the condition that "No landfill be allowed on property south of Coffin Butte Road."	12	0	0

LSCL F-39	The recommended condition prohibiting landfill south of Coffin Butte Road was not included in the 1983 rezoning ordinance through a change recommended by Benton County Staff, in which Staff noted that any new disposal area would require approval of the Planning Commission in a public vote. The process for approving landfill south of Coffin Butte Road was subsequently changed to "allowed by conditional use permit." This appears to be done via Ord. 90-0069 (BCC 77.305) This change was memorialized in the 2002 Memorandum of Understanding executed by Valley Landfills and Benton County.	11	1	0

Landfill Size: Footprint and Structure

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
LSCL F-40	The 1983 rezoning action defined 194 acres as Landfill Size (LS) zone. An additional 59-acre parcel south of Coffin Butte Road, while zoned LS, would not be used for disposal of solid waste unless approved by a conditional use permit and Department of Environmental Quality permit for solid waste landfill use. The site map attached to the 2002 MOU restricted "fill" activity to the north side of Coffin Butte Road.	11	0	0
LSCL F-41	Twenty-three tax lots are owned by landfill-affiliated entities. Six of these tax lots are zoned LS, and the five LS tax lots on the north side of Coffin Butte Road contain landfill cell disposal areas. The most recent tax lots associated with the landfill were purchased in 2001 (non-disposal areas).	11	1	0
LSCL F-42	The workgroup took two polls on various versions of this finding, and the results appear below: Version 1: The landfill has developed visually over time in accordance with site development plans. Coffin Butte Landfill has changed visually since it's designation as a regional landfill in 1974, growing in both height and size, and visual appearance. However, the overall landfill acreage has not changed significantly since 1983; it has filled in more of its footprint.	7	1	2
	Version 2: The landfill has developed visually over time in accordance with site development plans. Coffin Butte	8	1	2

Landfill has changed visually since it's designation as a ~~regional~~ landfill in 1974, growing in both height and size, and visual appearance. However, the overall landfill acreage has not changed significantly since 1983; it has filled in more of its footprint.			

Key Recommendations:

#	Recommendation	Formal Workgroup Polling		
		1's	2's	3's
LSCL R-1	The Sustainable Materials Management Plan should further develop scenarios and factors that may impact the landfill lifespan, including detailed analyses of likely projections. The Commissioners and County staff should keep the questions about these factors and their effects in mind when making decisions affecting the landfill.	11	2	0
LSCL R-2	Benton County should create and share a plan for the enforcement of all franchise agreements.	11	1	0
LSCL R-3	Benton County should contract for an updated Baseline Study to evaluate the impact of the current intake level at Coffin Butte. As with the 2001 Baseline Study stipulated in the 2000 Landfill Franchise Agreement, this new study should determine and measure adverse effects, including but not limited to: traffic, soil conditions and contamination levels, air quality, surface and ground water conditions and contamination levels, noise, odor, visual screenings, litter, hours of operation, solid waste control systems and compliance with all solid waste Permits. This baseline study could help inform Benton County in decision making and financial choices regarding how to use the income from the landfill.	9	4	0
LSCL R-4	The County should, as soon as possible, consider the public record of the deliberations leading to the execution of the 2020 Landfill Franchise Agreement in order to assess a) which party requested that the 2020 Tonnage Cap be eliminated if expansion was approved, b) if Benton County proposed the elimination of the 2020 Tonnage Cap, determine why this was done, c) determine the County's expectation for the benefit(s) to the County of accepting up to 1.1M Tons of waste per year when the County's reserve portion is approximately 6.8% of that amount, d) interpretation of	9	3	0

	the “Tonnage Cap”, specifically relative to the 2020 Tonnage Cap, and e) expectations of both parties for future landfill site expansion, including any plans for multiple (repeated) future expansions. The county should then use this information to inform landfill-related decision-making. These negotiations were conducted privately (not in public meetings), and there are elements of these discussions that may be proprietary and/or fall under attorney-client privilege.			
LSCL R-5	Benton County should clarify and document the process for officially establishing Permitted Space, including any and all required Benton County actions and regulatory agency approvals (ODEQ, EPA, etc.).	9	3	0
LSCL R-6	The County should clarify when formal approval of Cell 6 as a disposal area was granted. LLU F-23 provides information on this issue.	7	5	0
LSCL R-7	The Benton County Disposal Site Advisory Council (DSAC) should review all future Coffin Butte Landfill Annual Reports relative to past reports and official approvals, in particular with regard to intake volume, landfill traffic volume (both Municipal Solid Waste and leachate transport), expected landfill life and end of life, and total and remaining Permitted Space. DSAC should report these findings to the Board for consideration.	9	3	0
LSCL R-8	Benton County should secure information from Republic Services about the Annual Tonnage figures for presentation to SWAC/DSAC as soon as they are available, and not wait to include them for the first time in the Annual Report.	12	0	0
LSCL R-9	The baseline scenarios laid out in this report assume that landfilling will continue as it is doing today for the next 16 years. That expectation should be tempered by signals of factors that can reshape Coffin Butte Landfill's social and regulatory landscape, especially environmental considerations related to the climate crisis. This reshaping is something that Benton County can participate in, on behalf of its citizens, as the landfill’s permitted volume is filled.	12	1	0
LSCL R-10	Benton County should take steps to acquire better information about the methane emissions of Coffin Butte Landfill, because the landfill’s emissions are currently not well-characterized and use this information to guide diversion programs that could limit the amount of organic waste going to the Landfill.	12	1	0

LSCL R-11	In its current actions and in concert with its Sustainable Materials Management Plan, the County should be aware of and prepare for changes in Coffin Butte Landfill's social and regulatory landscape, as the future could hold significant opportunities for the County and affiliated organizations to bring waste management closer into alignment with the County's goals and values.	12	1	0
LSCL R-12	Benton County should keep in mind that the most effective way to curtail a landfill's greenhouse gas emissions is to divert organic material from being landfilled. This can inform County and area-wide decisions regarding recycling, composting, food waste, and other initiatives affecting how the landfill's permitted volume is filled.	11	2	0

ADDITIONAL INFORMATION

The current landfill activities north of Coffin Butte Road consist of a total of 194 acres, with 6 cells currently slated or approved for disposal of waste.

- In 2003 the End of Life (EOL) of Coffin Butte Landfill was projected to be approximately 2074, with a Landfill Life estimate of 71 years.
- In 2013 EOL was projected to be years 2053-2062, with a Landfill Life estimate of 40-49 years.
- In the current year of 2023 the EOL is projected to be years 2037 -2039, with a landfill life estimate of 14-16 years.

The above landfill progression reflects a linear economy model that represents a waste management approach in which waste is generated, collected, and disposed of in a linear manner, without much emphasis on resource recovery or reuse. This approach is often characterized by a "take-make-dispose" model, where resources are extracted, processed into products, used, and then discarded as waste by society.

The linear model of a landfill economy is being replaced by more sustainable models, such as the circular economy. In a circular economy, waste is minimized by prioritizing waste reduction and recycling, and by designing products and processes that focus on sustainability and longevity. In this model, waste is seen as a valuable resource that can be reused, repurposed, or recycled, rather than being discarded into a landfill.

This circular approach supports the solid waste management plan of Benton County working shoulder to shoulder with a sustainable materials management plan being developed by Benton County in conjunction with Oregon Department of Environmental Quality, local community members, as well neighboring Counties and municipalities using Republic Services waste management services.

In Republic Services' 2021 Sustainability Report, President and Chief Executive Officer, Jon Vander Ark, reports, "This is our company vision, which is intentionally ambitious because we believe we are uniquely positioned to help our customers achieve their own sustainability goals. That commitment begins with our Elements of Sustainability – Safety, Talent, Climate Leadership and Communities – and these elements anchor our 2030 sustainability goals."

The reader of this executive summary is encouraged to read further into the full subcommittee reports to appreciate the wealth of information members of the community have brought forward in a short amount of time during the Benton County Talks Trash bridge process, into a needed sustainable landfill economy and transportation plan for waste disposal.

Landfill Life Projections

CONCLUSION

After reviewing extensive information about the variable factors that can influence the landfill's size, capacity, and longevity, this subcommittee developed dozens of findings and recommendations. While these Key Findings and Key Recommendations summarize much of the group's work, readers are encouraged to review the full subcommittee report for more details on each topic. This subcommittee topic is complex; the variables influencing site life are nuanced and often multi-faceted. The findings and recommendations are supported by the details provided in the subcommittee's report, which cover the landfill's end-of-life, tonnage intake, volume, footprint, and specific locations.



Section C: Legal Issues and Land Use Review

INTRODUCTION

The purpose of this subcommittee is to address: a) law relevant to, and the legal status of, landfill operation and oversight; b) relevant law related to land use regulation, and c) typical practices in land use regulation. The majority of the subcommittee's work product is in the form of objective legal information; however, the charge elements that relate to land use also include descriptions of practices and considerations and are noted as such. In all areas, the subcommittee's goal is to be clear, concise, and legally informative.

Membership of the subcommittee consists of Benton County Counsel Vance Croney, Planning Commissioner Liz Irish, Republic Services land use attorney Jeff Condit and Republic Services in-house counsel Holly Doyle. The facilitator invited participation by Jeff Kleinmann, a land use attorney who represented a group of property owners in the vicinity of the landfill during the 2021 Planning Commission hearings on the proposed expansion. Mr. Kleinmann declined to participate and submitted a letter stating his reasons. The facilitator subcontracted with Virginia "Ginny" Lucker, a highly regarded Oregon land use attorney and Benton County community member, to participate on the subcommittee and provide a third legal perspective. The County staff member supporting the subcommittee was Greg Verret, Deputy Director of the Community Development Department.

The Key Findings and Key Recommendations summarize most of the subcommittee's work. However, a wealth of information on each charge element is presented in the subcommittee's full report and readers are encouraged to refer to that report for a full accounting of any topic.

SUBCOMMITTEE WEBPAGE LINK

SUBCOMMITTEE CHARGE

SUBCOMMITTEE CHARGE
Charge A:
2) A Summary of the County's current rights and obligations to Republic Services, and vice versa, surrounding:

a. The hauling franchise;
b. The landfill CUP; and
c. What legally can and cannot be conditions of any land use approvals (e.g., past compliance, compliance with future laws, codes, and policies, DEQ compliance, reopening, limitations on what can be brought into the County from where, required facilities and practices, reporting/compliance/financial monitoring requirements, etc.)

3) *Interpretation and Deference:* **A Summary of the rights and obligations of other entities surrounding landfills, hauling, and sustainability initiatives, etc.:**

a. Federal;
b. Tribal;
c. State (e.g., Is DEQ prohibited from permitting another landfill west of the Cascades and what does the "regional landfill" designation mean?);

d. Local Government; and
e. Summary of the step-by-step process in ORS chapter 459 and associated timing for the cross-jurisdictional approvals of landfill applications, (e.g. DEQ) including:

(i) What topics are within whose authority, and
(ii) Whether, for example, the County can or should consider the topics it does not have permitting authority over when assessing the criteria outlined in Code section 53.215?

Charge B: Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion. Specifically:

1) Create a common understanding document outlining which Development Code criteria are applicable to the review of a conditional use application for landfill expansion by reviewing:
   - 53.215 (Criteria)
   - 77.305 (Conditional Uses)
   - 77.310 (Review)
   - 77.405 (DEQ)
   - Review Chapters 50 and 51 for context, and then

   a. Preparing a conceptual list of any other Development Code criteria the WORKGROUP recommends be applicable.
   b. Developing recommended guidelines for interpreting any ambiguous provisions recognizing current statutes, regulations, case law, and County precedent, etc.

      A. The phrase, "Other information as required by the Planning Official" 77.310(e)
      B. The terms found in Section 53.215, e.g.
      C. "seriously interfere"
      D. "character of the area"
      E. "purpose of the zone"
      F. "undue burden"
      G. "any additional criteria which may be required for the specific use of this code.
      H. Other: _____

2) In doing so, refer to Comprehensive Plan for policy guidance regarding interpretation of any ambiguous Development Code provisions (see, BCC 50.015,) and Review the Planning Commission comments made during its last review of Republic Services' CUP application for context. Examples for consideration include:
   a. Necessary Tasks to Start Planning Reopening of Existing Hauling Agreement
   b. Roles, Responsibilities, and Protocols of SWAC and DSAC
   c. Specific Recommended Review Criteria for the Evaluation of Landfill CUP applications
   d. SWAC/DSAC, Planning Commission, and BOC Use of the Review Criteria
   e. Future Timeline for Discussing any Needed Changes to the Benton County Code Flowing from WORKGROUP Recommendations

SUBCOMMITTEE MEMBERS AT END OF PROCESS

Jeff Condit
Liz Irish
Vance Croney
Holly Doyle
Ginny Lucker
County Staff: Greg Verret

The **SUBCOMMITTEE'S REPORT can be found linked HERE** in Appendix C.

The **SUBCOMMITTEE'S "MEETING NOTES" can be found linked HERE**.

KEY FINDINGS AND KEY RECOMMENDATIONS

This section lists Key Findings and Key Recommendations from the full subcommittee report below. These key findings and key recommendations do not capture the comprehensive discussions of the subcommittee, nor are they intended to do so. Instead, these provide a summary overview of key observations. The link adjacent to each Key Finding and Key Recommendation provides access to the full report. These summaries encourage readers to follow the links to find detailed content in the full subcommittee report.

			Unanimous Agreement		Consensus Agreement		Majority-Minority Approval	
Sub. Comm.	Findings and Recs	Total	# with all 1s	% with only 1s	# with no 3 votes	% with no 3 votes	# with at least one 3	% with at least one 3
LLU	Findings	35	23	65.7%	30	85.7%	5	14.3%
LLU	Recs	13	5	38.5%	9	69.2%	4	30.8%

Key Findings:

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
LLU F-1 [Link]	Do conditions of approval imposed as part of a later land use approval supersede conditions imposed as part of a prior approval? Unless a later land use approval expressly addresses whether conditions of a prior land use approval are superseded, the issue will be subject to interpretation by the local government (the Board of County Commissioners, in this case).	11	0	0
LLU F-2 [Link]	Only the current franchise agreement has legal effect. The previous franchise agreement is superseded when a new agreement takes effect.	11	0	0

LLU F-3a [Link]	Up-front and ongoing financial assurance to cover the cost of closure, post-closure, and corrective actions are required by DEQ. Where this preliminary line of defense fails, Oregon statute holds any person owning or controlling the disposal site liable for closure and post-closure maintenance. [See additional DEQ information on this topic in full subcommittee report.]	11	0	0
LLU F-3b [Link]	DEQ reviewed the last annual FA update submittal, which was dated April 1, 2022 and approved on April 13, 2022. DEQ's approval letter summarizes the following: 1. The updated cost estimates for closure ($16,222,800) and post-closure care ($5,743,202) were correctly updated, prepared, and stamped by a registered P.E. 2. The current penal sum of your Bond, as provided by Evergreen National Indemnity Company, with your new Riders in place, covers the total of updated cost estimates. DEQ identifies Valley Landfill Inc. as the owner of the landfill and the DEQ solid waste permittee for DEQ permit #306. The operator of the landfill is Coffin Butte Landfill. The owner or operator of the landfill is responsible for compliance with the permit and permit conditions. The owner or operator is responsible for providing financial assurance for closure, post closure and any needed corrective action per ORS 459.272. Valley Landfill Inc. uses a bond to provide financial assurance. According to OAR 340-094-0140(6)(d) and (6)(e) the permittee is to recertify compliance every year which Valley Landfill Inc. did in a March 28, 2022 attachment to the annual financial assurance submittal that DEQ received.	11	1	0
LLU F-3c [Link]	In negotiating the 2020 landfill franchise agreement, Benton County established three elements to provide assurance that costs of closure, post-closure and corrective action are covered: Statutory DEQ financial assurances, insurance, and the environment trust fund	12	0	0
LLU F-4 [Link]	What legally can and cannot be conditions of any land use approvals? Conditions of approval must relate to approval criteria. To be approved, an applicant must demonstrate compliance with all discretionary approval criteria. Conditions of approval cannot substitute for compliance with applicable criteria but may be imposed to ensure the criteria are met. The county may find compliance with approval criteria by establishing that compliance is feasible,	11	0	0

	subject to compliance with a specific condition(s) of approval. A preponderance of the evidence must support a finding that the condition is "likely and reasonably certain" to result in compliance. To lessen adverse impacts on surrounding uses, the county may "impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code." (BCC 53.220)			
LLU F-5 [Link]	In reviewing a CUP for landfill expansion, the County has jurisdiction over only the proposed expansion. Existing and past operations are not within the County's scope of review. Prior decisions are final and cannot be subjected to a new review or have additional/revised conditions of approval imposed as part of the CUP application for the expansion. The mechanism for enforcing conditions of approval is a separate process; see recommendation LLU R-11.	11	0	0
LLU F-6 [Link]	Benton County may not prohibit a private landfill operator from accepting solid waste from outside Benton County.	12	0	0
LLU F-7 [Link]	Is DEQ prohibited from permitting another landfill west of the Cascades? No.	12	0	0
LLU F-8 [Link]	What does the "regional landfill" designation mean? Oregon Revised Statute (ORS) 459.005(23) defines a Regional Disposal Site as "a disposal site that receives … more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located…." The immediate service area of Coffin Butte is Benton County. Coffin Butte Landfill has received more than 75,000 tons from outside its immediate service area every year since at least 1993. Coffin Butte thus meets the definition of a regional landfill per ORS.	11	1	0
LLU F-9 [Link]	Interpretation of the review criteria for a landfill-expansion conditional use permit requires determinations that are based on the facts of the specific application. The rules of statutory construction describe how ambiguous terms are to be interpreted: text, context, and legislative history. However, LUBA's standard of review is highly deferential to the local decisionmaker's interpretations, so if the interpretation is plausible (does not conflict with the provision's language), LUBA (and the courts) will uphold the local interpretation. This gives the decision-maker a lot of flexibility in interpreting their own code provisions. In response to a request by the Board of Commissioners, the	11	1	0

	following four findings provide staff-provided historical information, particularly over the past 25 years, on how the County decision-makers have interpreted these terms across the full range of conditional use applications the County reviews. They are not recommendations on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.			
LLU F-9a [Link]	The first criterion requires the decision-maker to find that "*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"* [BCC 53.215(1)]. In applying the term "seriously interfere", Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered factors such as: does the proposed use make it difficult to continue uses on the adjacent property; would it create significant disruption to the character of the area; would it conflict, in a substantive way, with the purpose of the zone. As noted above, the county decision-makers have wide discretion in evaluating whether a use will "seriously interfere." In the past, "seriously interfere" has generally been applied as meaning more than an inconvenience or irritation but is a lesser threshold than rendering the uses on adjacent property impossible. Speculated effect on property values has not been a primary consideration in determining serious interference. This is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.	11	0	0
LLU F-9b [Link]	In the phrase "character of the area" in BCC 53.215(1), how narrow or broad has "the area" typically been? When the County is evaluating the "character of the area", the "area" is based on the facts of each application and how far the effects of the proposed land use are likely to extend. The impacted area will be unique to each application and may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa). Because each review is unique, examining past cases for the specific distances utilized may not be illuminating. Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered	11	0	0

	these factors in determining the character of the area and its extent include: • The particular attributes of the geographic setting (including existing operations in the vicinity.) • Is there a distinct change in the area's physical characteristics beyond a certain point (such as a change from flat land to hills or from one river basin across a ridgeline into another)? • What features or elements give the area its character? Is it a homogenous or heterogeneous character (is there a high degree of similarity, or is it mixed)? • How far are the effects of the proposed land use likely to extend? This may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa). This is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.			
LLU F-9c [Link]	In the conditional use review criterion of: "*The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area"* [BCC 53.215(2)], what constitutes a "burden" is again based on the facts of the application. Staff has stated that in past CUP applications the Planning Official, Planning Commission or Board has considered a "burden" on public infrastructure and service is likely "undue" if it overloads the system or causes significant degradation in terms of quality, effectiveness or timeliness of infrastructure or service. Lesser burdens may also be "undue" if the effect jeopardizes people's health, safety, or welfare. Burdens that the County has typically not considered "undue" include those that can be mitigated through planned improvements, that are incremental service additions[65] consistent with that generated by other uses in the area or that fall below an established threshold (such as road classification standards). For planned improvements to be relied upon in determining that a burden is not undue, the implementation of those improvements must be certain, such as through a condition	11	0	0

[65] Incremental service additions are additions to the overall burden on services that are small relative to the total. For example, adding 10 daily vehicle trips to a road currently experiencing 300 daily vehicle trips could be considered an incremental service addition.

	of approval specifying the improvement and the timeline for implementation. Again, as noted in LLU F-9 above, so long as the interpretation is plausible, the decision makers have wide discretion in interpreting the term "undue burden." This is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.			
LLU F-9d [Link]	With regard to the conditional use review criterion of BCC 53.215(3) *["The proposed use complies with any additional criteria which may be required for the specific use by this code."*], if the county has adopted additional code criteria that apply to a proposed use, then those code provisions would apply. This does not allow the county to apply unadopted criteria that are not in the code at the time of application. In applying for expansion in the Landfill Site zone, the BCC Chapter 77 does not adopt any additional criteria and, therefore, no additional criteria apply.	10	0	0
LLU F-10 [Link]	SWAC's bylaws require it to "assist the Board of Commissioners (Board) in Planning and implementing solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance." BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations regarding the Site Development Plan and Narrative submitted on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. Based on SWAC's bylaws and role in planning and implementing solid waste management, it appears that the intent of the language in BCC 77.305 is that the Planning Commission rely on SWAC for guidance on the impacts of the Site Development Plan and Narrative on solid waste management. However, the language of BCC 77.305 does not expressly limit the scope of SWAC's recommendations.	9	1	0
LLU F-11 [Link]	Pursuant to BCC 77.310(1)(e), to what extent may the Planning Official require additional information from an applicant for a Landfill Site Zone Conditional Use Permit? Only "other information" that relates to the approval criteria for a conditional use permit may be required under BCC 77.310(1)(e), and the applicant may choose to provide some, all, or none of the requested information. The land use decision must be based on demonstrating compliance	10	0	0

	with the code criteria, not on whether the applicant provided the requested information.			
LLU F-12 [Link]	BCC 77.310(1) lists the information required in the applicant's narrative submitted with a conditional use application. The information required under BCC 77.310(1) includes the documents and information required to be part of the application. During the "completeness" process, the Planning Official will consider whether the applicant's documents and information are sufficient for purposes of review of the application. A determination that an application is complete does not mean that the information satisfies the approval criteria.	10	0	0
LLU F-13 [Link]	In addition to the list of information listed in BCC 77.310(1)(a)-(d), BCC 77.310(1)(e) allows the Planning Official to request that the conditional use application narrative include "other information". This information must relate to the approval criteria. The applicant has the discretion whether to submit the requested information. The applicant's failure to submit any requested information is relevant to the decision on the application only to the extent that the decision maker determines that the information is necessary to comply with an approval criterion.	10	0	0
LLU F-14 [Link]	Pursuant to long-standing LUBA case law, representations and statements made by the applicant do not become conditions of approval unless those statements are specifically included or incorporated, directly or by reference, into the final decision as conditions of approval. See LLU R-10.	10	0	0
LLU F-15 [Link]	The workgroup took two polls on various versions of this finding/rec and the results appear below: Version 1: How does the 2002 Memorandum of Understanding (MOU) fit into the Workgroup considerations? The 2002 MOU clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements. • The MOU does not address whether the County's determination of "compliance with local requirements" includes compliance with all conditions of past land use approvals. • The MOU indicates that, as of 11/5/2002, there were no known land use ordinance violations involving the landfill. The MOU does not describe the extent to	8	0	2

	which Benton County investigated the compliance status of any conditions of past land use approvals in preparing the MOU. • The MOU did not negate or supersede conditions of past land use approvals.			
	Version 2: ~~How does the 2002 Memorandum of Understanding (MOU) fit into the Workgroup considerations? The 2002 MOU clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements.~~ • ~~The MOU does not address whether the County's determination of "compliance with local requirements" includes compliance with all conditions of past land use approvals.~~ • ~~The MOU indicates that, as of 11/5/2002, there were no known land use ordinance violations involving the landfill. The MOU does not describe the extent to which Benton County investigated the compliance status of any conditions of past land use approvals in preparing the MOU.~~ ~~The MOU did not negate or supersede conditions of past land use approvals.~~ <u>Notes Regarding the 2002 MOU: 1) it does not mention how the MOU was intended to relate to land use decisions 2) it is unclear as to what LUCS are referred to and their impact e.g.: the 1996 LUCS referred to in the MOU has not been found, 3) a LUCS dated 12/18/00 has been found as a free standing document, 4) a 2000 Site Plan (Is the last DEQ approve in 2000 the MOU refers to?) using a LUCS dated Feb 25 '22 was found i.e. an 8 year gap between LUCS issuance and use in an identified document. 4) the current Operating Permit was issued in 2019 but references a 12/18/00 LUCS i.e. 20 year gap</u>	2	4	4
LLU F-16 [Link]	Is there an opportunity for public input to determine whether an application is complete? The public may submit comments on the completeness of an application. However, the completeness process is not a review of the application's merits; only whether sufficient information has been submitted to the application's merits can be evaluated through the public hearing process. And there are no statutory or code requirements for incorporating	10	0	0

	public input on the county's administrative determination of whether an application is complete.			
LLU F-17 [Link]	Once any land use application is submitted to the County, the County Planning Official must determine within 30 days whether the application is complete. Following the completeness process, the County then has 150 days to make a final land use decision, including the completion of any appeal to the Board of Commissioners or other proceeding under County Code. If the County does not make a final decision within the prescribed time, an applicant may petition the circuit court for a "writ of mandamus." ORS 215.429(1) et seq and citing ORS 34.130. This statute requires the circuit court to approve the application unless the County can prove it violates a substantive provision of the Comprehensive Plan or Code. If the court determines the County has not met that burden, the applicant may then proceed with the development as proposed.	10	0	0
LLU F-18 [Link]	Section 2 of the June 7, 2022, collection franchise agreement between Benton County and Allied Waste Services of Corvallis ("Republic Services") contains a mandatory limited reopener provision. Contract negotiations are not conducted in public. With that said, a process could be designed to allow public input, comment, and feedback on any provisions subject to Section 2 that may be negotiated between the parties to the agreement. The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both Benton County and Republic Services.	10	0	0
LLU F-19 [Link]	What options does the Planning Commission have if they determine that DEQ regulation of a particular parameter is inadequate or likely to be inadequate? The County could not determine that DEQ regulation of a particular environmental parameter is inadequate to protect public health and deny the application on those grounds. The County also has no authority to interpret, apply or enforce DEQ regulations (except for regulatory programs that DEQ formally delegates to a local government, such as with on-site sewage disposal regulation.) Additionally, the County cannot assume that an activity will result in a violation of DEQ parameters when the activity hasn't happened. The County could potentially determine that DEQ's regulation of a particular parameter is inadequate to	9	1	0

	prevent the proposed land use from seriously interfering with uses on surrounding properties. However, the County must articulate why DEQ's requirements are insufficient, and the County typically lacks the expertise or personnel to determine whether a particular environmental parameter is being exceeded. Alternatively, the County could require that specified mitigations be implemented, which is simpler to monitor than the level of certain emissions.			
LLU F-20 [Link]	Could a new CUP approval be conditioned on cleaning up noncompliance with existing operations? A new CUP cannot require as a condition of approval that an existing operation on a different property be modified or that noncompliance be rectified. Enforcement procedures (see Chapter 31 of the Benton County Code) would have to address the noncompliance. See recommendation R-11.	9	1	0
LLU F-21 [Link]	Is compliance/noncompliance with conditions of past land use approvals a topic that can be considered in any way during a new land use application? Generally, the new proposal must be evaluated on its own merits relative to the approval criteria. However, the current non-compliance of an existing land use condition could provide information that the Planning Commission considers in developing a condition on a new application. If an application is made to expand an existing land use that is currently out of compliance with a condition of approval of a previous decision, and that noncompliance is causing issues for surrounding land uses, noncompliance of the original land use decision is not in itself grounds to deny the new application. However, the decision-maker could potentially look at the fact of existing noncompliance in evaluating whether that noncompliance is causing the existing land use to "seriously interfere" with uses on surrounding properties. That fact can then be used as evidence in evaluating whether the proposed land use complies with the review criteria because the same land use in a similar location was seriously interfering with surrounding uses even though it was subject to conditions of approval. If the language in a condition of a past decision was unclear or insufficient to ensure compliance with an approval criterion, in evaluating a new application the decision maker could craft and impose a condition on a new decision that more clearly describes the measures necessary to ensure compliance. Past conditions	11	0	0

	superseded by subsequent decisions or changes in the law could not form a basis for such analysis.			
LLU F-22 [Link]	Were the site plan and narrative in PC-83-7 regulatory conditions of approval? No. The Board adopted the applicant's site plan and narrative in PC-83-07 as "findings" but did not specifically adopt them as conditions of approval. Findings are not conditions of approval. Rather, they explain how the decision was reached and the facts the decision maker relied on to determine compliance with a criterion. For compliance with specific findings to be enforceable they must be made conditions of approval. The conditions that were adopted through the 1983 decision, described as "conditions of development", specified changes to be made to the applicant's site plan. Compliance with those revisions was not required as a condition of approval; the conditions required only that the revisions be submitted. The decision did not describe these revisions as necessary to establish compliance with any approval criteria and required only submission of additional documentation and a revised narrative. Because a) the site plan and narrative, while relied upon as findings, were not made conditions of approval, and because b) the conditions imposed in PC-83-07 that required changes to the site plan did not require those changes on the basis that they were necessary to establish compliance with any criterion but rather required only that they be submitted, the site plan and narrative are not conditions approval of PC-83-07.	7	1	3
LLU F-22A [Link]	In 1983 the County created community expectations for how the landfill would look in decisions documented in PC83-07. Appearance issues including steepness of the landfill slopes, terracing, screening, and returning the land to grazing or other farm-like uses were addressed and committed to by the County and landfill operator. The way the County chose to implement these commitments is questionable given legal hindsight. Whether they be enforceable "conditions of approval" or "findings" in the PC83-07 record remains in dispute. The BCTT Workgroup is not a court of law. The differing interpretations over a possible process or wording error of the 83-07 decision, that causes this issue to arise, should not be the primary	5	2	4

	concern. Of greater importance for the County's relationship with its residents is the Planning Commission and Board of Commissioners decisions to adopt the offered designs and reclamation plans to meet public expectations. These expectations were made clear in the records of PC83-07. At a minimum, the debate over PC83-07's intended vs. actual conditions of approval or findings draws attention to the fragile "good neighbor" relationship between the County, landfill owner/operator and the public established through the 83-07 land use hearing process. Acknowledging these discrepancies with prior commitments should form a basis for the County, landfill owner/operator, DEQ and the public to come to reasonable expectations for the appearance and long-term use and closure of the landfill facility.			
LLU F-23 [Link]	*The workgroup took three polls on various versions of this finding, and the results appear below:* *Version 1:* Clarify when formal approval of landfilling Cell 6 (current quarry) was granted. Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7.	5	3	3
	Version 2: Clarify when formal approval of landfilling Cell 6 (current quarry) was granted. Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing	5	2	4

landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7. "Cell 6" is: 1) not mentioned in PC-83-7. 2) not show on applicant drawings of the landfill as late as 2011. 3) is shown on applicant drawings dated 2022. The portion of a drawing LS offered showing the 1983 "Existing Quarry": 1) places the quarry outside the "Approximate Solid Waste Disposal Boundary" and "Proposed Solid (illegible word) Disposal Boundary". 2) does not show a quarry extending into the area identified in 2020 as Cell 6. 3) does not show what use the drawing was intended for, no date drawn, etc. i.e. it cannot be validated. 4) shows a requirement for screening the landfill along Coffin Butte Road and Hwy 99 with about 3 dozen conifers. Regarding the 2002 MOU: 1) it does not mention how the MOU was intended to relate to land use decisions 2) is unclear as to what LUCS are referred to and their impact e.g.: the 1996 LUCS referred to in the MOU has not been found, 3) a LUCS dated 12/18/00 has been found as a free standing document, 4) a 2000 Site Plan (Is the the last DEQ approve in 2000 the MOU refers to?) using a LUCS dated Feb 25 '22 was found i.e. an 8 year gap between LUCS issuance and use in an identified document. 5) the current Operating Permit was issued in 2019 but references a 12/18/00 LUCS i.e. 20 year gap 6) it was written years before a "Cell 6" was defined in a landfill operator's drawing.			
Version 3:	5	1	5

	Clarify when formal approval of landfilling Cell 6 (current quarry) was granted. Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7. <u>However, no official county land use determination has been made on this point.</u>			
LLU F-24 [Link]	The County's decision on a conditional use permit must be based on the evidence submitted into the record. Evidence must be submitted into the record before the record is closed. The Planning Commission makes the initial decision on a conditional use application to expand the landfill, and the record includes all evidence submitted into the record before the Planning Commission makes its decision. The Planning Commission's decision may be appealed to the Board of Commissioners. The Board considers the record of the decision being appealed (all evidence and testimony submitted to the Planning Commission) and any new evidence or testimony that is submitted into the record at the Board's appeal hearing. The record closes either at the end of the final hearing on the application, or if there has been a request to leave the record open before the end of the final hearing, on the date specified at that hearing.	10	0	0
LLU F-25a	The current CUP criteria give the Board discretion and, under the existing statute, LUBA and the courts will defer to the Board's interpretation of its criteria so long as the interpretation is "plausible." That discretion, however, is not unlimited and does not extend to applying unadopted criteria or to adding criteria that are not in the code at the time an application is filed. The current CUP criteria do not	10	0	0

	include – and cannot plausibly be interpreted to include -- any requirement that the applicant demonstrate need or that it must evaluate alternatives to a proposed landfill expansion. Interpreting the existing code criteria to require demonstration of "need" or alternatives is beyond the range of discretion afforded by state statute and would constitute an improper code amendment under the guise of interpretation.			
LLU F-25b	Under both state law and the county code, an application must be evaluated based on the criteria in effect on the date the application is filed. Because the current CUP criteria do not require the applicant to address need or reasonable alternatives to the expansion, even if the evidence existed today, evidence regarding the need for or alternatives to landfill expansion is not relevant to the existing conditional use approval criteria; and therefore the possible evidence that might flow from a future SMMP is not relevant to the Board's evaluation of whether there is substantial evidence in the record as a whole related to compliance with the CUP criteria.	10	0	0
LLU F-25c	The County could amend BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with specific provisions of an adopted SMMP. However, that criterion would apply only to applications filed after the code was amended to include, as criteria, specific requirements of such a plan. [See also Recommendation LLU R-8.]	10	0	0
LLU F-26	Oregon Department of State Lands (DSL) has regulatory authority for all wetlands that meet the definition of "jurisdictional wetlands." Benton County has additional regulatory authority for wetlands the County has identified as "significant" in a wetland inventory adopted pursuant to the Oregon Administrative Rule 660 Division 23 (Statewide Planning Goal 5 procedures). While wetlands are present in the vicinity of Coffin Butte Landfill, they have not yet been evaluated and determined to be "significant" in accordance with OAR 660. The County has not conducted a comprehensive wetland inventory and analysis of significance since the 1980s. Until then, the County cannot regulate land uses in these wetlands. See LLU R-11.	11	0	1

Key Recommendations:

#	Recommendation	Formal Workgroup Polling		
		1's	2's	3's
LLU R-1	The County should enable public input on all franchise agreements. Specifically regarding the 2022 collection franchise agreement between Benton County and Allied Waste Services of Corvallis ("Republic Services"), a process to allow public input, comment, and feedback on any provisions subject to Section 2 of that agreement could be designed as follows: After the parties have begun discussing what specific terms may be amended pursuant to Section 2, but no more than 60 days prior to any amendment being approved by the Board of Commissioners, the County will publish a notice that it is seeking suggestions from the public for negotiation topics generated from the "concepts from the consensus-seeking process." Any input received would be presented to the Board of Commissioners at a work session, at which time the Board would identify those ideas or suggestions that may be included as negotiation topics. Following the work session and as part of the ongoing negotiations, Benton County Staff will discuss with Republic Services the topics and ideas the Board of Commissioners identified. At such time as Benton County and Republic Services reach a tentative agreement on the renegotiated terms, County staff would bring the proposed franchise agreement changes to the Board meeting, where consideration of the amended franchise agreement would be conducted in a public hearing pursuant to BCC 23.235, which will include an opportunity for the public to present testimony. The Board could approve the agreement as presented or may direct staff to resume negotiations with Republic Services to include specific topics identified by the Board. The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both Benton County and Republic Services. At such time as the terms have been agreed upon, and the Board is satisfied that public input has been adequately included or addressed in the renewed agreement, the franchise agreement will be the subject of a	6	6	0

	public hearing and, ultimately, decision by the Board of Commissioners at a regular board meeting.			
LLU R-2	The County should provide to the public a description of the purpose of the statutory completeness review process, and the scope of the information the county planning official considers at the completeness stage. That description should clearly explain how the administrative "completeness" process fits into the review of a land use application. While the county should not discourage public involvement at all stages of the review process, the public should be informed that the statutory completeness is a preliminary step that does not include any review of whether an application does or can satisfy the approval criteria; and that the public review and hearing process that follows after the application is complete provides the public an opportunity to provide evidence and arguments to the decision makers on the merits of the application. The information should clearly inform the public that any evidence or testimony submitted at the completeness stage is not part of the "record" that the decision makers will review, and that information would have to be re-submitted during the public hearing process in order for the decision makers to review it.	7	3	1
LLU R-3	Benton County should engage with the Oregon Department of Environmental Quality at the pre-application stage to understand relative permitting responsibilities and processes, with the goal of a more coordinated and informed review of both the land use application (by Benton County) and, if the County land use application is approved, the subsequent landfill-related permitting (by DEQ).	12	0	0
LLU R-4	With regard to other information needed to make an application complete, BCC 77.310 states that "The applicant for a conditional use permit shall provide a narrative which describes: * * * Other information as required by the Planning Official." [BCC 77.310(1)(e)] The workgroup could make recommendations regarding what "other information" would be helpful in a narrative. However, any committee recommendations would have to be limited to information related to the applicable criteria and could not expand that criteria. "Additional information" required by the Planning Official does not become part of the applicable criteria but may contribute to the completeness of the application. BCC 77.310 states only what the applicant's narrative shall include; it does not identify criteria for	10	2	0

	SWAC's review of a CUP application. This absence contributed to the subcommittee's recommendation in LLU R-6.			
LLU R-5	BCC 77.310(1) lists the information required for a conditional use application in the landfill site zone and permits the planning official to request that the applicant's narrative include "additional information." However, the development code does not specify how or when that information is to be requested. In the past, the Planning Official has used the statutory completeness review process to request additional information. However, in addition to the Planning Official's review of the information after the application has been submitted, the Board could amend the code to require that the Planning Official conduct a "preapplication conference" with the applicant to discuss the information that is required. It could also require a "neighborhood meeting" before the application is filed that requires the applicant to present its proposal to the public and allow the applicant to obtain more information about the proposal. Public comment during a pre-application neighborhood meeting, as with other public comment submitted before the application is complete and notification is sent, is not part of the formal record of the land use review and cannot be considered by decision-makers. The record includes only public comment submitted after formal notification has been sent to affected parties stating that the comment period is open.	11	0	0
LLU R-6	BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations regarding the Site Development Plan and Narrative submitted on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. Consistent with SWAC's bylaws and Chapter 23 of the County Code, which require SWAC to "assist the Board of Commissioners (Board) in Planning and implementing solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance", the Board of Commissioners should provide nonbinding guidelines for SWAC's role by articulating the scope, manner and timing of SWAC's review. Interpreting the existing County Code is within the Board's purview, but amending that code effects a more permanent solution. As an initial step, the Board could issue an official interpretation of SWAC's role pursuant to Chapter 23. Then, as a subsequent step, the Board could initiate amendments to Chapter 23 and/or Chapter 77, which	7	4	1

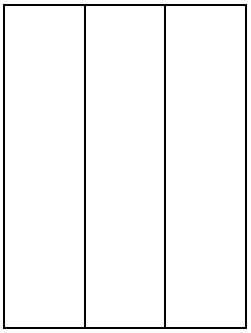
	would then proceed through a public hearings process. (If/when SWAC's overall role shifts to sustainable materials management, instances of the term "solid waste management" above should be replaced with "sustainable materials management.")			
LLU R-7	Amendments to the Development Code may be needed to create a clear and legally consistent process for SWAC's involvement in reviewing a CUP. Pursuant to the Development Code as written, the only criteria that a CUP decision can be based upon are those of BCC 53.215, and the Planning Commission is the decision-making body. Yet, the code states an ambiguous role for SWAC in that process and seems to imply that other considerations beyond those of BCC 53.215 should go into the decision-making process. This needs clarification.	7	4	1
LLU R-8	In addition to the two criteria listed in BCC 53.215(1) and (2), BCC 53.215(3) requires the decision maker to consider whether the "proposed use complies with any additional criteria which may be required for the specific use by this code." Currently Chapter 77 (Landfill Site zone) does not include any additional criteria that must be considered in the review of a conditional use application for the expansion of a landfill in the landfill zone. If there are additional criteria that the Board of Commissioners determines are necessary for the review of a conditional use application in the landfill zone, the Board would have to amend Chapter 77 to specify those additional approval criteria. The Board could also require that compliance with the site plan and reclamation plan (currently required by Chapter 77 to be submitted with the application) be adopted as conditions of approval of any approved conditional use permit.	9	2	1
LLU R-9	When the County adopts its SMMP, it should amend BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with specific provisions of an adopted SMMP.	11	0	0
LLU R-10	BCC 77.405 states, "*Copies of materials submitted to the Oregon Department of Environmental Quality as a part of any permit process shall be submitted to the Planning Official. If at any time the Planning Official determines that permit application materials or conditions of DEQ permit are judged to merit public review, a Public Hearing before the Planning Commission shall be scheduled.*" This provision is unclear. (The provision might have been codified before adoption of the current state agency	9	2	0

	coordination requirements, which now require a land use compatibility statement (LUCS) as part of any application for a state permit in which local land use is implicated.) The subcommittee interprets this section as requiring a review if the use originally approved has been or will be modified due to the DEQ permit. The Planning Official could make such a determination using a formal "Interpretation" pursuant to BCC 51.205(1). Recommend a code amendment to clarify this provision. For example, a code amendment could require that when DEQ issues a landfill permit, the Planning Official shall review the permit and conditions of approval and, if discrepancies with the County's land use approval are noted, determine whether this constitutes a "modification of a conditional use permit" (BCC 53.225) and, if so, require the applicant to submit application for such modification. A workgroup recommendation on how public review of DEQ permit requirements could most benefit the public would also be helpful.			
LLU R-11	Compliance with Oregon Department of State Lands regulations and permitting requirements for any impacts to wetlands should be a condition of approval of any land use approval at the landfill.	12	0	0
LLU R-12	In issuing land use decisions, Benton County decision-makers should: a) Draft clear findings and be certain to incorporate into the conditions of approval the items that are intended to be binding. b) State conditions of approval in clear and explicit terms and ensure that what is expected of the applicant in order to comply is clearly stated in the text of the conditions.	11	0	0
LLU R-13	Benton County should evaluate its existing system regarding compliance monitoring and enforcement to determine if there are sufficient mechanisms in place to ensure compliance with conditions of approval that the County imposes on land use approvals and, if not, recommend improvements. Elements of such an evaluation could include: a) What enforcement mechanisms exist within the County Code? b) Is there a mandamus option or a private right of action option?	10	1	0

c) What is missing?

d) What provisions and procedures do other counties have, particularly counties that host a privately operated landfill?

The future cost of such a system, the benefits, and the consequences of not improving the current practices and procedures.



ADDITIONAL INFORMATION

The following table summarizes the topic areas Benton County can and cannot regulate. Some of these topic areas are discussed more fully in the full subcommittee report.

Topic Areas Benton County Can or Cannot Regulate
-- Summary Table –

Topic Area	***Agency with Primary Jurisdiction***	***County Allowed to Regulate?***	***Notes***
Wetlands	Department of State Lands	Yes, if the County has identified significant wetlands at the site in a wetland inventory adopted through the Statewide Planning Goal 5 procedure.	No significant wetlands are identified in the vicinity of the landfill on the County's adopted inventory.
Groundwater quality	DEQ	No. Statute precludes.	County can regulate the impact of one land use on another.
Groundwater quantity	OWRD	No. Statute precludes.	County can regulate the impact of one land use on another.
Noise	DEQ	Yes. DEQ has adopted noise standards but does not enforce. County may apply (only) those standards and enforce.	
Odors	DEQ's regulation of air quality via emissions standards does not specifically address odor, but DEQ does regulate nuisance odor through a complaint-based system (see	Benton County cannot substitute a different regulatory standard for DEQ's regulation of air quality emissions. County could determine that odor will violate a CUP	No objective "odor meter" (similar to a decibel meter for noise) seems to be available.

	DEQ's Nuisance Odor Strategy).	criterion and then impose a condition regulating odor, typically by requiring specified odor mitigations to be in place.	
Methane emissions	DEQ	Precluded if regulated by DEQ.	
Wildlife	ODFW	Yes, if Benton County were to adopt a program pursuant to the Statewide Planning Goal 5 procedure.	Requires Comprehensive Plan Amendment.
Stormwater runoff	DEQ	Yes, pursuant to BCC 99.650-99.680.	
Point-source discharge to surface waters	DEQ	Yes, pursuant to BCC Chapter 36 Illicit (Non-Stormwater) Discharges.	
Light	None	Yes, through CUP criteria and resulting conditions of approval. Not directly regulated in Development Code.	No state regulations that we are aware of.

CONCLUSION

Solid waste topics in Benton County intersect with legal and land use issues in several ways:

- Franchise agreements (in this case collection and landfill franchises) are contracts between a local government and a service provider.
- Legal requirements for permitting a landfill at a given location.
- Land use regulations.
- Benton County's oversight of solid waste topics through Chapter 23 of the Benton County Code, including the Solid Waste Advisory Council and the state-mandated Disposal Site Advisory Committee.

Franchise agreements are subject to contract law, applicable Oregon Revised Statutes and County Code, and applicable federal law and court cases. For example, the U.S. Supreme Court has determined the federal constitution prevents the County from limiting the area from which the landfill can accept waste.

While franchise agreements are the product of confidential contract negotiations between the parties, the County and Republic Services also recognize and acknowledge the public interest in these agreements and the desire to ensure the agreements reflect community priorities.

Permitting a landfill or changes to a landfill is a complex mixture of state law (involving a variety of agencies) and Benton County Code. Understanding the roles and limitations on authority of

each entity is important to enable community members to provide informed comment and for Benton County decision-makers to arrive at informed decisions.

Benton County has latitude to interpret the provisions of its own code and to interpret ambiguities in past decisions, provided those interpretations are plausible. Decisions and conditions of approval must be rooted in the applicable criteria in the County's Development Code and can only address the current application (not look to alter previous land use decisions or conditions). Subjective terms in the review criteria and procedures applicable to a conditional use permit (CUP) in Benton County, including a CUP to expand the landfill, were discussed in the subcommittee findings with the intent *not* of directing how these terms should be interpreted and applied in a future land use review but of providing such legal context as exists and how the County has historically interpreted them.

The County's long land use history with Coffin Butte Landfill has resulted in legal and interpretation questions which the subcommittee has attempted to clarify from an objective legal perspective. The 1983 approval of the landfill did include approval for landfilling of Cell 6 (the present quarry) and did not establish the site plan and narrative as regulatory conditions of approval. The 2002 memorandum of understanding (MOU) between Benton County and the landfill operator memorialized the County's understanding that at that time the landfill was operating in compliance with local requirements, but the MOU did not replace or negate conditions of past land use approvals.

The subcommittee makes recommendations to:

- clarify the role of the Solid Waste Advisory Council in the land use conditional use review process;
- consider specifying what "additional information" would be helpful in review of a conditional use application;
- consider requiring a "pre-application conference" and a "neighborhood meeting";
- consider specifying any additional criteria necessary for CUP review and/or requiring compliance with the proposed site plan and reclamation plan;
- clarify BCC 77.405 regarding review of DEQ permits;
- provide the public with information regarding the initial review of the completeness of an application;
- consider a proposed process for public input in the re-opener of the collection franchise agreement;
- evaluate the system of compliance monitoring and enforcement;
- ensure that land use findings are clear and that conditions of approval include all elements intended to be binding and are clear about what is necessary to comply with the conditions.


ANDFILL

Section D: Past Land Use Application Conditions

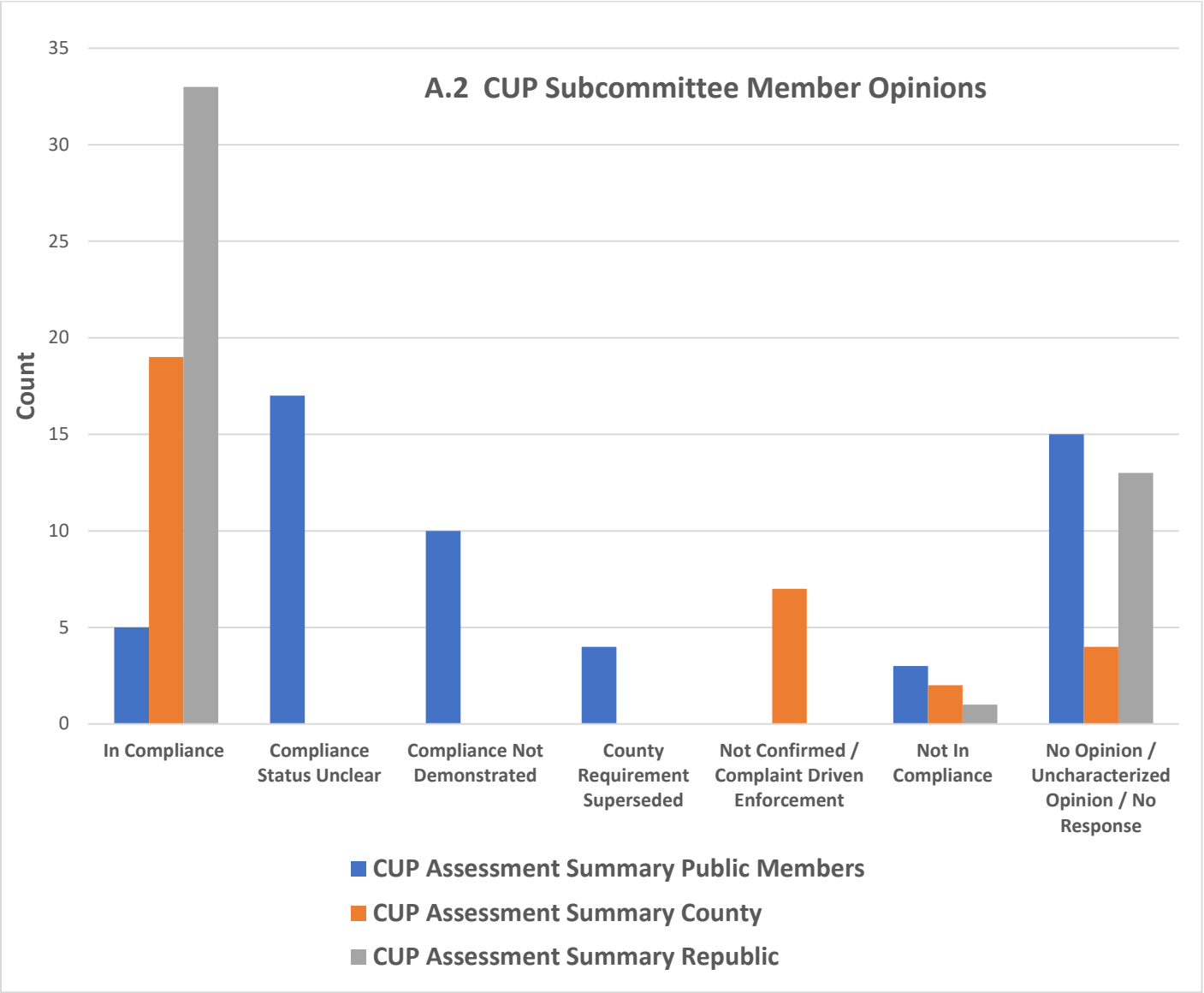
INTRODUCTION

The subcommittee's report is intended to provide an overview of all the Coffin Butte historical documents, starting in 1974, relating to land use provided to the Subcommittee by Benton County as of November 2022. It provides the context needed to better understand how Benton County got to where it is now regarding the Coffin Butte Landfill. All files were reviewed in depth by, at a minimum, the public members of the subcommittee (Catherine Biscoe, Edward Pitera, Mark Yeager).

The subcommittee report contains a summary and plain language evaluation of each of the historical files. Where possible, real-world examples are used to explain a review. Some situations point to a need for further information from the Oregon Department of Environmental Quality (DEQ). Other situations are annotated as possibly involving requirements stated in the 50-year long historical record that may have been superseded by legal interpretations of land use decisions or new laws or modified by subsequent decisions.

Table 2. *Assessments of Land Use Application Conditions* of the subcommittee report provides an overview of 13 historical documents representing 85 conditions of approval or other information contained in the reviewed files. The 85 conditions include 17 associated with power generation and 12 associated with the quarry. Although all conditions were reviewed, the subcommittee's efforts focused on the 56 associated with the landfill. The public members and the County indicated their evaluation of each condition in six clearly defined categories including "In Compliance", "Compliance Unclear", "Not In Compliance", "No Opinion" etc. The Republic evaluations tended to be as comments making it difficult to summarize how close to consensus the three parties were. A chart summarizing the subcommittee's review of the historical record since 1974 is included follows below. It illustrates that the public members feel they need more information before concluding the landfill is in compliance with CUP Conditions.

Evaluations of legal theories impacting the enforceability of past land use decisions can be found in the section authored by the Legal Subcommittee. Some key situations where the Legal Subcommittee findings point to Land Use commitments that may no longer be enforceable are: 1) limitations on the geographical area sending solid wastes to Coffin Butte (1974 CP-74-01) due to legal precedents; 2) screening the landfill from view from County roads, plus how the site is to appear and be used after solid waste disposal operations stop (1983 PC-83-07 / L-83-07) due to how the County decision was structured; 3) A 2002 County/Republic Memorandum of Understanding.



SUBCOMMITTEE WEBPAGE LINK

SUBCOMMITTEE CHARGE

Charge: A chronological history of key Coffin Butte Landfill topics:

A) Conditions of past land use approvals;
B) Compliance with prior land use approvals and SWMP;

SUBCOMMITTEE MEMBERS AT END OF PROCESS

Catherine Biscoe
Ed Pitera
Jeff Condit
Mark Yeager
County Staff: Inga Williams

The **SUBCOMMITTEE'S REPORT can be found linked HERE** in Appendix C.

The **SUBCOMMITTEE'S "MEETING NOTES" can be found linked HERE**.

KEY FINDINGS AND KEY RECOMMENDATIONS

This section lists Key Findings and Key Recommendations from the full subcommittee report below. These Key findings and Key recommendations do not capture the comprehensive discussions of the subcommittee, nor are they intended to do so. Instead, these provide a summary overview of key observations. The link adjacent to each Key Finding and Key Recommendation provides access to the full report. These summaries encourage readers to follow the links to find detailed content in the full subcommittee report.

			Unanimous Agreement		Consensus Agreement		Majority-Minority Approval	
Sub. Comm.	Findings and Recs	Total	# with all 1s	% with only 1s	# with no 3 votes	% with no 3 votes	# with at least one 3	% with at least one 3
CUP	Findings	33	22	66.7%	33	100.0%	0	0.0%
CUP	Recs	25	13	52.0%	23	92.0%	2	8.0%

Key Findings:

A review of the extensive number of land use decisions and associated conditions of approval reveals some overarching key findings regarding how land use decisions for the landfill, the quarry, power generation, and associated uses are implemented in Benton County.

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
CUP F-1	The Subcommittee's Full Report is an in-depth review of selected historical land use documents. County Staff, Republic, Workgroup and public members participating on the Subcommittee provided comments, opinions and evaluations of the historical record. Each condition was vetted in depth. Consensus was reached by public members of the Subcommittee on most topics. Consensus was not reached with County Staff and Republic. Information from DEQ is needed to potentially reach consensus on many Conditions of Approval. All inputs have been retained to assist the public in understanding the historical documents and how they were viewed by the Subcommittee. Where needed, information obtained by firsthand experiences on BCTT's Landfill and Neighborhood	11	0	0

	Tours was used to verify the compliance status of visible Conditions of Approval.			
CUP F-2	Benton County has not and does not actively monitor compliance with many Conditions of Approval, nor does it proactively act to enforce compliance. See Table 5 in Appendix C4 of the CUP subcommittee report.	11	0	0
CUP F-3	Benton County relies on complaints to initiate action to enforce Conditions of Approval.	11	0	0
CUP F-4	All County materials reviewed reflect historical information and/or decisions from public processes (e.g., meetings, hearings, advertisement notices, etc.) based on public input and approval by appropriately authorized public planning boards.	11	0	0
CUP F-5	For over 50 years, Conditional Use Approvals have been the basis for the public's understanding of many aspects of the landfill, including but not limited to: hours of operation, management of noise, screening of the site from view, how the site should look, and how the site can be used after the landfill is closed.	11	0	0
CUP F-6	No record was found of an official Benton County decision to increase the number of counties sending wastes to Coffin Butte Landfill prior to the Supreme Court's 1998 ruling. However, the 1983 land use decision expressly repealed the comprehensive plan provisions that were adopted after the 1974 decision that limit the number of counties that could waste to landfill. According to the staff report, the effect of this change was to remove such limitation.	10	1	0
CUP F-7	Conditions of Approval 4 and 6 in CP-74-01 require reclamation of the landfill to meet criteria relating to visual appearance, screening from abutting county road, and use for grazing or another farm-type operation or other permitted use as approved by the Planning Commission and Board of County Commissioners. Reclamation was also addressed in PC-83-07.	11	0	0
CUP F-8	The required DEQ reports are submitted by the Applicant and maintained by the County for the public record. A full review of these County required submittals (e.g. monitoring records) was not conducted due to time constraints.	11	0	0
CUP F-9 [Link]	Compliance with Conditions of Approval often involves a direction from the County that the Applicant should obtain permits from other entities such as, but not limited to, state agencies.	11	0	0

CUP F-10	Benton County did not and does not have a readily accessible, transparent complaint tracking system known to the public in place to receive and record land use complaints for documentation, investigation, and resolution.	11	0	0
CUP F-11	In assessing the status of compliance with past land use documents, there are numerous instances where supporting evidence may not be or is not available in County records.	11	0	0
CUP F-12	Benton County does not review reports and other submitted materials as required per conditions of approval. Examples include: copies of water quality and air quality permits, emergency plans, permit submittals, financial assurance statements, etc., and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality or other governmental agencies. See Table 5 in Appendix C4 of the CUP subcommittee report.	11	0	0
CUP F-13	Benton County has issued land use Conditions of Approval before the Applicant was granted necessary operating permits from multiple State agencies. The County advised the Applicant that those permits were required but did not check that those required permits were procured by the Applicant, except for DEQ permits.	11	0	0
CUP F-14	As of 1974 the Coffin Butte landfill was identified as a regional landfill site for wastes from ten areas in three counties. Expanding beyond this limited geographic area was to require re-review by the Planning Commission. Starting in 1998, legal precedents are believed to have superseded the 1974 requirements allowing for the expansion of the service area beyond the original three counties. Since 2013, the Coffin Butte Landfill has served 39 counties. Also, since 2013, Coffin Butte Landfill has accepted waste from seven out-of-state counties (2 from CA, 5 from WA). Only one out-of-state county (in WA) was served in 2021, which represented 1.88 Tons (0.00018% of total). For supporting information see Comments for CP-74-01 Condition 1 in Table 2 Assessments of Land Use Conditions and Legal Land Use Subcommittee analysis.	11	0	0
CUP F-15	County land use decisions have been written in a way that makes it difficult to understand the County's commitment to public expectations and enforceability of Conditions of Approval. Building on information presented by the Legal	11	0	0

	issues and Landfill Capacity Subcommittees, examples of these are:· • A 1983 County decision where all but one of the publicly agreed to requirements for the visual appearance and ultimate use of the landfill may be unenforceable. • A 1983 Benton County Amendment to the Comprehensive Plan. • A 1992 United States Supreme Court ruling (Fort Gratiot Sanitary Landfill, Inc. v. Michigan Dept. of Natural Resources, 504 U.S. 353, 112 S.Ct. 2019 (1992) limiting the County's power to regulate where wastes come from, wastes from as many as 39 counties in three states (OR, WA, ID) are allowed to be brought to Coffin Butte. These wastes have made up over 90 percent of the material coming to Coffin Butte in the last 5 years. The Workgroup's CUP Subcommittee and Legal Subcommittee have analyzed past land use documents and have reached different conclusions as to their effect. This has resulted in changes to what was authorized to occur at the landfill without notification or a public review process that would ensure public trust.			
CUP F-16	County approval documents and Applicant submittals for PC 83-07/L-83-07 describe reclamation of the site once it stops receiving waste. Requirements include what the appearance of the site is to be, terracing, allowable steepness of slopes, screening, use for grazing, consistency with agricultural and forest land use, etc. The Subcommittee did not reach a consensus on whether the County decisions and Applicant submittals associated with PC 83-07/L-83-07 are enforceable and require compliance. The public members believe they are enforceable. The County and Republic members believe they are not enforceable. Information on the County documents and Applicant submittals are in Comments for PC 83-07/L-83-07 Conditions 1 and 3 in Table 2 Assessments of Land Use Conditions. The viewpoints of the Public Members can be found here. The position of the Legal Subcommittee is found at here.	11	0	0
CUP F-17	DEQ's requirements for a Worst–Case Closure and Post-Closure Care Plan and financial assurances do not require Valley Landfills to comply with County's reclamation conditions of approval or public expectations.	11	0	0

CUP F-18 [Link]	Currently, it is not clear to the public what appropriate reclamation will look like for the ultimate disposition of the landfill.	11	0	0
CUP F-19	The Subcommittee did not reach a consensus on the applicability and the authority of the 2002 Memorandum of Understanding and how it may affect Conditions of Approval in pre-2002 decisions. The resolution of this issue potentially impacts ten land-use matters, which is over half of the decisions, containing fifty-three Conditions of Approval.	11	0	0
CUP F-20	Generally, DEQ has jurisdiction over many environmental impacts, and the County has jurisdiction over the land use impacts. The line between "environmental impact" and "land use" is not always clear. and may lead to conflicting perceptions of what is to be done. For example, as a remedy for groundwater contamination at the site, DEQ requires the purchase of land to limit the public's exposure to contaminated water (Record of Decision from the DEQ Cleanup Program), which may or may not adversely impact neighboring County approved land uses. In another situation, the County publicly agreed to limitations on the appearance and uses of the closed landfill (PC 83-07/L-83-07), but these are not reflected in Republic's current DEQ-required site closure plans. Republic prepares annual plans to verify there is sufficient financial assurance per DEQ requirements.	10	1	0
CUP F-21 (CONVERTED TO FINDING FROM PREVIOUS CUP R-19, WHICH HAS SINCE BEEN REMOVED)	With regard to the 2002 MOU, DEQ has provided information already on what a LUCS is used for. A LUCS should not be used as evidence of compliance with DEQ requirements. Per Oregon Administrative Code, OAR 340-018, a LUCS is a signed document provided by a local government that verifies that the entity applying for a DEQ permit is located in an area zoned appropriately for the proposed use by the local government.	9	2	0
CUP F-22 [Link]	Leachate from the landfill site is currently trucked to public wastewater treatment plants in Corvallis and Salem which discharge to the Willamette River. The last five years have ranged from 25.6 to 31.8 million gallons per year, with an average of 28.5. Last year the amount was 29.1 million gallons. The tanker truck capacity is 7000 gallons, which means 6 to 13 trips per day with an average of ten.	11	0	0
CUP F-23	The acquisition of buffer land by landfill-related entities is a condition of DEQ's Record of Decision from the DEQ Cleanup Program for the landfill. Landfill-related entities	11	0	0

	have acquired such buffer lands over the years that are currently zoned Rural Residential, Forest Conservation, Exclusive Farm Use. This situation was not evaluated by this subcommittee for consistency with Vision 2040 which went into effect in 2019.			
CUP F-24 [Link]	Documentation for a required submittal of a plan for emergency water supplies to the Power Generation facility was not found in the land use records.	11	0	0
CUP F-25	Odor issues have not been addressed in any of the land use Conditions of Approval.	9	2	0
CUP F-26 [Link]	In reviewing historical files it was not clearly specified what conditions were to be completed before final approval of the application and which conditions are applied to the on-going use of the land.	11	0	0
CUP F-27	A Land Use Compatibility Statement (LUCS) with a faxed date of Feb 25 '92 along with instructions on how to fill it out and what the intended use of the LUCS is was found as a supporting document in a 2000 Updated Site Development Plan report. The current 2019 dated Operating permit is based on a 2000 dated LUCS.	7	3	0
CUP F-28	There are Valley Landfill, Inc. Closure Plan Reports / Financial Assurance documents dating from the mid 1990's identifying areas of the landfill that are closed to meet DEQ requirements. Financial Assurance amounts were reduced to reflect the closure. The landfill owner utilized existing financial assurance to meet DEQ closure requirements in the 1990s. For explanation of financial assurance see LLU F-3b.	9	2	0
CUP F-29	There is a record of citizen odor complaints in a March 29, 2005 DSAC meeting minutes. Detailed information (e.g. date, time, weather conditions) on odors was reportedly presented to DSAC. Two odor control methods mentioned: 1) Keep the power generation equipment running or keep the flare lit (i.e. burn the vapors), 2) "We are using soil cover and closing the landfill at night." September 16, 2008. Landfill representative told County to refer complainants to the landfill organization because the landfill is obligated to report them to DEQ.	9	2	0
CUP F-30	Sources of Wastes: A 2001 tonnage report does not list any wastes as coming from out of state. Reports from subsequent years do e.g. 2002 lists ~12,000 tons under "Private Vehicles" (as separate from Commercial). 2003 @	9	2	0

	~37,000; 2004 @ ~34,000 tons; 2005 @ ~18,000; 2006 @ ~16,000			
CUP F-31	A "Special Waste Management Plan (Draft) 10/03 file date" identifies wastes other than household material that can be brought to Coffin Butte. *(See, Post-meeting note in M11 Meeting Minutes, prepared by Republic in response to a member request - NOT vetted by the Workgroup and not part of the finding.)*	8	3	0
CUP F-32	A number of County records were made available for review as of November 2022. However, files for PC-94-10[66] and PC-94-11[67] listed for CUP review in the October CUP planning document were not available.	9	2	0
CUP F-33	Hosting a privately owned landfill in the County involves a complex interplay of land use decisions, environmental regulations, legal precedent, and community perceptions.	11	0	0

Key Recommendations:

#	Recommendation	Formal Workgroup Polling		
		1's	**2's**	**3's**
CUP R-1	Maintain the CUP Appendix along with the supporting County and DEQ files as an integral part of the Final Workgroup Report.	11	0	0
CUP R-2	Make the Appendix and supporting comprehensive library of files related to the Coffin Butte landfill electronically and continuously available to the public to increase accessibility and reduce the need for public records requests.	11	0	0
CUP R-3	Actively monitor and enforce prior land use decision Conditions of Approval for the landfill or any other land use decision.	7	4	0
CUP R-4	Establish and widely advertise a reporting process for receiving, tracking, and resolving complaints, such as odor, noise, hours of operation, not following conditions of approval. This administrative process should include an appeals process. Ensure there is a mechanism for providing reports regarding the nature, number and resolution of complaints to be	11	0	0

[66] PC-94-10 Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site

[67] PC-94-11 A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan.

	provided to the Board of County Commissioners in the normal course of its business.			
CUP R-5	Ensure that all documents involved in a land use application and all documentation required to be submitted by a Condition of Approval are acquired and placed in the County records for that land use application and posted electronically and continuously available to the public.	11	0	0
CUP R-6	Create a system that tracks receipt of reports that are submitted as required per Conditions of Approval (E.g., copies of water quality and air quality permits, emergency plans, permit submittals, financial assurance statements, etc., and data produced from associated monitoring programs, etc.).	10	1	0
CUP R-7 [Link]	Determine if the Site Plan and Narrative included in the applicant submittals for PC-83-07/L-83-07 are regulatory conditions the landfill is required to follow. Please see LLU F-22 for a contrary view.	6	5	0
CUP R-8 [Link]	In 1983 the County created community expectations for how the landfill would look in decisions documented in PC83-07. Appearance issues including steepness of the landfill slopes, terracing, screening, and returning the land to grazing or other farm-like uses were addressed and committed to by the County and landfill operator. The way the County chose to implement these commitments is questionable given legal hindsight. Whether they be enforceable “conditions of approval” or “findings” in the PC83-07 record remains in dispute. The BCTT Workgroup is not a court of law. The differing interpretations over a possible process or wording error of the 83-07 decision, that causes this issue to arise, should not be the primary concern. Of greater importance for the County’s relationship with its residents is the Planning Commission and Board of Commissioners decisions to adopt the offered designs and reclamation plans to meet public expectations. These expectations were made clear in the records of PC83-07. At a minimum, the debate over PC83-07's intended vs. actual conditions of approval or findings draws attention to the fragile “good neighbor” relationship between the County, landfill owner/operator and the public established through the 83-07 land use hearing process. Acknowledging these discrepancies with prior commitments should form a basis for the County, landfill owner/operator, DEQ and the public to come to reasonable expectations for the appearance and long-term use and closure of the landfill facility.	7	2	2
CUP R-9	Clarify and communicate to the public what appropriate reclamation will look like to appropriately manage community	12	0	0

	expectations for the ultimate disposition of the landfill. For example, the county should explain to the public, with DEQ's and Republic's assistance, DEQ's minimum reclamation requirements in the current Worst–Case Closure and Post-Closure Care Plan.			
CUP R-10 [Link]	Determine how or if the County's reclamation conditions of approval can be incorporated into DEQ's requirements for Valley Landfill's Worst–Case Closure and Post-Closure Care Plan for the landfill.	11	1	0
CUP R-11	Determine the authority of the 2002 Memorandum of Understanding as it relates to pre-2002 Conditions of Approval and broadly communicate the applicability of the 2002 MOU to the public to help manage community expectations.	9	2	0
CUP R-12	Clarify the intersecting roles between the County and DEQ in future CUP actions, recognizing the line between "environmental" and "land use" impacts may not be clear and establish a process of reconciliation.	11	0	0
CUP R-13	Establish a reporting program for compliance confirmation for facilities contributing to environmental impacts on the County, such as a landfill, industrial-scale composting, or direct dischargers to water bodies within the County, etc.	11	0	0
CUP R-14	Consider the impact of leachate from the landfill site on traffic safety, road maintenance, public wastewater treatment plants (Corvallis, Salem), and the Willamette River (water quality, sediments, wildlife, etc.) in future assessments of the impact of landfilling in Benton County.	11	0	0
CUP R-15	The workgroup took two polls on various versions of this recommendation, and the results appear below: *Version 1:* Evaluate whether acquiring buffer land by landfill-related entities <u>impacts</u> ~~is consistent with~~ 2040 Initiative including the impact on housing, forestry, and agricultural land uses. ~~Acquiring buffer land is an action specified in DEQ's Record of Decision from the DEQ Cleanup Program for the landfill. "Property purchases as buffer around the landfill." is identified as one of the remedies for groundwater contamination.~~ <u>In addition, identifying options to disclose to the community who adjacent land owners are.</u>	9	1	2
	Version 2: Evaluate whether acquiring buffer land by landfill-related entities is consistent with 2040 Initiative including the impact on housing, forestry, and agricultural land uses. Acquiring buffer land is an action specified in DEQ's Record of Decision from the DEQ Cleanup Program for the landfill.	8	2	2

	"Property purchases as buffer around the landfill." Is identified as one of the remedies for groundwater contamination.			
CUP R-16 [Link]	Require submittal of a plan for emergency water supplies for fire protection to the Power Generation facility per S-97-58.	11	0	0
CUP R-17	Develop a comprehensive emergency preparedness/response plan with neighboring counties, cities and fire districts given the experiences from the nationally reported 1999 landfill fire.	11	0	0
CUP R-18	To address public concerns about odor, engage in a dialogue with the community to promptly develop and implement an odor reporting and mitigation plan that is consistent with the community's needs and DEQ requirements and County health and nuisance regulations.	10	1	0
CUP R-19	Update the Benton County Code and land use application documents to reflect the conditions of approval that are to be completed before final approval of an application and which conditions are applied to the on-going use of the land. This would improve understanding of the differing conditions of approval for the applicant, public, and decision-making bodies.	11	0	0
CUP R-20	Benton County should ensure that its land use decisions clearly capture and make binding the intent of the decision-makers; and should communicate with the public the outcome of such decisions in understandable language. In addition, the County should inform the public – particularly those members living within 5 miles of the landfill - when changes outside of a public land use process affect how the landfill operates or is regulated.	11	0	0
CUP R-21	Review historical and current closure related documentation to determine their impact on the ultimate closure of the landfill site.	9	1	0
CUP R-22	Continue working with DEQ to access their files and make the information readily available on the County website.	10	1	0
CUP R-23	Conduct additional searches of County records and other depositories of County correspondence such as DEQ records to uncover documents that may impact the evaluation of future land use matters. Make existing files for PC-94-10 and PC-94-11 available to the public.	9	2	0
CUP R-24	Future users are encouraged review all then-available source files for evaluating land use decisions and not rely solely on Appendix C4 documentation.	11	0	0
CUP R-25	Retain a specialized professional team of outside resources to act in the County's behalf in all aspects of upcoming expansions of the landfill. This team should be structured to	9	3	0

require only guidance from County staff. The team resources should not be dependent on County staff for administrative tasks or clerical support. Public Members of BCTT knowledgeable in the issues should participate in the selection of outside resources.

CONCLUSION

The Land Use subcommittee reviewed documents spanning more than 50 years to assess compliance with land use requirements and Conditions of Approval placed on the landfill. The efforts of the Benton County staff to locate and organize records and provide them in an electronic format was essential to allowing a full review of the historical documents and is appreciated. DEQ's similar efforts to assemble and make documents available for review was of great value and is also recognized. As a result of these efforts, for the first time the County now has a documented history of land use files for the landfill.

The subcommittee members reviewed these files from differing positions. The public members were looking for a record of compliance. In many cases, documentation of decisions made and tracked were missing, reasoning around decisions was sparse or missing, follow up documentation, once an application was closed, is seldomly found. Some records may have been in other files kept by DEQ or other county departments, but these were not available for review.

County staff and Valley Landfills, Inc. (Republic Services) were working from alternate views. Valley Landfills, Inc. has presumed their work processes have achieved compliance with Conditions of Approval since their purchase of the landfill business in 2008. Throughout this process Valley Landfills has asserted their belief that the landfill was also in compliance at the time of purchase.

Benton County's work processes do not proactively monitor and enforce all land use Conditions of Approval. This means that when an application is given final approval and the requested use is allowed to begin, County staff then find the applicant to be in compliance with initial Conditions of Approval. However, Conditions of Approval that span the life of a use are not necessarily tracked once an application file is closed. Benton County relies on complaints to initiate a compliance review rather than performing proactive site inspections.

The Public Members of the Subcommittee looked for facts in County and DEQ records to assess compliance as illustrated in the chart titled A.2 CUP Subcommittee Member Opinions, additional information is needed to gain consensus on roughly 80% of land use requirements.

Section E: Community Education & Public Outreach Summary

INTRODUCTION

Benton County relies on community participation for nearly all aspects of its policies and decisions. In June 2021, Republic Services filed its initial Conditional Use Permit (CUP) application, requesting to expand landfill operations south of Coffin Butte Road. Community members affected felt they had limited opportunity for input. The Benton County Planning Commission denied Republic's CUP application in December, 2021, at which point Republic Services timely appealed that decision to the Benton County Board of Commissioners. In March 2022, Republic services withdrew its appeal, stating its intent to file a new CUP request in 2023.

The County and its Board-appointed bodies, including the Solid Waste Advisory Council Committee (SWAC) and the Planning Commission must follow legal criteria in making land use decisions, including following County regulations that provide opportunities for community input. This input is critically important. Recommendations to ensure that community engagement and education are present for the next CUP process and other future land use decisions are discussed below.

Committee recommendations include: providing more time for public comments, updating community outreach methods to include underserved populations, providing more language accessibility, expanding website and social media reach beyond the existing self-selected lists, and ensuring that public comments are organized and easily accessible for review.

Goals and Objectives

- Best practice recommendations for Benton County communication and outreach with the public for future CUP's and communications concerning the Sustainable Materials Management Plan (SMMP.)
- Review past CUP processes and standard Benton County Communication practices.
- Provide ideas and feedback for the BCTT, SWAC, and the PC to help in Community Engagement
- Develop an outreach plan that allows community members more time to be involved in the CUP and other Land Use processes in the future and gives the County more access to community input for decision-making.

SUBCOMMITTEE WEBPAGE LINK

SUBCOMMITTEE CHARGE

1) General History:
    a. Directed at the public and those new to the issue.
    b. Not as detailed as the initial draft
    c. Narrative more than a table of newspaper articles
    d. Other historical details will appear in the Capacity and CUP reports for cross-referencing.
2) Next CUP Communications Protocols:
    a. Start with legal requirements from Legal Subcommittee

b. Develop protocols for the timely and broad distribution of CUP-related information to the public, other governmental entities, and internal committees, groups, and divisions.
c. Look at wide distribution via multiple communication channels.
d. Note opportunities for input from the jump.
e. Possible Open House/Community Forum events
f. Benton County devoted website with public comment email/form, Etc.
g. Legal Issue: Apply to just landfill CUP or all CUPs – perhaps, two processes; one for big/large area impacts vs. smaller/localized impacts, etc. It may require code amendments.

3) Executive Summary:
   a. Emphasis will be on recommendations.
   b. Note where "consensus" and MAJ- MIN
4) Community Education Plan:
   a. Focus on the ending of the BCTT process and preparation for the next CUP.
   b. SMMP info?
   c. FAQs from a process perspective – not the substantive perspective
   d. Outreach Plan
5) Recommendations

SUBCOMMITTEE MEMBERS AT END OF PROCESS
Cory Grogan
Ginger Rough
JonnaVe Stokes
Louisa Shelby
Marge Popp
Mark Henkels
Mary Parmigiani
Staff: Amelia Webb

The **SUBCOMMITTEE'S REPORT can be found linked HERE**, in Appendix C.

The **SUBCOMMITTEE'S "MEETING NOTES" can be found linked HERE**.

KEY FINDINGS AND KEY RECOMMENDATIONS

This section lists Key Findings and Key Recommendations from the full subcommittee report below. These key findings and key recommendations do not capture the comprehensive discussions of the subcommittee, nor are they intended to do so. Instead, these provide a summary overview of key observations. The link adjacent to each Key Finding provides access to the full report. These summaries encourage readers to follow the links to find detailed content in the full subcommittee report.

			Unanimous Agreement	Consensus Agreement	Majority-Minority Approval

Sub. Comm.	Findings and Recs	Total	# with all 1s	% with only 1s	# with no 3 votes	% with no 3 votes	# with at least one 3	% with at least one 3
CEO	Findings	6	1	16.7%	5	83.3%	0	0.0%
CEO	Recs	16	13	81.3%	16	100.0%	0	0.0%

Key Findings:

Public engagement needs to be widened and become more inclusive. This is most likely to be achieved through the following measures:

#	Finding	Formal Workgroup Polling		
		1's	2's	3's
CEO F-1	Insure language accessibility for at least the County's most used languages. (English, Spanish, Mandarin, and Cantonese)	10	1	0
CEO F-2	Use methods that help target underserved populations, particularly youth and low-income demographics. a. This can be achieved through more SMS communication and ensuring all websites and surveys are mobile-friendly. b. Increase social media communication and expand to more platforms. (Reddit, TikTok, Sub-Reddit, etc.) c. Utilize social media advertising.	11	0	0
CEO F-3	Use outreach methods that do not require people to be pre-signed up or self-selected. This includes, but is not limited to, flyers in public spaces, paid advertising on social media, in newspapers, and on the radio, informational mailers, and other resources.	10	1	0
CEO F-4	Create user-friendly access to public input documents and testimonies during the process to ensure Benton County, Planning Commission, SWAC, and others.	10	1	0
CEO F-5	It is important for CUP applicants to have a pre-application meeting with community members to further foster collaboration and open communication.	9	2	0
CEO F-6	Community input on environmental health and safety concerns in the area around the landfill is helps assess criteria for a CUP. In the last CUP process, community members were concerned about odor, noise, air quality and other environmental health issues that may affect the use of	n/a	n/a	n/a

the surrounding property and character of the area[68]. Concerns & Complaints on the Benton County website provides links and phone numbers to report odor and air quality concerns about the landfill to the County, DEQ and Republic Services. There is not a link for noise or light complaints. The follow up and public access to this data is unclear. *NOTE: We inadvertently did not poll on this finding, but the companion recommendation (CEO R-16) was polled with this result: 9-3-0.*			

Key Recommendations:
NOTE: Generally, these recommendations focus on the landfill. However, absent a change to the existing County Code they could potentially apply to all CUP expansions. In addition, please note that recommendations are listed in chronological order of their application, and not necessarily in order of significance.

#	Recommendation	Formal Workgroup Polling		
		1's	2's	3's
CEO R-1	County Development Department and County PIO are responsible for conducting communication and outreach.	7	4	0
CEO R-2	The Board should consider changes to these notification recommendations based on the potential impact of other CUP applications.	12	0	0
CEO R-3	Notifications for the BCTT Survey for public input on the Workgroup Report should include an email blast, website post, and displays or presentations where people already spend time (i.e., Library, community events). Notifications should include a 10-Mile radius from the landfill and should go out ideally a month before the survey closes.	11	0	0
CEO R-4	Notifications for the BCTT Report completion should include an email blast to the Interested Parties List, Organic Subscribers, those who spoke at the meetings, the Soap Creek Neighbors Group, and other landfill neighbors. Notifications should also include a possible postcard to the entire county with a link to go to and/or scan to get on a list to be informed of further updates and/or have an open house event/public informational meeting. It should be on a	11	0	0

[68]Benton County. (2021). Planning commission findings. https://www.co.benton.or.us/pc

	weekend during the day so that most people can attend, and the link and email list should be readily available. A 10-mile radius from the landfill is proposed, and notifications should be sent 72 hours after the report is finished.			
CEO R-5	Notifications for Board Hearings on the report should include a postcard, an email blast, a newspaper notification, and social media posts and advertisements. The postcards should be sent to everyone in a 10- or 15-Mile radius of the landfill, and notifications should be sent 24 hours after the board hearing is scheduled.	11	0	0
CEO R-6	The County should notify the public when Republic first notifies the County that they plan to file a CUP application. This starts off any pre-filing public involvement. Notifications should include a postcard, email blast, newspaper notification, and social media posts and advertisements. Postcards should be sent to everyone within a 10- or 15-Mile radius of the landfill, and notifications need to begin 24 hours after the County is notified.	9	2	0
CEO R-7	Notifications for CUP filings, which includes the application review process, should consist of a postcard, email blast, newspaper notification, and social media posts and advertisements. Postcards should be sent to everyone within a 10- or 15-Mile radius of the landfill, and notifications need to begin 24 hours after the initiation of a CUP filing. During the "completeness" process, the Planning Official will consider whether the applicant's documents and information are sufficient for purposes of review of the application. Determining that an application is complete does not mean the information satisfies the approval criteria.	11	0	0
CEO R-8	Notification when County determines the application is complete will include a postcard, email blast, newspaper notification, and social media posts and advertisements. They should be sent to the entire county and occur 24 hours after completion.	11	0	0
CEO R-9	Notifications for SWAC Meetings should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent one to two weeks before the meeting.	11	0	0
CEO R-10	Notifications of the SWAC Recommendation should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent out 24 hours after the recommendation.	11	0	0

CEO R-11	Notifications for Planning Commission Meetings should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent no later than two weeks before the meeting.	11	0	0
CEO R-12	Notifications of the Planning Commission's decision on the application should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent out 24 hours after the recommendation.	11	0	0
CEO R-13	Notifications of when the Board is hearing the CUP application for approval will include a postcard, email blast, newspaper notification, and social media posts and advertisements. They should be sent to everyone within a 10- or 15-Mile radius of the CUP site and occur 24 hours after scheduled.	11	0	0
CEO R-14	Notifications of the Board's decision on the application will include an email blast, website banner, newspaper notification, and social media posts. The notifications should be sent out 24 hours after the decision.	11	0	0
CEO R-15	Applicants of CUPs should have a pre-application meeting with notification to the communities affected by the CUP as directed by the County.	12	0	0
CEO R-16	Neighborhood concerns about the landfill need to be collected, tracked, and resolved in an organized reporting and appeals process as cross referenced in CUP R-4 and CUP R-18. The data and actions taken should be accessible by the public. An updated area of the website with a streamlined reporting process for odor, noise, air quality and other environmental health concern reporting is needed. For example, a community member could click on the area of concern and check off boxes quickly to make a report. Phone numbers and emails should also be available for those who can more easily access these methods of communication. A link to the reporting area of the website on social media accounts would also be needed.	9	3	0

CONCLUSION

Community education and extended outreach are vital steps of the land use application process. Making sure everyone in the community gets information about this process requires two broad methods: specifically targeting underserved groups and using multiple outreach methods. Targeting underserved groups can include increased social media use and other outreach methods that can easily be accessed with a phone. It is also essential that

communications are succinct and easily understood by the entire population. In addition, it is critical that some of the communications do not require community members to be pre-signed up. Using multiple outreach methods is also important, and during the process, the county should gauge the effectiveness of the communication strategy and change it if necessary.[69]



[69] Benton County Oregon. (2022). Benton County Talks Trash solid waste process workgroup communication and outreach plan. https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8384/imperati_grogan_121222_fw_bctt_subcommittee_e_swppwg_communication_outreach.pdf



V. Polling Template

WORKGROUP Member	**Polling**	**Charge**	**Not Here**	**Abstain**	**1**	**2**	**3**
1) Chuck Gilbert	X	All					
2) Marge Popp	X	All					
3) Elizabeth Irish	X	All					
4) Russ Knocke / Ginger Rough	X	All but C					
5) Shawn Edmonds/Julie Jackson	X	All but C					
6) John Deuel	X	All					
7) Kathryn Duvall	X	All					
8) Christopher McMorran	X	All					
9) Ryan McAlister	X	All					
10) Mary Parmigiani	X	All					
11) Ed Pitera	X	All					
12) Louisa Shelby	X	All					
13) Catherine Biscoe	X	All					
Polling Totals:							
RESULT: Consensus / No Consensus (Keep One) **Majority-Minority Result: 1s = X and 2s = X | 3s = X**							
EX-Officio	**Polling**	**Charge**	**Not Here**	**Abstain**	**1**	**2**	**3**
Audrey O'Brien	No	All					
Brian May/Andrew Johnson	No	All					
Shane Sanderson	No	All					
Daniel Redick	No	All					
Sean McGuire/Jen Brown	No	All					
Ex-Officio Totals:							

Final Polling results can be found in Appendix B.

The Meeting 10 and Meeting 11 recordings can be found here:

Meeting 10 March 23, 2023: Recording Link (Passcode: Tvzb^h1$)

Meeting 11 April 3, 2023: Recording Link (Passcode: =W3GCHU0)

Meeting 10 and Meeting 11 meeting transcripts can be found in Appendix B3**.**


Benton County
HISTORY O
COFFIN BUT
LANDFILL
Benton County Talks Trash

VI. Member (Past and Current) Statements

Past and current workgroup members and subcommittee members were invited to submit Member Statements for inclusion in the final report. Member names below are hyperlinked.

Member	Affiliation
Catherine Biscoe	Public
Ed Pitera	Public
Ginger Rough (Follow-up information)	Republic Alternate
Joel Geier	Former Member
Ken Eklund	Subcommittee
Elizabeth Irish	Planning Commission
Louisa Shelby	Public
Marge Popp	SWAC/DSAC
Mark Henkels	Subcommittee
Mark Yeager	Subcommittee
Mary Parmigiani	Public
Russ Knocke	Republic: National
Ryan McAlister	Public
John Deuel	Public
Shawn Edmonds	Republic: Local
Chuck Gilbert	SWAC/DSAC



A Reflection on the Benton County Talks Trash Work Group: Biscoe

"Benton County and key stakeholders seek assistance identifying and implementing a constructive path forward relating to sustainable materials management and the future of solid waste disposal in the Mid-Willamette Valley, including at the Coffin Butte regional landfill."

In September 2022, at the onset of the Benton County Talks Trash Work Group, the expectation was for an intensive 4-month review and report to support this "future of solid waste disposal in the Mid-Willamette Valley." What manifested was more than 8 months of work group and subcommittee activity, represented in more than 102 meetings and more than 208 meeting hours for the workgroup members, that produced a comprehensive 445-page report to be utilized by the Benton County Board of Commissioners and planning officials to map the future of Benton County waste management.

What was discovered in this process as the subcommittees work developed was the intersecting nature of the history, landfill management, waste volumes, capacity expectations, legal interpretations, compliance status of the 50-year history of land use decisions regarding the Coffin Butte Regional Landfill, gaps in managing conditions of approval, adverse impacts from landfill activities and public expectations which were not upheld.

After this more than 8 months of unprecedented community effort, the BCTT workgroup delivered, within the report, an extensive set of findings and recommendations for the county to consider in moving forward to improve gaps in the process and manage expectations between Benton County, Republic Services, and the public.

Many members statements will speak to the fine nuances of many topics. My statement is designed to encourage strong participation in the next steps of this process, including public and stakeholder review of the Benton County Talks Trash Report as the community looks to determine the best path forward with for the Benton County relationship with the Coffin Butte Regional Landfill.

For the future reader of the BCTT Work Group Report, understanding the Benton County Talks Trash (BCTT) originations, goals, processes, and outcomes will assist in navigation of the 450+ page report, identified successes, and gaps discovered through the process.

For a foundational review of the BCTT Work Group expectations, review of the Bylaws and Charter is helpful. ***The Bylaws and Charter for the BCTT Work Group can be found here:*** benton_county_talks_trash_charter_and_bylaws_approved_8-23-22_final.pdf

Gaps that stood out for me:

- Absence of BCTT Work Group representation from Benton County city officials
- Absence of BCTT Work Group representatives from Tribal Nations.
- The comprehensive review of topics by the subcommittees contributed great value; the inability of the transference of the content of each subcommittee review to the greater BCTT Work Group complicated the final consensus stage of the process
- The lack of timely feedback throughout the process

- The challenges of short turnaround times of workgroup and subcommittee members to review large documents and reports

The Benton County Board of Commissioners appointed the following polling member representative to the BCTT Work Group: two Disposal Site Advisory Committee/Solid Waste Advisory Council members, two County Planning Commission members, two members from Republic Services, Inc., and eight members from the Benton County community. The Board also appointed ex officio members: two members from neighboring counties, one member from the Oregon Department of Environmental Quality (DEQ) and two Benton County staff members.

The length and intensity of the BCTT process led to changes in the appointed membership of the BCTT Work Group over the course of 8 months. Ultimately it was the contributing participation of these members of the Benton County Talks Trash (BCTT) Workgroup, the BCTT Work Group Subcommittees, as well as the supporting staff members and the greater public participation of this work process that led to its completion. The below list is designed to publicly recognize these contributors, and exceeds the official BCTT Work group membership list. As the Benton County community moves forward in its relationship with Coffin Butte Landfill, these are the key individuals who are now "experts" in understanding the unprecedented more than 50 years history of the landfill and have contributed to a road map for future relationships between Benton County and the Coffin Butte Regional Landfill. **The collective efforts toward the completion of this project over 8 months of these individuals represents more than**

- **11 BCTT Work Group meetings, each 4-8 hours long and in combination more than 60 hours**
- **a Coffin Butte Regional Landfill Tour**
- **a Neighborhood Tour of areas surrounding Coffin Butte Regional Landfill**
- **91 Subcommittee meetings of more than 148 meeting hours**

I wish to personally thank the contributors to the Benton County Talks Trash Work Group report *(and respectfully ask forgiveness if I have forgotten any key individuals!)*

- Marge Popp, Solid Waste Advisory Council / DS Advisory Council
- Joel Geier, Solid Waste Advisory Council (SWAC) / DS Advisory Council (DSAC)
- Chuck Gilbert, Solid Waste Advisory Council (SWAC), DS Advisory Council (DSAC)
- Liz Irish, Benton County Planning Commission
- Nancy Whitcombe, Benton County Planning Commission
- Andrew Struthers, Benton County Planning Commission
- Russ Knocke, Republic Services
- Shawn Edmonds, Republic Services
- Julie Jackson, Republic Services
- Ginger Rough, Republic Services
- Ian McNab, Republic Services
- Bill Bromann, Republic Services
- Jeff Condit, Republic Services legal counsel
- Brandon Bates, Public
- Mark Yeager, Public
- Ken Eklund, Public

- Paul Nietfeld, Public
- John Deuel, Public
- Kathryn Duvall, Public
- Christopher McMorran, Public
- Ryan McAlister, Public
- Mark Henckels, Public
- Mary Parmigiani, Public
- Ed Pitera, Public
- Louisa Shelby, Public
- Catherine Biscoe, Public
- Brian Fuller, DEQ
- Audrey O'Brien, DEQ
- Brian May, Marion County
- Shane Sanderson, Linn County
- Daniel Redick, Benton County Staff
- Vance Croney, Benton County legal counsel
- Scott Kruger, Benton County staff
- Sean McGuire, Benton County staff
- Greg Verret, Benton County staff
- Darren Nichols, Benton County staff
- Inga Williams, Benton County staff
- Daniel Redick, Benton County staff
- Sam Imperati, ICM Solutions, BCTT Facilitator
- Amelia Webb, ICM Solutions staff
- Ginny Lucker, Legal Counsel
- The extensive members of the public who contributed and engaged in rich and dynamic dialogue with the BCTT workgroup through in-person and virtual public testimony, online surveys, BCTT Open Houses, local organizations, and direct outreach with individuals on this list and Benton County staff serving as the connection to the greater body of public stakeholders.

Executive Summary

Many members of the committee are likely to speak to the Executive Summary, so I will reserve my comment for other areas. I encourage the future reader to consider those viewpoints from the perspective of vested members in the BCTT Work Group process and report.

History

The history of the relationship between Benton County and the Coffin Butte Regional Landfill is rich in story, complex in nature and filled with perspectives of a community and public interests that have changed over time. Rooted in the past of Camp Adair, through the planning of the Chemeketa, the development of better environmental and waste management practices, the onset of intentional

recycling efforts and today's question about the types of waster and future impacts to our quality of life and environment, the history is an important element to better understanding the BCTT Work Group Process and Report

Elements of the history of the Coffin Butte Landfill that stood out for me:

- The Neighborhood Tour
  geier_100222_neighborhood_tour_guide.pdf (benton.or.us)

- The Coffin Butte Landfill Tour
  pitera_092922_coffin_butte_tour_notes_092422.pdf (benton.or.us)

- Intake Volume History of Coffin Butte Regional Landfill as presented by Paul Nietfeld
  geier_100222_neighborhood_tour_guide.pdf (benton.or.us)

- The 2002 Memorandum of Understanding between Benton County and Coffin Butte Landfill that has been proposed to conclude that all pre-2002 Conditions of Approval for the landfill had been met. This was a subject that could not be met with consensus of the work group
  mou_documents.pdf (benton.or.us)

- The authority of the 1983 Land Use file 83-07 of which reportedly Coffin Butte Landfill is still subject to some of the conditions, but of which a substantial number of conditions remain inconclusive

- The relevance of the Coffin Butte Landfill fire in 1999
  (notes found in document from Ed Pitera Stop 6 of Neighborhood Tour)
  pitera_100422_notes_cb_neighborhood_tour.pdf (benton.or.us)

- The historical management of methane gas emissions from Coffin Butte Landfill

- The environmental impacts of leachate from the landfill in the immediate area, in groundwater and in surface waters through treated effluent
  Drinking Water Health Advisories for PFAS Fact Sheet for Public Water Systems (PFOA, PFOS, GenX Chemicals and PFBS) (epa.gov) (see page 3 of 5 regarding EPA's Health Advisories for PFOA, PFOS, GenX Chemicals and PFBS)

- The risk of long-range environmental impacts of landfill contaminants that will begin to impact the environment as liners and mitigation measures age and begin to fail.

The Work of the Subcommittees

This part of my member statement is a summary of subcommittee work to encourage future readers navigate the complexity of the BCTT Work Group process. The following is formatted to include the

subcommittee members, the meetings and hours spent, the charge of each subcommittee, the links to the main webpage of the subcommittee where supporting documents are found.

Sustainable Materials Management Plan Subcommittee

(known as SMMP in findings/recommendations documents)

The Charge: Does not include completing a Sustainable Materials Management Plan, but rather the discussion of preliminary scoping to start the planning process including subjects to be covered, benefit-cost topics, contracting options, alignment with the 2040 Thriving Communities initiative, stakeholders to be included, a workplan outline and timeline, and lessons learned.

Meeting agendas, recordings and supporting documents for this workgroup can be found here: BCTT Subcommittee - C.1. Sustainable Materials Management Plan (SMMP) | Benton County Oregon

This subcommittee held 13 additional meetings with a minimum of 19 additional meeting hours beyond the BCTT Work Group meetings.

- Brian May, Marion County
- Sean McGuire, Benton County staff
- John Deuel, Public
- Marge Popp, SWAC/DSAC
- Ken Eklund, Public
- Daniel Redick, Benton County staff
- Ryan McAlister, Public

Landfill Size/Capacity/Longevity Subcommittee

(known as LSCL in findings/recommendations documents)

Charge: Develop a chronological history of key Coffin Butte Landfill topics including size, specific locations, and assumption (e.g., when landfill will close)

Meeting agendas, recordings and supporting documents for this workgroup can be found here: BCTT Subcommittee - A.1. Landfill Size/Capacity/Longevity | Benton County Oregon

This subcommittee held a minimum of 16 additional subcommittee meetings with a minimum of 25 additional hours beyond the BCTT full Work Group meetings.

- Paul Nietfeld, Public
- Chuck Gilbert, SWAC/DSAC
- Brian May, Marion County
- Shane Sanderson, Linn County
- Ian Macnab, Republic Services
- Bill Bromann, Republic Services
- Daniel Reddick, Benton County staff
- Mark Yeager, Public

- Ken Eklund, SWAC/DSAC
- Ginger Rough, Republic Services

Legal Issues and Land Use Review Subcommittee

(known as LLU in findings/recommendations documents)

Legal Issues Charge

1. **Create a summary of the County's current rights and obligations to Republic Services and vise versa, surrounding the Franchise Agreement, the landfill CUP, what legally can and cannot bee conditions of land use approvals and interpretation of deference.**
2. **A summary of the rights and obligations of other entities surrounding landfills, hauling and sustainability initiatives, etc. of the following parties: Federal, tribal, state, local government and a summary of the process and timing for cross-jurisdictional approvals of landfill approvals**

Land Use Review

1. **Create a common understanding document outlining which Benton County Development Code criteria are applicable to the review of a conditional use application for landfill expansion.**
2. **Review Chapters 50 and 51 of Benton County Code for context and prepare a conceptual list of any other Development Code criteria the BCTT Workgroup recommends to be applicable.**
3. **Develop recommended guideline for interpreting ambiguous Development Code provisions and review Planning Commission comments made during the last review of Republic Services CUP application for context.**
4. **Develop protocols for the timely and broad distribution of CUP-related information to the public and other stakeholders.**

Meeting agendas, recordings and supporting documents for this workgroup can be found here: BCTT Subcommittee - A.3. Legal Issues and B.1. Land Use Review | Benton County Oregon

This subcommittee held a minimum of 17 additional subcommittee meetings with a minimum of 25 additional meeting hours beyond the BCTT full Work Group meetings.

- Liz Irish, BCTT member, Planning Commission
- Vance Croney, Benton County legal counsel
- Jeff Condit, Republic Services attorney
- Greg Verret, Benton County staff
- Virginia (Ginny) Lucker, legal counsel

Past Land Use Application Conditions Subcommittee

(known as CUP in findings/recommendations docs)

Charge: To develop a chronological history of key Coffin Butte Landfill actions, report on conditions of past land use approvals and compliance with prior land use approvals and SWMP

- Catherine Biscoe, Public
- Mark Yeager, Public
- Ed Pitera, Public
- Jeff Condit, Republic Services attorney
- Inga Williams, Benton County staff

This subcommittee held 21 additional subcommittee meetings and 11 additional small workgroup meeting (generally 3 of 5 subcommittee members) with a minimum of 63 additional hours beyond the BCTT full Work Group meetings.

Meeting agendas, recordings and supporting documents for this workgroup can be found here: BCTT Subcommittee - A.2. Past Land Use Application Conditions | Benton County Oregon

Community Education Subcommittee

(known as COE in findings/recommendations and survey docs)

Charge:

1. **To develop protocols for community education, outreach, FAQs, etc. regarding the general landfill history including road distribution of CUP-related information to the public, other government entities, and internal committees, groups, and divisions.**
2. **To Report the Executive Summary**

Meeting agendas, recordings and supporting documents for this workgroup can be found here: BCTT Subcommittee - E.1. Community Education | Benton County Oregon

This subcommittee held a minimum of 13 additional subcommittee meetings with a minimum of 16 additional meeting hours beyond the BCTT full Work Group meetings.

- Ginger Rough, Republic Services
- JonnaVe Stokes/Cory Grogan, Benton County staff
- Louisa Shelby, Public
- Marge Popp, SWAC/DSAC
- Mary Parmigiani, Public
- Mark Henkels, Public
- Amelia Webb, consultant staff
- Sam Imperati, contracted Facilitator

Through the work group subcommittees which were established in October 2022, each subcommittee was focused on their assigned or chosen topic. The benefit of this model allowed for a more comprehensive review and summary development of the topics. The flaws of this process were that the BCTT full Work Group became dependent on a narrow subset of perspectives of the subcommittee

members, without the benefit of the fuller context, leading to a lack of comprehensive understanding of the other subcommittee efforts. This was especially true for the History of the Landfill, the Land Use Applications Conditions of Approval, and the Legal and Land Use topics. The extent of complex subcommittee documents would make it difficult to present the entirely of the nuances of each topic to the greater BCTT work group, creating a situation where consensus could not always be reached, and leaving the final conclusions in the report unsatisfactory in the final document. In some instances, the "summary" was diluted, or minimized or narratives were altered to better suit certain interests within the full work group.

What was discovered in this process

Some of the information discovered through this process that stood out to me:

- Coffin Butte Regional Landfill now collects wastes from 39 counties from three states: Oregon, Washington and Idaho. The Idaho/Oregon border is approximately 390 miles away, the Washington state border is approximately 90 miles away, a substantial distance to haul regional waste, with real-time impacts to infrastructure life and fossil fuel emissions.

- It is known in the industry that landfill liners can and do fail over time. These liners that protect the landfill contaminants from the surrounding environment age and fail over varying timelines depending on the composition and management of the landfill materials. Understanding that the environmental risk of regional landfill exists even with the best of practices is essential for Benton County decision makers and the public to understand in weighing the costs vs benefits.

- It is not clear whether all potential contaminants of leachate are being treated or even tested for before landfill leachate reaches its end destination. Substantial amounts of Coffin Butte Regional Landfill leachate is treated in Corvallis, ultimately being discharged into the Willamette River. Drinking Water Health Advisories for PFAS Fact Sheet for Public Water Systems (PFOA, PFOS, GenX Chemicals and PFBS) (epa.gov) (see page 3 of 5 regarding EPA's Health Advisories for PFOA, PFOS, GenX Chemicals and PFBS)

- It is unclear whether the existing groundwater test wells around the landfill are testing for all potential environmental contaminants Drinking Water Health Advisories for PFAS Fact Sheet for Public Water Systems (PFOA, PFOS, GenX Chemicals and PFBS) (epa.gov) (see page 3 of 5 regarding EPA's Health Advisories for PFOA, PFOS, GenX Chemicals and PFBS)

- Unexpected contaminants may be required to be accepted at Coffin Butte Landfill. A recent example of this was the acceptance of 1600 tons of diesel contaminated soil from a train derailment in Toledo, Oregon which occurred in February 2023. The contaminated soils were accepted at the landfill, although it remains unclear which authority requires or allows acceptance of such high-risk wastes, or the mitigation measures provided by the landfill operations to contain waste of this nature.
  A train derailment at the Georgia-Pacific Mill in Toledo, OR spilled about 2,000 gallons of diesel (koin.com)

Train derails at GP mill in Toledo | News | newportnewstimes.com

- Improvements to the Franchise Agreement process, including improvements to timelines, and public transparency

- The importance of integrating Benton Counties 2040 Thriving Communities Initiative in this process moving forward
  2040 Thriving Communities Initiative | Benton County Oregon

- "The importance of Potential adverse effects of the landfill – traffic, soil conditions and contamination levels, air quality, surface and groundwater conditions and contamination levels, noise, odor, visual screenings, litter, hours of operation, solid waste composition of non-household waste sources" (directly quoted from unknown survey respondent)
  Landfill Liability and the Future of Recycling: An Ounce of Prevention is Worth a Pound of Cure (Commentary) (benton.or.us)

- The critical nature of transparency, and the management of public expectations. Efforts have been made, in particular during the process of the BCTT Work Group, but public testimony suggests there is need and cause for improvements

Looking Ahead

1. Public expectations and participation should be encouraged…and every voice should be given opportunity to be heard in its essence and to its true narrative. While there was public testimony through this process that was supportive from local government officials, and members of the business community that have direct interests in relationships of Coffin Butte Regional Landfill operations, there was far greater input from members of the public expressing concerns over past practices, environmental concerns and most urgently and obviously quality of life impacts. Suggestions were made by some that the cost benefit of having a locally accessible regional landfill should outweigh the desire for quality of life for those living directly in the region or passing by through unknown air contaminants or odors. These are issues that are important for our leadership to address keeping in mind that history has shown the consequences of decision making that ignores impacts to minority communities or suppresses minority opinion is fraught with consequences. If we are to do right in decision-making regarding he landfill that is good for all of Benton County, than all factors and elements must be considered no matter how small a portion of our community

2. Intentionally include a robust and dynamic process engaging a full spectrum of stakeholders to Ensuring balance and that no voice goes unrecognized through majority/minority consensus process that diminishes minority perspectives. The discourse apparent in public testimony reflects a diminishing of public trust and suggests improvements in transparency are needed. Stakeholders should at a minimum include:
   - Community members across Benton County
   - Advocacy groups

- Business – small and large
- Industry partners
- State agency and regulatory partners
- Local government elected and appointed officials
- Regional partners (cities, counties, watershed councils,
- Adjacent property owners/nearby community representatives

3. Recognizing the value of BCTT work group experience, members of this workgroup that represent different stakeholder positions should be involved in the development of an RFP and the evaluation and selection of a consultant tasked with any actions taken as a result of the BCTT report.

4. Ensure adequate and sustainable funding to establish a Benton County staff position to serve as a liaison to Coffin Butte Regional Landfill and to cultivate a partnership in reaching and maintaining compliance, interfacing, and managing response to community concerns and overseeing all regulatory filings and reports with partners such as DEQ, including providing mechanisms to help the community understand CBL operations, and practices
5. Above all, the assurance that Benton County will prioritize the health, safety and welfare in its policies and decisions regarding the Coffin Butte Regional Landfill and how it directly and for the future will have bearing on Benton County residents quality of life, first and foremost, for generations to come.

It was a privilege to be asked and be able to serve as a public member of this Benton County Talks Trash Work Group. The historical document and record produced will help to shape the future of waste management and support a balanced approach to ensuring the safety, health and well-being of Benton County residents.

Respectfully submitted,

Catherine Biscoe
Benton County Talks Trash Work Group Member
Land Use Application Conditions of Approval Subcommittee Member

BCTT Solid Waste Workgroup Final Report: **Pitera**

Member Statement

Please add your comments to any or all of the following sections. Structuring your comments in this order will better enable readers to connect your comments to the relevant sections of the BCTT Report.

Name: Ed Pitera

Date of Statement: 7 April 2023

1. Report Transmittal

No comment.

2. Report Executive Summary

Many County residents are aware of the charged atmosphere surrounding community discussions of all aspects of hosting a privately owned landfill in Benton County. As conceived and guided by the Institute for Conflict Management, Inc. (ICM), the concept of a "bridge" process designed to reset the community dynamics with development of "common understandings" and recommended protocols for the future substantive consideration of solid waste issues is a sound one. From my view, common understandings with essentially full agreement were reached on what should be addressed in a future Sustainable Materials Management Plan (SMMP) and on what could be done to enhance Community Education & Public Involvement processes. For the three other topics - Landfill Size/Capacity/Longevity, Legal Issues & Land Use Review, Past Land Use Application Conditions – I consider many findings and recommendations being within ICM's process definition of a "common understanding" i.e., assigned a 1 or 2 in the group polling process. In other cases, efforts were made to clearly state the differences in views and recommend the Board of Commissioners look closely at those matters.

In the version of the Executive Summary available at the time this Member Statement was prepared, mention is made of at least one item that came up too late in the process for the Workgroup to vet or was left unresolved for future work. My first impression is that 2017 Metro Council Ordinance No. 17-1401 potentially impacts the 2020 Franchise Agreement (volume trigger levels) and the need to promptly move ahead with consideration of a Conditional Use Application for a Coffin Butte Expansion. It is also noted that the Board agreed with the ICM Assessment recommendations to retain outside legal and planning advice for the anticipated expansion CUP application. It is recommended that the implications of this 2017 Metro Council Ordinance No. 17-1401 be assessed and considered by the County and these outside resources.

Overall, the Institute for Conflict Management, Inc. and the County exceeded my expectations for the nature and quality of the work product of the BCTT WorkGroup.

3. History

The History section seems generally accurate. The late addition of information from a community member's public records request demonstrated the need for the County to be open with the community about the potential number, scope, and size of landfills in Benton County.

4. Sustainable Materials Management Plan (SMMP)

The SMMP should clearly address the impact of landfilling wastes from outside the County. It is my understanding that Benton County contributes less than 10% of the wastes brought to Coffin Butte from 39 counties in three states (OR, WA, ID).

5. Landfill Size/Capacity/Longevity

For me, the "understandings" arising from the ICM process are like building blocks. The wording of several different findings can be agreed to but the picture the findings paint is not clear until combining the blocks. An example is landfill longevity. Longevity is assessed in two separate findings. One finding indicates a landfill life of 14 to 16 years. Another, a life of two years. Both answers are valid "common understandings". For me, combining the two gives a more complete picture. The result of combining LSCL F16 and F37 plus adding some percentages for perspective is:

> Prior to 2003, the airspace capacity was 13,100,000 cubic yards. This increased 69% to 22,100,000 cubic yards in 2003 when the County approved the addition of the West and East triangle areas for disposal. If approved by the County, the proposed "Cell 6" would add 13,400,000 cubic yards of airspace for a total of 35,500,000 cubic yards of disposal capacity. This is a 170% increase in permitted landfill airspace since 2003.
>
> The expected landfill longevity is 2 to 3 years (2025) without Cell 6 being constructed and 14 to 16 years (2037 – 2040) if Cell 6 is approved and operational in 2025.
>
> Valley Landfills Inc. anticipates it will no longer be able to place waste in Cell 5 by mid-year 2025. Excavation of the footprint of Cell 6 within the current rock quarry is scheduled to begin in Spring of 2023 with completion in Spring 2025.

Putting the two findings together provides perspective on the County's recent statements that the landfill life is 14 to 16 years. Both statements* seem to imply the Conditional Use Permit for the 2020 Proposed Expansion has previously been approved.

*(Ref. KEZI TV News at 6 interview (March 29, 2023) and on the County Public Podcast Series Episode 1)

It is suggested readers of the BCTT report look for "building blocks" or connections between multiple Findings.

6. Legal Issues & Land Use Review

Two comments are provided. The first deals with the Authorization of Cell 6, the second with the impact of the commitments conveyed in land use file PC-83-7.

Authorization of Cell 6

This section of the BCTT report adds a building block to the evaluation of landfill longevity. A key one is LLU F-23 which states "Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU (Memorandum of Understanding), as authorizing landfilling of the area known as Cell 6, the current quarry as authorizing landfilling of the area known as Cell 6, the current quarry."

The Past Conditional Use Permit Subcommittee had independently studied PC-83-7 records as part of their charter. The public members of the Subcommittee do not agree with the opinions provided in LLU F-23. Highlights of facts that do not support the LLU opinion include the following:

- "Cell 6" is not mentioned in PC-83-7. No contemporaneous drawing was provided showing "Cell 6". "Cell 6" is not show on a landfill owner's drawings of the landfill as late as 2011. "Cell 6" is shown on a landfill drawing dated 2022 i.e. about 40 years later than the PC-83-7 decision.
- The portion of a drawing the Legal Subcommittee provided showing the 1983 "Existing Quarry" also does not support an opinion that "Cell 6" was authorized in 1983 because it:
    1. places the quarry outside the "Approximate Solid Waste Disposal Boundary" and "Proposed Solid (illegible word) Disposal Boundary".
    2. does not show a quarry extending into the area identified in 2020 as Cell 6.
    3. does not show what use the drawing was intended for, no date drawn, etc. i.e., it cannot be validated.

After the Legal Subcommittee provided their views on the 2002 MOU, the public members of the Subcommittee reviewed County and DEQ files and did not reach the same conclusions. The main issues with the MOU are:

1. it does not mention how the MOU was intended to relate to land use decisions such as PC-83-7.
2. it is unclear as to what the LUCS referred to and its impact e.g., the 1996 LUCS referred to in the MOU has not been found.
3. a LUCS dated 12/18/00 has been found as a free-standing document in DEQ files making it difficult to determine what it was associated with – it may have nothing to do with the MOU.
4. a 2000 Site Plan i.e. a DEQ submittal around the timeframe sited in the MOU, contains a LUCS dated Feb 25 '22. This is an 8-year gap between LUCS issuance and its use in an identified document.
5. it was written years before a "Cell 6" was defined in a landfill operator's drawing.
6. interpretation of the link between the requirement for having a LUCS and issuance of a permit is unclear. For example, the current landfill Operating Permit was issued in 2019 but references a 12/18/00 LUCS i.e., a 20-year gap.

This MOU critique also applies to LLU 15.

Land Use File PC-83-7 (Relates to LLU-22 and CUP R-7)

In 1983 the County created community expectations for how the landfill would look in decisions documented in PC-83-07. Appearance issues including steepness of the landfill slopes, terracing, screening, and returning the land to grazing or other farm-like uses were addressed and committed to by the County and landfill operator. The way the County chose to implement these commitments is questionable given legal hindsight. Whether they be unenforceable, or enforceable "conditions of approval" or "findings" in the PC-83-07 record remains in dispute. The differing interpretations over a possible process or wording error of the PC-83-07 decision should not be the primary concern. Of greater importance for the County's relationship with its residents is the Planning Commission and Board of Commissioners decisions to adopt the offered designs and reclamation plans to meet public expectations. Again, these expectations were made clear in the records of PC-83-07. The design issues

are now moot. What was built appears to meet minimum DEQ requirements and cannot be changed. The County is typically not involved in oversight of DEQ's environmental requirements. However, the appearance and uses of the landfill after it stops receiving wastes is an area where the County does have jurisdiction. From my perspective it is not possible to return the site to grazing or other farm like operations as envisioned in 1983. But it is possible for the County, the landfill owner/operator and DEQ to work together with the neighbors of the landfill to develop realistic expectations and plans with the necessary funding for the reclamation of the site.

7. Past Land Use Application Conditions

Based on questions from BCTT members, the following topics need to be re-emphasized:

Compliance enforcement
In response to the CUP Subcommittee's review of how County land use requirements have been enforced over time, the County legal function stated that the County does not actively enforce compliance with its requirements and relies on community complaints to trigger ongoing compliance. The resulting CUP Subcommittee recommendations include the County considering actively enforcing their requirements and making County and DEQ files readily available to community members to facilitate their understanding of requirements and determination if a resident complaint is warranted.

Emergency Response for large scale incidents
In listening to community members, there is concern about being able to mount a multi – organization firefighting response to put out a large landfill fire like the one in 1999 which reportedly drew resources from multiple jurisdictions in the Willamette Valley. The resulting recommendation is to consider developing a multi-county, multi-organization emergency response plan to handle large fires.

Landfill Owners Closure and Post-Closure Funding Requirements (Financial Assurance)
The dollar amount needed is based on meeting DEQ's minimum requirements. The cost of meeting County land use requirements - such as applying a thicker layer of topsoil to allow farm like activities - is not included in the minimum amount of funds the landfill operator must assure DEQ is available for closure. Hence the CUP recommendation that the County, DEQ, and landfill owner work together to define the work needed to meet both County and DEQ requirements and adjust the estimated costs to meet both organizations requirements. The alternative is the County should recognize that funds to close the landfill to meet County land use requirements are not guaranteed to be available when needed.

Landfill Odors
An odor management method was described in recently reviewed SWAC meeting notes from the 1980s. The landfill operator reported that under some weather conditions closing and covering the landfill at night successfully reduced odor complaints in the neighborhood. Obviously, the landfill operator is involved in this odor control approach but there is a role for DEQ in setting regulatory requirements for managing odors and the County setting limitations on hours of operation of the landfill.

CUP Summary
Overall, the CUP Recommendations are intended to promote continuous improvement in the way the community near the landfill, County government, the landfill owner, and DEQ work harmoniously to set and meet expectations for regulation, oversight, and corrective actions at the landfill.

8. Community Education & Public Involvement

This is good work. I fully support their Findings and Recommendations.

9. Overall Comments

The consensus building process implemented by IMC clarified and documented essential facts about how the Coffin Butte Landfill started, grew, and continues to be such an immense physical and huge visual impact on our County. It also highlighted some key conflicting views of historical records dealing with expansion of the landfill.

The Board of Commissioners is to be commended for engaging IMC and perusing this consensus building process. The thoughtful contributions of DEQ, Valley Landfill, County staff and community members were essential in making progress toward a common understanding of the Coffin Butte Landfill situation.

10. Conclusion

A document with a Conclusion was not available for review at the time this Member Statement was written.

----- END-----

From:	Rough, Ginger
To:	Sam Imperati
Cc:	Benton County Talks Trash
Subject:	Member statements
Date:	Friday, April 7, 2023 11:52:55 AM
Attachments:	Member Statements_Edmonds.docx Member Statements_Knocke.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find the enclosed member statements from Russ Knocke and Shawn Edmonds.

In addition, subcommittee members requested we provide information about two items in the workgroup document. That language is below.

LSCL-F-27

We did not discuss this finding at the final workgroup session because no one polled a "3" on it. However, in the comments, Ed Pitera requested additional information about whether there would be any impacts/ramifications if Benton County exceeded its 75,000 annual tons of waste, as specified in the 2020 Franchise Agreement. Specifically, he wanted to know where the additional tons (over 75,000) would go, in a hypothetical scenario. The short answer is this: Benton County's waste will always be disposed of locally, at Coffin Butte, even if the amount is higher than what is contractually anticipated. If it became necessary to divert tonnage because of the 1.1 million tonnage cap, Valley Landfills, Inc., would divert tonnage that originated elsewhere – not in Benton County.

CUP-F-29

Valley Landfills, Inc., has robust special waste protocols outlined in its operations' plan. The most recent of these was submitted to Oregon DEQ in October of 2020. Special waste is defined broadly as most everything that is not household or hazardous waste.
It includes industrial waste from factories, clean-up materials from leaking tanks or spills, street sweeping material and the like. Special waste is tested by a third-party laboratory and profiled before it arrives at the Landfill to ensure it is safe for disposal. The materials are then disposed of alongside general municipal solid waste, covered and monitored in accordance with all Oregon DEQ regulations.

It is important to note that volume plays a role in whether waste is called "special" waste or considered general household waste. For example, a homeowner who changes the oil on his or her truck in the driveway, and spills a little on the group can scoop it up with some dirt and place it in their household trash can. But if a tanker truck crashes and leaks oil, then that same material becomes special waste.

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BCTT Solid Waste Workgroup Final Report

Joel Geier, Ph.D.

April 7, 2023

As one of the original members of this workgroup who was removed by vote of the Board of Commissioners after raising concerns about illegalities related to this process, I did not expect to be commenting here. I was not invited to comment by the ICM facilitator until 5 PM on April 4th, less than 72 hours before his deadline of noon on Good Friday. I have not had an adequate chance to review the most recent drafts of the workgroup report, which I understand has been changing continually, right up through the final meeting on April 3rd.

So I will keep my comments brief at this stage.

First, I'm glad that the County recognizes the need to update the solid waste management plan for Benton County. The last time this was done was in 1977, when it was expected that the Coffin Butte Landfill would close by 2000.

Second, I appreciate the energy that many community-member volunteers brought to this process, hoping to be part of developing a new plan to be called a "sustainable materials management plan" (SMMP), which reflects a shift to broader awareness of sustainability issues.

Indeed, in our first two meetings, workgroup members were twice polled about where we wanted to place our primary focus. Both times, members clearly supported placing a stronger focus on producing a sustainable plan, and less focus on criteria for landfill expansions. But both times, this clear preference of workgroup members was discounted.

The goal of working toward a better plan for sustainable materials management in Benton County was non-controversial. This is reflected in the very efficient progress of the SMMP subcommittee, on which I served. From the subcommittee meeting records, you can see that our most substantial work was concluded by December 12, 2022, within the original time frame proposed for the workgroup as a whole.

Everyone on the SMMP subcommittee quickly agreed that yes, the County should engage qualified, independent consultants, including consultants with experience in countries that have reduced and even eliminated dependence on landfills. The consultants should produce an updated plan that reflects our shared community values, and so far as possible, be independent of vested interests in the solid waste disposal industry.

Third, I am deeply disappointed that the workgroup was not allowed to address how the current landfill is impacting global climate, as likely the largest source of atmospheric carbon emissions in the mid-Willamette Valley.

There is ample scientific evidence that landfills are a major source of emissions of methane, a potent greenhouse gas. Recent studies in California show that landfills are a more significant source of methane than the state's much-maligned oil/gas and dairy industries, once fugitive emissions are accounted for. The list of "super-emitters" discovered in California includes the Sunshine Canyon Landfill, also operated by Republic Services.

The workgroup report does note that future legislation to regulate methane emissions could impact landfill operations, but it does not discuss why this issue is of urgent importance for global climate. It briefly mentions methane capture for electrical energy generation, but does not discuss how much excess methane is simply flared off. Two giant

flares can be seen from the highway, burning 24 hours a day to convert excess methane into carbon dioxide — another greenhouse gas.

The report does suggest that the County should make a better effort to monitor methane emissions from the landfill, and suggests that that the County could "use this information to guide diversion programs that could limit the amount of organic waste going to the landfill." This ignores the problem that upward of 90% of the garbage coming to Coffin Butte each year comes from other counties.

Diversion programs in Benton County will have little impact so long as the landfill operator continues to haul in vast tonnage from other jurisdictions. Even worse, by allowing further landfill expansions with no restrictions on annual tonnage, Benton County will become an enabler of unsustainable practices throughout western Oregon.

These are the types of issues that should have been on the table, as part of the "broad community discussion of all things related to solid waste" that the County originally promised.

Many volunteer members clearly would have liked to do more brainstorming of the options, including more climate-friendly alternatives to landfills, even before hiring consultants. However we SMMP volunteers were discouraged from those discussions. The facilitator and county staff repeatedly stressed that our "charge" as set by the county commissioners was much more limited. We were only supposed to "scope topics" for consideration as the lead-up to an eventual request-for-proposal (RFP) from consultants that the County would choose later.

Constrained to this limited scope, the SMMP subcommittee quickly wrapped up our main work. Although meetings continued past the original December 15th deadline, the record shows that changes in the main conclusions after that date were minimal.

In other words, if just "coming up with guidelines for an RFP for a better solid waste management plan for Benton County" was the main objective of this workgroup, that work could have been concluded within the original budget and time schedule.

But as workgroup members came to realize — some sooner, some later — this was not the main objective of this workgroup, despite the County's literal advertisements to the contrary.

The main objective was to grease the skids for future landfill expansions.

This is why four other subcommittees were set up to ease the process for the anticipated request from Republic Services for an expansion of the landfill, or perhaps even multiple expansions.

One subcommittee focused on arguments about capacity and longevity of the "airspace" for the currently permitted landfill footprint. From their deliberations, it appears that there's no real crisis, except a crisis of Republic's own making.

Another subcommittee focused on past land-use application conditions. We all learned that the County doesn't actually enforce these conditions, except on a "complaint-driven" basis. So compliance with most conditions cannot be assessed, except in the cases where the continuing violations are flagrant. We're also left with zero confidence that the County will enforce any conditions of compliance, if future expansions are allowed.

Then there was a "legal issues" subcommittee which convened multiple corporate lawyers from Republic Services along with the same County Counsel who negotiated the agreement

that gave the County a fiscal incentive to approve a landfill expansion. Even the ICM facilitator realized that this wasn't a good look. He made efforts to recruit prominent land-use attorneys, most of whom declined. Finally he found one retired attorney who agreed to serve as a "neutral" member of the subcommittee, ostensibly representing community concerns. However to my knowledge, that attorney did not contact any north Benton County residents for our views.

Finally there was a "community education" subcommittee which looked at the issue of how to inform local residents, if and when Republic Services submits their next application to expand the landfill. This committee came up with a sensible recommendation to inform all neighbors within a 10-mile radius of any land-use actions.

That's a good start, although I suggest that all residents of Benton County and Polk County should be informed, even beyond that radius. The cities of Monmouth and Independence — with 20,000 people living just as close to the landfill as most residents of Corvallis — were offered no representation on the workgroup, nor were any rural residents of southern Polk County. Benton County should do better by our neighbors, in the future.

Taken together, these subcommittees — all focused on future landfill expansions — accounted for the bulk of the time spent by this workgroup, and the according budget expenditures. Somewhere in the neighborhood of a quarter million dollars have been spent already, perhaps more.

This really ends up looking like a direct subsidy from our County government to a single corporation, to promote its interest in expanding a landfill in this place where we live. Why is our County government doing this? And why have they reacted so strongly to quash voices of dissent?

For a County that claims to be focused on sustainability, this process has been a misguided step in almost exactly the opposite direction. That is not the fault of the volunteers who did our best, but rather the fault of those who pushed us down this road toward enabling future expansions of this unsustainable development.

Process Evaluation and Member Statement

Ken Eklund

Subcommittee Member, Landfill Size, Capacity, Operating Life
Subcommittee Member, Sustainable Materials Management Plan

Overview

I thank the Benton County Talks Trash Work Group (TTWG) for an opportunity to provide feedback about the report creation process and a statement about my experience as a participating member.

As a community member, when it was announced that there would be a TTWG, I was cautiously optimistic. In response to Republic's 2021 application to expand the landfill, community members had gathered quite a few questions and assembled quite a few answers to those questions, but any effort to do anything with them was frustrated. It's impossible to convey much information in the three minutes allowed for public testimony, and no one at the County or Republic would answer any questions that the public asked. The one exception to this was at the Planning Commission hearing on the application, where the Chair and the Commission took the time to respond to public testimony; the Planning Commission subsequently denied the application in a unanimous vote.

After the 2021 application failed, a small group of community members were able to meet with the Commissioners individually, in substantive meetings each over 2 hours long, and convey the information we had gathered. The impression we got was that the Commissioners were largely unaware of the issues surrounding the landfill. They agreed that the issues presented were substantive and the questions being raised were important for the County to answer. I feel these meetings helped inspire the TTWG, the idea that there could be a "community-powered" process to close the reality gap that the Commissioners and county staff had drifted into, regarding the landfill specifically and solid waste management in general. And that such a process, if honestly conducted, might begin to heal the public's loss of confidence in County government as a protector of community interest and values.

So, as I said, I was cautiously optimistic when the TTWG was announced. It was encouraging when the Community Development Director at the County, Darren Nichols, said that "listening" would be a primary goal for the County in the process. I have participated in other convenings with similar goals, both as a convening organizer and as community participant, and found the convenings can be effective at creating "common understandings" if they create a safe space where various groups can come together and envision a mutual path forward.

But I think it's become apparent that the TTWG process did not do this. It did not create a safe space, nor did it seek to envision a mutual path forward. It was not about "listening" to the public. It was not about values. It has not assembled a coherent narrative about where we've been and where we should go regarding Benton County waste management. It did not focus on common understandings but rather "consensus through attrition," in which community input was ground down until it fit into a designated slot or was entirely reduced to powder. The process was an ordeal for many if not all of its participants,

and its product – the TTWG Report – is unreadable. This is because the process that the facilitator chose for the TTWG did not have structure in place to prevent this outcome, and the facilitator proved unwilling or unable to adapt his methods to avert this outcome.

If the TTWG process has one enduring result, it is this: it has firmly established that the County is functionally unable to truly embrace its shortcomings and try to do better. The public's perception that County staff are not on their side is well founded. The TTWG process was ostensibly convened because the County has not done its due diligence regarding solid waste management. Ostensibly, over the years, the County has drifted away from any sort of meaningful oversight over the company owning the landfill and its successors, to the point where in 2021 the County approved the idea that it would surrender a segment of its vital public infrastructure (Coffin Butte Road) to further the profitability of that company, and was blindsided by the firestorm of public outrage that followed.

The TTWG has made apparent that the County's drift away from responsibility has now been normalized and is part of its culture. Out of the universe of possible facilitators and processes, the County selected this facilitator and his process. This process has been nothing but an unbroken string of warning signs – work products undelivered, deadlines unmet, a budget that needs to be doubled then tripled then quadrupled, participants that "need to be fired" for speaking up, lawsuits filed – and the County has met each of these portents of trouble with unwavering approval. At taxpayer expense, the County inserted its own people into key points of the process, to squelch embarrassing information and outcomes. And now I expect the Commissioners will be blindsided again as their voters come to realize that, a half-million dollars or so later, the emperor still has no clothes.

I hasten to make clear here that I am not speaking against the Workgroup or the Subcommittee Members who volunteered so much of their time, and engaged in this process by working so hard to produce something of value. They may respond by pointing to the places in the document where facts have been laid out and truths have been made plain, and I support them fully in doing so. I can do the same myself. The Workgroup itself has done an excellent job overall, I feel, in triaging what has come before it from its Subcommittees. But in my experience as a subcommittee member, these points of light had to overcome considerable process resistance to be in the Report at all, and the sharpest headwinds came off County staff and the facilitator they hired.

Any fact and truth that one can dig out of the corpus of the TTWG Report would have come forward more readily if the process had been different. In my opinion the TTWG process cannot be defended against the visions of what it *could have been*. It could have been a process focusing on asking relevant questions, or on mapping out the future, or on creating a forum space for community learning. It could have started from urgent topics of today such as climate change. Most obviously, it could have been a community-focused process with a facilitator who was chosen for ability to facilitate grassroots-up dialogue with the public rather than one who is used to imposing top-down structure like a courtroom. The TTWG itself tried to redefine its focus along these lines, several times if memory serves, but was not allowed to.

As I mentioned earlier, I have experience working in community engagement, so I am haunted more than most perhaps at the opportunity that has been lost here. I now hear Darren Nichols extol the extraordinary passion that brought some volunteer members to devote days of their time to uncovering relevant truths, and it's plain to me that *Darren, those people are trying to do their best <u>despite</u> the system you've put them in, not <u>because</u> of it*. I know this

because it's what I did also. I went into the process in good faith, hoping to see it course-correct, but it never did. It ended up right where it was heading all along.

* * *

The facilitator called for both a Process Evaluation and a Member Statement; I'm supplying those here. I have a long list of insights into the process in my notes, but I will only include the top half-dozen or so in the Process Evaluation. Similarly, I will try to keep the Member Statement brief (a summary characterizing my experience while participating). **Update: the County has sent some guidance about the facilitator's original request for a Process Evaluation and Member Statement, i.e., the request that I am responding to with this document you're reading. I'll respond to that guidance in an Epilog.**

PROCESS EVALUATION

Systemic anti-volunteer bias

The process isn't structured to encourage volunteers to participate, or to protect them while they're participating. The process has regularly added new meetings, extended schedules, set short-fuse timelines, and so on – which are relatively easy for Republic and county staff to adjust to, as participation is part of their job. For volunteers, however, these practices impose an undue burden. The process could have been timeline-driven, which would have protected volunteers and honored their level of commitment.

Cultural bias / assumed knowledge

The process isn't structured to accommodate volunteers who may have different experiences or no experience with its format. Again, Republic and county staff are advantaged, as being conversant in that culture is part of their job, while volunteers are disadvantaged as they have to decipher or discover what is intended. The process made it easy to create extra work for community members and to denigrate the efforts they had made as "not on target."

Anti-narrative / anti-sensemaking

The process isn't structured to "make sense" either while it is happening or with its work product, from anything other than a legal sense of view. Humans in general and community members in particular make sense of new information through narrative, a story which places that information in context with human experience. The process, however, focused on decontextualized "findings" and "recommendations" and systematically removed the coherent narrative. The result has been to render the TTWG Report impenetrable to most people. The process could have been structured to build cogent narratives about waste management rather than systematically destroy them.

Bias against the future

The process isn't oriented toward addressing the public's concerns about the future direction of their county. "Where are we going? Where are we headed?" are narratives that could be foundational to a successful effort to find common understandings, but this process chose instead to focus on looking back, "Where have we been?" The process has been

contentious as a result, as community members balk at being pulled into one rabbit-hole about the past after another, while pressing questions about the future go unasked.

No complaints allowed at the 'one table'

The process isn't structured to act as the 'one table' for community input about waste management and the landfill. This role had been given to the workgroup by the county Board of Commissioners, but when the first complaint about the landfill was put before the Workgroup, in September 2022, the facilitator declared that the process would not accommodate it or any subsequent ones. As a result, community input has not informed the workgroup process as originally envisioned by the Commissioners, and since other county functions such as the Solid Waste Advisory Council have been suspended in deference to the 'one table,' input such as complaints has nowhere to go at all.

'How to win at TTWG'

The process is vulnerable to being manipulated ("gamed") to one's advantage, in ways that burden the process and denigrate the product. One example: because the process places no value on supplying information earlier rather than later, it incentivizes participants to withhold information until the last minute, so that others have less time to critique the information. We've seen ample instances of the process being gamed in this way, in the slew of substantive last-minute changes that have caused the TTWG process to be extended. The process could have focused work section by section instead, or used a scaffold-building organizational structure, or otherwise incentivized providing information in a timely manner.

Process unable to anticipate, or to learn

If the process had a way to self-adapt (other than damage control), I never saw it. More typically, the facilitator would resist all attempts to streamline or course-correct until the process collapsed, and then he would seek a timeline extension and schedule more meetings to straighten out the wreckage. This "fix" placed an undue burden on volunteers, who often were hard put to commit more time or to accommodate new meetings suddenly hitting the calendar, but it burdened all the participants and caused wheelspin.

Predictable lacunae

The process produced a report that is, as you know, hundreds of pages long – yet it has notable, purposeful gaps. There is no information from Republic on how much rock it wants to remove prior to placing trash in the quarry area – a number that Republic knows but will not divulge. There is no information on the County's legal options to counter the hike in garbage fees threatened by Republic if their next landfill expansion is not approved; somehow the Legal Subcommittee, composed almost entirely of Republic's lawyers and County staff, never found time to address this public concern. And so on. Most notably, perhaps: I don't remember seeing an accounting in the Report of its lacunae.

Performative process management

The process was managed in a performative way, that is, it undertook actions primarily so that they could be checked off a list, rather than in ways that are actually useful. An example would be to issue calls for written input with impossibly short deadlines, or (a favorite) to bury notifications about opportunities for feedback somewhere in the text of lengthy mass emails. Performative managers are able to say "X was done" and have it be technically true, but X was uselessly done.

MEMBER STATEMENT

I was a member of the Sustainable Materials Management Plan (SMMP) Subcommittee and a member of the Landfill Size/Capacity/Longevity Subcommittee.

Participating in these subcommittees was an ordeal, for many reasons. I will mention just two of them here: wheelspin (time-wasting) and microaggressions.

Wheelspin

In both subcommittees, it soon became apparent that the process was not designed to succeed at its goal (producing a coherent report). It would take too long to explain the design flaws, but maybe all you need to know is: (1) the process readily allows text to be added but can only slowly edit it (and can't really delete it), so draft reports balloon in size, and (2) due to an unrealistic schedule we were editing new drafts before the edits to the old drafts had been implemented, which led to chaos, and (3) by default there is no editor, no one responsible for making the report coherent. I had assumed that the facilitator would bring in editors as needed as part of his service, but no.

In some other subcommittees, community volunteers stepped forward and assumed an editorial role. But in my subcommittees, the chaos level of the reports soon made that task too daunting for anyone to contemplate. In fact the task of just *navigating the draft document* soon took up more time than discussing it and editing it – an incredible time-waster.

Target of microaggressions

As you may know, being the target of microaggressions is by design a difficult thing to talk about – taken individually, the aggressive acts sound small, but in aggregate they take their toll. In my case, the aggressor was a county staff member, and the facilitator eventually had to step in and take over as chair of the subcommittee meetings. For myself, I found good advice online on how to recognize microaggression, how to contextualize the microaggressor's goals (to beat down/demoralize those with threatening viewpoints) and how to form strategies to blunt the aggression. But it made attending each meeting a thing to dread.

I don't think my experience is isolated. A colleague from outside Benton County sat in on a TTWG meeting via Zoom, and the first thing they commented on afterward was the palpable level of hostility in the meeting, which they noted was directed at a community volunteer (not me, I was not in that meeting).

* * *

In this Statement I've brought forward the idea of the process as ordeal, and two illustrative examples of the difficulties with participating, because I feel it's important for TTWG Report readers to hear a honest account on why the document is as it is. From the outside and after the fact, it might be difficult to understand how so much money and so many person-hours can produce something as disjointed and gormless as the Report is; I've tried to explain that as best I can.

Epilog

The facilitator requested "Process Evaluation and Member Statements" from us some weeks ago, and I began mine (the document you are reading) about a week before its original due date. The facilitator then extended the deadline, so I was able to fiddle with this document some more; I was having trouble coming up with a conclusion that felt right.

Then, a day or two before deadline, some "guidance" arrived sent not by the facilitator but by County staff. This guidance redefines Member Statements to be comments about the Report section by section, and the County seems, on second thought, to have abandoned the idea of asking for Process Evaluations. Because they started receiving the early returns, maybe.

The guidance says it's necessary for us to specify which section our Statements apply to. **My Statement and its Evaluations discuss systemic issues, so they apply to all of the Report's sections.**

– And there it is, the conclusion I was looking for – the facilitator, seeking to check something off a list, adds another request for work from the TTWG members, and then, once County staff sees what's happening, they issue countermanding instruction designed to stifle input. A dysfunctional process staying dysfunctional right to the end. Not with a bang but a whimper.

BCTT Solid Waste Workgroup Pinal Report- Member Statement

4.7.2023

Liz Irish

Benton County Planning Commissioner

I am very happy to have had the opportunity to participate in the BCTT Workgroup. I found the process to be educational and helpful in understanding where Benton County stands historically and presently regarding the permitting process for landfills.

While I know that this report does not fit any members ideal perfectly, the workgroup members have given a colossal amount of effort and their personal time. I have no doubt that what we have here is an amazing example of cooperation of a very challenging. As in any very large projects, it took focused efforts of volunteers to work together on their own schedule and they had to work together to the reports you see today.

There was cross over at times between the committees. Those committees did their best to talk out and work through the differences in understanding and interpretations. All committees were open to members and the public as formal sub-committee members and as participants.

My subcommittee – Legal and Land Use issues – had no public, neighborhood, or other workgroup volunteers other than myself. The first sub-committee meeting via zoom had two visitors and the remaining meetings had none. There were mixed sub committee meetings that had other sub committee members on occasionally.

I enjoyed each subcommittee meeting and found County Council, Republic Services Council and our neutral third attorney to be cooperative, forthcoming, and gracious. I had no legal background, and everyone was willing to answer all my questions. We worked hard at making the language in our report more digestible for everyone. Working with these three attorneys was amazing. We talked about every aspect of how land use and landfills intersect. We looked at case law, existing process and how many of these processes are identical to those for other kinds of land use. We addressed and talked about every topic, document and question the public and other sub committees had. They are all there to listen to and read. I wish we could have had at least one volunteer from the neighbors/community, but no one raised their hand.

I had never been through a process like this workgroup before. Once the goal and the process were understood, I felt that the group really came together. In general, with a few exceptions, everyone really enjoyed working with each other and getting to know their community members. I always felt included and valued. I always felt

heard. The experience very much unlike what was portrayed in the new media. In fact, I don't know of one newspaper article that tried to reach out and get more than one view of the Workgroup.

I enjoyed the participation of other cities, counties, and state agencies. DEQ was a valued participant, and it helped a great deal to have them there to clarify. The patience of county staff is beyond words. They were always available, helpful, and kind.

I left this process more informed, and I am confident the final report will help the County Commissioners with any future CUPs that may come. I know it will help me every time I sit as a Benton County Planning Commissioner for any land use decision that comes before me.

BCTT Solid Waste Workgroup Final

Report: **Shelby Member Statement**

Please add your comments to any or all of the following sections. Structuring your comments in this order will better enable readers to connect your comments to the relevant sections of the BCTT Report.

Name: Louisa Shelby

Date of Statement: 4/6/2023

1. Introduction

2. Executive Summary

   The executive summary is professionally written and clear. There are terms in the summary and the entire document that aren't defined and for the public to better understand, the document could use a glossary of terms. For example: circular economy and other sustainability terms, landfill use terms and legal terms and codes in the legal committee section. During this whole process I had to look up definitions frequently, not being an environmental scientist, and the public shouldn't have to do that.

3. History

   I was on the history committee, and I saw all the work that was put into this document. Although the facilitator commented several times to us that much of the history document was not in our original charge as a subcommittee, I feel very proud of what our committee produced. The document started out being somewhat one sided in its view and our committee worked hard to create an objective, informative end product. As a citizen and fairly close neighbor of the landfill I appreciate the knowledge I gained from learning about the history of the area and the social and political context of the landfill in our community. Without the history section, this report would be lacking in the area of the holistic view of this issue on the community. I appreciate that the commissioners and the facilitator came to accept the wishes of the committee to have a more comprehensive look at the history and social aspects of the landfill in the community.

4. Sustainable Materials Management Plan (SMMP)

   The SMMP is the most important part of the product of the work group because it calls for a consultation to assess and improve the future of solid waste management in Benton County. Regardless of landfill status in the future, this plan will help the County to have the tools and resources to mitigate climate change and to move forward in planning for what to do as far as landfill and other solid waste management. I was shocked to find out that our county hadn't revised

their solid waste management plan since the 1970s and the SMMP recommendations are the start to an urgent need in this area. This plan is crucial to the health and vitality of the community.

5. Landfill Size/Capacity/Longevity

6. Legal Issues & Land Use Review

We were given links to the codes to understand what was happening in this area of the work group but there was no way I had time to read and understand them all. A presentation with brief explanations would have been helpful. Also, a glossary of the codes and a brief explanation should have been added to the document.

7. Past Land Use Application Conditions

I feel this committee's work in reading and connecting past documents related to landfill land use in the past is crucial in the County moving forward in the process of improving solid waste management plans. The committee, as far as I can understand, found documents that were filed away and organized them digitally or is on the way towards this. The past landfill permits and applications were not organized. This seemed to lead to past issues not being followed through with or monitored. Knowing the issues of the past will help the county and community to know what to ask for in future applications and not to let concerns fall through the cracks.

8. Community Education & Public Involvement

I was on this committee and more work is needed in this area; we didn't have as much time as the other committees to develop a complete plan. Education and outreach as far as the SMMP and other solid waste management issues will need further assessment in this area.

9. Overall Comments

Being a volunteer on this work group was very time consuming, many hours more than I realized, and I didn't volunteer as much time as many of the other members since I also work fulltime and was in graduate school. I learned a lot about project management processes, how the County involves the community in government operation and decisions and the importance of the voice of the community.

As a member of the public that a minimal knowledge of the topic it would have been very, very helpful to have more of a verbal overview or some kind of presentation about the history of the issues rather than given lists of documents and links to read. A presentation about the issue and the varying views and issues could have been done and saved some time, stress and improved clarity. Definitions and explanations of terms would have also been helpful. At the end of the process I feel I had a good grasp on the big picture but it would have been better to understand the history at first rather than having to do my own investigations.

I was impressed by the ability of the work group to be able to express their concerns, opinions and ideas without judgement and with respectful treatment by all members. Two members during the process were asked to leave the group but they also didn't follow the guidelines set out before hand for the group process. I was sad for them to leave because they had significant knowledge and

passion, but I also found them to create tension in a group that's goal was to find consensus. The group process may not be right for everyone. Having members that are transparent, respectful and listen to all views is crucial. Overall, the group was productive and the information found, assessed and evaluated will definitely improve the future of the solid waste management and the health of the community in the future.

10. Conclusion

    I did not see a conclusion on the most recent document we were emailed. See my conclusion under the comments section.

Popp Workgroup Member Statement

I have misgivings about the BCTT process design and how it unfolded. For example, the formation of subcommittees unearthed heretofore unknown information that can potentially be enlightening and useful to the community. A downside of the subcommittee strategy as it played out in the BCTT workgroup was that it yielded information silos in which a small percentage of the workgroup became very familiar with particular aspects of the workgroup charge but remained relatively uninformed about charges outside their subcommittee.

One issue that bothers me in particular is the manner in which 'consensus' is defined to be achieved. The crux of this issue, for me, is the exceedingly long and complex set of Findings and Recommendations (F&Rs) that were compiled for members of the community and the workgroup to vote on via 'consensus polling.' Those votes are then tabulated and massaged to measure 'consensus.'

Many of the F&Rs were exhaustively detailed and contained subtle and complex points. Some queries were multi-part and contained paragraphs of information. Folks with professional training in survey design have expressed concern with a number of aspects surrounding this survey.

Some of the F&Rs were stated obliquely and contained a good deal of difficult to understand insider language, so it is questionable whether all respondents fully appreciated what they had agreed with or not agreed with. There were no clarifying statements as there are in voter pamphlets containing pro and con arguments, yet many of F&Rs have similarly far-reaching implications.

Survey designers know that for a survey to be considered valid, it must be verified in a number of ways, one of which is testing the consistency of answers by measuring against questions that are stated differently to assess the respondent's comprehension.

In fairness, the facilitator stated that this survey was not intended to measure up to formal survey methodology. But, if that is the case, we cannot use the results to reach any conclusions, much less the ephemeral conclusion of consensus.

From: Mark Henkels <henkelm@wou.edu>

Sent: Thursday, April 6, 2023 4:33 PM

To: Sam Imperati <samimperati@icmresolutions.com>; Amelia Webb <AmeliaWebb@icmresolutions.com>; Mark Henkels <henkelm@mail.wou.edu>

Subject: BCTT participant statement

Sam and Amelia:
Here are my thoughts on the process as this phase winds up. I consider myself lucky to be on Workgroup E and respect Ginger's work and am amazed at your and Ameila's patience and endurance.
I have attached this as a word file, if you find that easier to use.

Mark Henkels. Participant, Subcommittee E

My personal perspective and concerns regarding the BCTT process:

While Ginger Rough, Republic's representative on Subcommittee E, was as reasonable as you could hope for, reaching consensus meant we did not include things that we feel the public ought to know more about.

Consensus means veto power. This is a problem because as a Benton County citizen, I think the goal here should be to identify what process (and perhaps ultimately, what policy) regarding Coffin Butte is best for Benton County residents, not all interested parties. From what I can tell,

each Subcommittee was presented with the impossible challenge of reaching consensus in face of divergent concepts of whose interests matter most.

Specific areas where perhaps a separate history report would have been good:
1) the history of fires and fire risk were downplayed;

2) the significance of Republic Services corporate decision-making in increasing annual deposits at the landfill to seemingly force the county to accept the southward expansion;

3) we should have expanded on the visible transformation of the area as the landfill and its trucks and lights changed the Coffin Butte area from an almost bucolic area to an industrial zone in the past twenty years;

Point Number 2 is also the central concern to Subcommittee A. To estimate landfill life they might as well assume that the volume to be dumped per year will be the maximum allowed. Republic Services makes those decisions independently up to the very high limit of 1.1 million tons. There should be more clear recognition that expanding to the south at Coffin Butte solves very little without more clear strict restrictions on the volumes that can be deposited.

Broader concerns that are relevant to the process

4) While the immediately previous decision was not conducted properly and the public and perhaps some officials were not well-informed of the process or basic information concerning expansion in the 2020-2022 era,
Many of those who were involved understood the nature of the issues and this process is basically a re-do of a decision that was probably valid.

Finally,
5) in the bigger picture, this process seems to completely ignore the Core Values of the Benton County 2040 Thriving
Communities Initiative. There should be a direct consideration of

whether expansion of the landfill helps create the Benton County we envision for 2040.
The brief commentary by Benton County staff regarding how expansion or this process fits the Thriving Communities framework is superficial.

Member Statement

Name: **Mark Yeager**

Date of Statement: April 7, 2023

At this time, I cannot comment on the specific language in the final report given the extremely short time allotted to review the 500 page report, the extensive number of last minute changes proposed, and the effect of minor language changes that significantly alter the meaning and intent of the document. I will attempt to provide detailed comments during the broader public comment period.

I will take this opportunity to comment generally on the process and resultant outcome.

1. Introduction
2. Executive Summary
3. History
4. Sustainable Materials Management Plan (SMMP)
5. Landfill Size/Capacity/Longevity
6. Legal Issues & Land Use Review
7. Past Land Use Application Conditions
8. Community Education & Public Involvement

9. Overall Comments

The idea for a community engagement process began after the County's failed effort to gain approval for the promised expansion of the Coffin Butte Landfill. During negotiations for the 2020 landfill franchise agreement between Benton County and Republic Services (dba, Valley Landfills), the County assured Repbulic Services that an expansion would be approved no later than 2025, and **there is a $1 million incentive built into the franchise agreement** to reward the County for expansion approval.

The first attempt failed on a 6-0 denial of the conditional use permit application by the Planning Commission over the objections and recommendation of County staff. Most of that group of Planning Commissioners were subsequently relieved of their duties by the County Commissioners and replaced.

At the end of that first conditional use application and landfill expansion review process, the then Chair of the Planning Commission suggested that **a design charette was needed** (an intensive, hands-on workshop that brings people from different disciplines and backgrounds together with members of the community to explore options). This process would work through the many issues and concerns surrounding the proposed expansion of Coffin Butte Landfill and **evaluate alternative futures that do not involve having an active landfill at Coffin Butte forever**.

So, the County decided to proceed with a community engagement process. Great.

I would like to **thank all the volunteers** who worked on the Benton County Talks Trash (BCTT) workgroup, thanks to the County Commissioners for funding and supporting the effort, and thanks to the staff and facilitation team for bringing the BCTT process to closure. While most of the Workgroup members were being paid by their employers (County staff, Republic Services employees, lawyers, etc.) to participate, the **volunteers put hundreds of unpaid hours into this effort**.

Through this process and the final report, it is now clear that **there is no emergency need to expand the landfill** now. The landfill has 14-16 years of remaining capacity, and Benton County residents are guaranteed trash disposal services until the year 2039 through the franchise agreement.

At present, Coffin Butte is a little more than half full -- without an expansion. Again, **the franchise agreement protects landfill availability for all residents of Benton County until 2039**. Plenty of time to develop and implement alternative strategies for managing wastes that do not involve an active landfill in Benton County forever.

We learned that **Benton County contributes less than 10% of the trash currently going into the landfill**. Over 90% comes from outside our County, much of it from several counties away, and from other states. The amount of **trash coming to the landfill every year has nearly doubled since 2016** due to business practices (low tipping fees) of the landfill operator to incentivize and increase the amount of waste trucked in from other counties (including Portland). Extending the life of the existing landfill site without an expansion is completely within the power of the landfill operator and its business practices.

We also learned that **Benton County** did not and **does not monitor or enforce conditions of approval** imposed as part of land use decisions that are designed to mitigate negative impacts of land uses that are incompatible (e.g., landfills) with adjacent properties. The County relies on receiving complaints about non-compliance before acting, and there is no formal system to track or resolve complaints.

It became abundantly clear through this process that **County staff are strongly biased in favor of the landfill operator and expanding the landfill** now. For example, County staff took extraordinary efforts to find legal loopholes or technicalities to exonerate the landfill operator from non-compliance with land use requirements, to muzzle the Solid Waste Advisory Council's input into future landfill land use applications, and to object to community efforts to engage in and voice their opinions regarding the future of Coffin Butte and of waste management in the County.

Further, any effort to explicitly discuss the threatened, near-term second request to expand the landfill, or to include alternatives to landfilling forever in Benton County were strongly resisted by County staff and excluded from the process. In addition to the rejection of the 2021 request to expand the landfill, a similar request to expand the landfill in 1994 was also rejected by the previous County Commissioners. But **the Workgroup was prohibited from any discussion of landfill expansion** as part of this process.

There is no such thing as a safe landfill. Despite state and federal regulation, landfills leach harmful chemicals into the ground and water supply and pass through sewage plants untreated. Landfills emit huge amounts of greenhouse gases and are one of the largest contributors to global climate change. No matter how many barriers, liners, and pipes are installed to try to mitigate the risk, landfills will always leak toxic chemicals into the soil and water, and harmful gases into the atmosphere.

All landfills leak. Some over time and some from day one of operation. Coffin Butte landfill has two existing, unlined locations (Cell 1 and 1a) that, although they were "closed" in the 1970s, are still producing two million gallons of toxic leachate each year. **Safe landfills are a fairytale**.

In the end, instead of the recommended hands-on effort to explore alternatives to expanding the landfill (charette), **the community got a charade** (a pretense intended to create a pleasant or respectable appearance). Sadly, this effort was **a wasted opportunity** that was explicitly designed by the County to avoid addressing the most important question, landfill expansion, and the process was neither pleasant nor respectable.

BCTT Solid Waste Workgroup Final Report

Name: **Mary Parmigiani**

Date of Statement: 04/06/2023

1. Letter of Transmittal

No Comment.

2. Executive Summary

No Comment.

3. History

As the History section was part of Subcommittee E, I personally saw the work that went into this and I would like to commend Mark, Marge, and Ginger for working through many versions of this document and managing to come to a consensus. However, I would like to echo Mark's public comments in mentioning that I feel the history document falls short covering the history of fire and the fire risks that come with the landfill. I feel this section falls short in describing the communities perspective of the fire, and the continued risk of fire that the community has to deal with. I also feel the history section doesn't go in depth enough on environmental issues that the landfill has caused which have great implications in the neighboring community. These issues include: air quality, a disproportionate amount of cancer cases in neighboring communities of the landfill, and noise pollution. I do however, feel that the history of Coffin Butte in relation to Indigenous peoples is well covered as well as the history of waste management in Benton County.

4. Sustainable Materials Management Plan (SMMP)

I would like to further emphasize the need for Benton County to have a SMMP in place before any approval or refusal of the landfill expansion. As mentioned in the SMMP section, the SMMP would put in place much needed expectations and plans for solid waste management in our county. I would also like to further emphasize the need of the county to look past landfilling and focus on new technologies for dealing with solid waste.

5. Landfill Size/Capacity/Longevity

I feel that all sections of this part of the report are valuable, however the Landfill Life Projections section is particularly valuable. From what I've heard, there is confusion on the landfill's life (with and without

cell 6). While the data in this section are just projections, I feel they do a nice job clearing that up and giving us a new perspective on the need of our county to further assess our solid waste management systems.

6. Legal Issues & Land Use Review

I would again, like to commend the tremendous amount of work done with this section. However, in general I feel that the language presented in this section is not appropriate for a community document. I also feel that LLU R-6 and LLU R-7 inappropriately limit SWAC's role. I feel with the implementation of these two recommendations, SWAC's role would be minimized which would further the mistrust between community members and the county.

7. Past Land Use Application Conditions

No Comment.

8. Community Education & Public Involvement

While this section might not satisfy everyone, the recommendations are a step in the right direction in working to restore the trust between the community in the county. I would also like to express my gratitude in being given the opportunity to work on this subcommittee. I learned a lot and am very proud of our report.

9. Overall Comments

I would like to thank and commend the members of the public who commented during our meetings. I am inspired by the many neighbors that chose to comment meeting after meeting. These comments brought a much needed perspective of the people most affected by the landfill and brought to light the many environmental issues posed by the landfill. With the unfortunate removal of the Workgroup members who are neighbors of the landfill this perspective was very much needed. I am very grateful for this opportunity to work on this Workgroup and would like to thank my fellow Workgroup members for always being supportive throughout this process.

10. Conclusion

No Comment.

BCTT Solid Waste Workgroup Final Report

Template for Member Statements

Please add your comments to any or all of the following sections. Structuring your comments in this order will better enable readers to connect your comments to the relevant sections of the BCTT Report.

Name: **Russ Knocke, VP of Government/Public Affairs, Republic Services**

Date of Statement: **April 8, 2023**

1. Introduction

2. Executive Summary

3. History

4. Sustainable Materials Management Plan (SMMP)

5. Landfill Size/Capacity/Longevity

6. Legal Issues & Land Use Review

7. Past Land Use Application Conditions

8. Community Education & Public Involvement

9. Overall Comments

Thank you for the opportunity to participate in and share some final comments on this process. Republic Services cares deeply about this community, and we want to be good partners with Benton County and its residents.

Republic Services and Coffin Butte Landfill have been serving Benton County for decades**.** I hope our participation in the Benton County Talks Trash workgroup has made it clear that we value our ties to the people and businesses we serve.

It has been two years since we first filed our CUP application and the need for an expansion has only grown more critical in the interim.

We put our CUP application and community outreach plans on hold this past year, honoring our commitment to the one-table concept, even as some members of the community (including subcommittee participants) have launched petition drives against us and spoken negatively about other aspects of our operations at local government meetings.

Rarely is any public process such as this perfect, and we recognize that some residents have very strong opinions about Coffin Butte Landfill. Participating in the workgroup sessions has significantly compressed our operating timeline when it comes to excavating the quarry and providing continuity of service to residents.

Despite these many challenges, we recognized that stepping back and engaging in the Oregon Consensus process was the right thing to do. And I thank the Benton County Commissioners and staff for their dedication to these critical topics, and for ensuring that Republic Services had an equitable seat at the table.

Over the last nine months, we have had robust discussions with some of the most outspoken members of the community. While we did not reach agreement in all areas, we've nevertheless found these conversations and debates to be enlightening and valuable.

If you look at the Findings and Recommendations, you'll see that there are only a handful – out of hundreds – on which the workgroup could not reach consensus. I believe that workgroup members strove tirelessly to find common ground and understanding.

I do want to highlight a handful of topics on which members of the workgroup were unable to bridge their differences and make clear our position as it relates to the applicable Findings and Recommendations. These include:

- The 2002 Memorandum of Understanding between the County and the landfill owner/operator
- Cell 6 (the Quarry) and its designation/permitting as a waste disposal site
- The applicability of the 1983 CUP in relation to today's landfill closure requirements

The above topics were all discussed in depth by both the Legal and the Past Land Use Application/Conditions subcommittee, including during a joint work session.

Republic Services agrees with the Legal subcommittee and the County's position on the following key findings and recommendations:

LLU-F-15: How does that 2002 Memorandum of Understanding (MOU) fit into the workgroup considerations? The 2002 MOU clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements.

We agree with Version 1 of this finding. The 2002 MOU concluded that Coffin Butte Landfill was in compliance with all County requirements at the time of execution. While the Legal and Land Use Subcommittee could not determine the degree to which the County examined the decisions leading up to MOU, Sections 1 through 15 describe the history of Coffin Butte (dating back to 1974) in detail, indicating that it was examined. It is also important to note that Section 16 determines these decisions authorized Valley Landfills Inc., to expand in the landfill zone north of Coffin Butte without any additional county permitting requirements.

LLU-F-22: Were the site plan and narrative of PC-83-7 regulatory conditions of approval?

The 1983 CUP and compliance with its terms were the subject of significant debate and disagreement between the Past Land Use and the Legal subcommittees, especially as it relates to screening and post-closure/future land use topics.

We agree with LLU F-22, and the more detailed memorandum prepared by the Legal and Land Use Subcommittee, that the provisions of the site plan and narrative are not enforceable conditions of approval.

LLU-F-23: Clarify when formal approval of landfilling of Cell 6 (the current quarry) was granted.

PC-93-7 included the quarry within the area approved for landfilling for the reasons explained in Version 1 of the finding. On June 15, 1983, the Benton County Board of Commissioners adopted comprehensive plan and zoning amendments designating 266 acres as the "Landfill Site" zone, as well as approving a site development plan for the landfill. The Board order expressly adopted the County staff report as part of the findings in support of the decision. According to page 7 of the staff report, the decision was intended to expand the area approved for landfill use to 194 acres; the remaining 72 acres of the 266 acres zoned LS would be utilized for other uses or remain in open space. Because of testimony regarding expansion of the landfill into the portion of the LS zone located south of Coffin Butte Road, the Board included a provision in the new LS zone (Ordinance 261) that "[a]ny proposal to expand the area approved for landfill must be reviewed and approved by the Planning Commission at a public hearing." The text of the staff report is therefore clear that the County approved 194 acres for landfill use and that any expansion into the remaining 72 acres would be subject to review by the Planning Commission. If the acreage south of Coffin Butte Road is deducted and the areas north of Coffin Butte reserved for open space and screening are also deducted, the remainder includes approximately 194 acres north of Coffin Butte Road, including the quarry area. The "waste disposal area" shown on the site plan could not have been the intended boundary of the area approved for landfill because it is less than 100 acres in size. The Legal and Land Use Committee's interpretation as set forth in Version 1 of the Finding is the only interpretation that reconciles the text of the decision with the site plan.

In addition, one of the objections focuses on the lack of any mention of "Cell 6" in the 1983 decision. The term "Cell" is not a county land use definition; it is how Republic Services classifies the areas where landfill occurs. This term did not come into use until the late 1980s when liners were first required, as part of update U.S. EPA regulations. Therefore, the term "cell" is not relevant to the interpretation of whether the 1983 decision included the quarry area in the "area approved for landfill." Cell 6 is shown on, and is part, of the 178-acre footprint approved for landfilling under Valley Landfills' current DEQ waste disposal permit.

Finally, as noted above, the 2002 MOU resolves any remaining ambiguity; it clearly states that additional county permitting is not required for expansion of the landfill within in the LS zone north of Coffin Butte Road.

As we enter the public comment period of this process on April 11, we look forward to hearing more from the surrounding community on the topics covered in this report -- and the future of solid materials management in Benton County and beyond.

Coffin Butte Landfill looks forward to continued engagement with the community, including public tours of the Landfill, as requested by numerous interested residents. We will continue to listen to community input and feedback in the coming months in advance of filing an improved CUP application.

I would like to thank the Commissioners and Benton County staff again for creating this forum for conversation; I have no doubt the Oregon Consensus process will result in better outcomes for all involved.

BCTT Solid Waste Workgroup Final Report

Template for Member Statements

Please add your comments to any or all of the following sections. Structuring your comments in this order will better enable readers to connect your comments to the relevant sections of the BCTT Report.

Name: **Ryan McAlister**

Date of Statement: April 5, 2023

1. Introduction

2. Executive Summary

    a. I think the executive summary does a very good job of giving the reader an overview of the work product and what is contained in the entire report. I appreciate the effort done here to help provide a bridge to the larger document as many readers will not get past the executive summary and recommendations.

3. History
    a. I found the history of the landfill very enlightening and appreciate the fact that now we can have a single document that brings most, if not all of the historical elements surrounding the origination of the landfill and the history of area in which it was sited.

4. Sustainable Materials Management Plan (SMMP)
    a. I was a subcommittee member of the SMMP work group. The group worked very well together to bring as much information as we could in one place so as to allow the future RFP writers a good resource with which to begin the RFP process. I look forward to seeing Benton County move forward with this process and be a leader in the state with an SMMP plan that will be the model for many to follow.

5. Landfill Size/Capacity/Longevity
    a. Baselining the conversation to better understand where we are at today and the factors that can affect the time the County has remaining to use the landfill. This will also provide a timeframe in which an SMMP will need to be complete so that we can move beyond being dependent upon a landfill.

BCTT Solid Waste Workgroup Final Report

Template for Member Statements

Please add your comments to any or all of the following sections. Structuring your comments in this order will better enable readers to connect your comments to the relevant sections of the BCTT Report.

Name: **John Deuel**

Date of Statement: 4/8/23

1. Introduction – My comments are about the Letter of Transmittal
    a. 2nd paragraph: . . . and to develop a detailed outline to inform the development of a request for proposals (RFP) from a consultant to prepare a Sustainable Materials Management Plan (SMMP)

2. Executive Summary
    a. First paragraph: While the problems with the landfill's history and current situation stimulated the formation of the Work group, another part of the background was a flatline of progress on managing and particularly reducing waste and the lack of a long term plan to do so. This element led the Work Group to some important realizations about what would be needed for the County to not only have a plan for the landfill, but for creating a significantly more robust system and set of policies and practices that would support the County's overall sustainability and help it realize its visions for 2040. Perhaps adding the following sentence after the first two sentences. The purpose of these sentences is to introduce the reader to the broader materials crisis and that the landfill's history is in part, a product of that crisis, as well as a global issue.

    "The challenges of the landfill's development have exposed the lack of a long-term plan for managing materials sustainably, throughout the County. While Benton County has met most standards required by the State of Oregon for recycling, there has been confusion and frustration among citizens about the lack of a more comprehensive, aggressive plan, given the long term and global impacts of materials throughout their life cycle, not just the on the Coffin Butte landfill."

    b. Page 9, line 4 (on landfill size etc.) Add
    . . . . including the impact of potential wildfires, regulatory changes and the future size of the landfill.

    c. Middle of P 10: There were several items that came up too late in the process for the Workgroup to vet or were left unresolved for future work. They are:

3. History
    a. P.32- first sentence: increase the capacity of the landfill by 64 to 80%.36 As reported in the Gazette Times on November 3, 1994, this request encountered stiff opposition when local landowners cited ~~concerned~~ concerns over smell, noise, groundwater contamination while other county residents wondered how large the county would let the landfill grow and whether increased capacity would affect the incentives to reduce consumption or recycle.

4. Sustainable Materials Management Plan (SMMP)
    a. On bottom of page 46- Introduction:

The more recent subcommittee work focused on future next steps and recommendations for the RFP process, including contracting out, workplan and timeline, and who should be "at the table" in future discussions.

    b. Next sentence- at bottom of page 46 and beginning of page 47:

The Subcommittee included lessons learned from outside of Benton County Talks Trash Workgroup Report 47 Benton County, including ~~information and lessons~~ from neighboring counties' presentations to the full work group.
Suggested alternative: . . . information about planning strategies and outcomes . . .

    c. Conclusion: Acknowledging the long-term nature of such a plan, the SMMP should be adaptable to new technologies and economic and environmental trends while aligning with clearly stated County and Statewide goals.
    d. Conclusion- next sentence: selecting a ~~partner~~ consultant team

5. Landfill Size/Capacity/Longevity: The findings and recommendations listed in the report will be a very important resource for the Citizens of Benton County, decision makers, and the consultants who are selected to prepare an Sustainable Materials Management Plan. I am concerned about the timing of possible decisions that would be required and made about extension of the landfill and other policies or initiatives that would enhance waste prevention, reuse and reduction. There were many opinions expressed to delay such decisions until an SMMP was completed. While I agree with this generally, I also would encourage Benton County leaders to move forward more aggressively to reduce and prevent waste. A working group of local waste prevention experts, including some that were on SWAC at the time, developed a list of recommendations to do just that.

6. Legal Issues & Land Use Review: No statement

7. Past Land Use Application Conditions: I applaud the subcommittee's work on this section and the extensive record of past land use actions. One of the trends I saw throughout this process, and in

the report about these land use actions, is that the County and others were derelict in securing and maintaining accurate records of land use requirements and compliance with those requirements. I strongly hope that going forward, the County and others responsible for authorizing and enforcing land use conditions will allocate the resources needed to maintain sufficient records so that 50 years from now, the next generation of citizen decision makers will have better information.

8. Community Education & Public Involvement: No statement

9. Overall Comments: No statement

10. Conclusion: Did not see it in DRAFT 6.

6. Legal Issues & Land Use Review
    a. This section added some clarity to why Coffin Butte must receive waste from outside the region. The legal issues are very complicated, but the group did a good job getting to a more common understanding of what the issues are and how the land use process works.

7. Past Land Use Application Conditions
    a. The subcommittee did a very good job of daylighting many of the issues and bringing them together in one common space. My hope is that this will allow the Land Use Experts to take the next steps in providing clarity on where things really stand today and what is relevant to the upcoming conversations.

8. Community Education & Public Involvement
    a. Subcommittee did a very good job of highlighting the importance of communication on this issue. We are trying to clearly communicate complicated concepts and processes. My hope is that the BOC will embrace some of these communication recommendations.

9. Overall Comments
    a. I am thankful for the opportunity to be a part of this process. I have learned a great deal and hope that the information that was gathered (findings) and recommendations are not quickly dismissed by the future readers of the report.

10. Conclusion
    a. I applaud Benton County and the BOC for choosing to spend the time and energy to invest in this process to bring about a common understanding of a very complicated and mis-understood issue within our community. I believe that the only way we can make meaningful change and move forward with purpose is to first understand where we are at right now and how we got here. Otherwise, we will not be able to learn from our past decisions and not make the best decision for how to move forward from here. What is decided in the next few years will have an impact on future generations.

BCTT Solid Waste Workgroup Final Report

Template for Member Statements

Please add your comments to any or all of the following sections. Structuring your comments in this order will better enable readers to connect your comments to the relevant sections of the BCTT Report.

Name: **Shawn Edmonds, Area Vice President (Northwest), Republic Services**

Date of Statement: **April 8, 2023**

1. Introduction

2. Executive Summary

3. History

4. Sustainable Materials Management Plan (SMMP)

5. Landfill Size/Capacity/Longevity

6. Legal Issues & Land Use Review

7. Past Land Use Application Conditions

8. Community Education & Public Involvement

9. Overall Comments

   Rather than commenting on each subcommittee's work and the associated section of the report, I'd like to generally begin my remarks with a thank you and expression of gratitude to all the members of the workgroup, especially those resident volunteers who gave untold hours of their own time to participate in this process.

I served as Republic Services' General Manager in Western Oregon from 2015 to 2022, overseeing not only Coffin Butte Landfill, but our hauling divisions in the area, Pacific Regional Compost and Agri-tech.

Republic Services' ties to this community go back decades, but we have owned and operated Coffin Butte Landfill since 2008. The Landfill is a regional asset that has served the residents and businesses in this area for more than 40 years.

During the Oregon Consensus process, it became clear that there are many misconceptions about the Landfill, confusion about how it operates in accordance with regulatory requirements and land use permits, and how it co-exists with its neighbors.

It is my hope that this workgroup process brought clarity to many of these issues – or at least provided new and helpful information about the benefits of having a highly-engineered, state-of-the-art local waste option.

I've divided my remarks below into three sections: the SMMP, compliance and our future CUP application.

Republic Services was not permitted to participate in – or vote on – the SMMP findings and recommendations. While we understand the reason for this, we would have liked to be part of those discussions.

We are not simply a company that runs landfills – we are sustainability leaders in one of the most highly-regulated industries in the United States. This year we will open the nation's first integrated plastics recycling facility in the country in Las Vegas and we recently announced a joint venture with Archaea Energy to develop 39 landfill renewable-gas-to-energy projects across 19 states. Once these projects are online in 2027, we anticipate capturing and beneficially reusing 70 percent of our total landfill gas.

In addition, we've set an ambitious goal to increase the recovery and circularity of key materials by 40 percent by 2030 . We are currently collecting commercial recycling in Idaho using electric (EV) trucks. Additional EV deployments are planned in the near future.

Our commitment to sustainability and the circular economy – one key focus of the SMMP subcommittee – is already evident in Benton County, where we divert over 140,000 tons of green waste and food waste annually at the Pacific Regional Compost Facility. Our recycling center in Albany, Oregon, processes 20,000-25,000 tons of recycling material every year, much of which is organic material.

In addition, Coffin Butte was one of the first landfills in the Northwest to collect landfill gas for conversion to energy, generating enough capacity to power over 4,000 homes.

It is our hope that Benton County will consider us a resource and a valued partner as it continues to delve deeper into its upcoming materials management process.

Next, I'd like to address compliance with our various land use and operating permits. I recognize the extraordinary amount of effort and time that members of the Past Land Use Application subcommittee put into the review process. They have produced and organized a trove of documents recreating the history of the Landfill. These will no doubt prove to be a valuable resource.

However, I disagree with the subcommittee's approach and/or conclusions in several of its findings and recommendations. Coffin Butte Landfill is in compliance with its DEQ and county land use permits, and works closely with its regulatory partners (county, state and federal) on all aspects of its operations.

In several instances, members of the CUP subcommittee authored findings that were based on one or more outdated documents. Their review did not consider more recent documents that are readily available to the public. This resulted in findings that, in my opinion, were myopic in nature and/or lacking context at best.

In the interest of time (nearly 8 hours into our final meeting), Republic Services agreed to poll a "2" on these findings, rather than continuing to debate the merits of alternate and substitute language. I will instead address some of them here:

- **CUP-F-26: There are Valley Landfill, Inc. Closure Plan Reports / Financial Assurance documents dating from the mid 1990's identifying areas of the landfill that are closed to meet DEQ requirements. Financial Assurance amounts were reduced to reflect the closure.**

Republic Services acknowledges that these documents exist. However, Valley Landfill's Inc. is still required to maintain post-closure funds on areas of the Landfill that are considered closed. In addition, VLI is required to add to the closure fund as new cells are constructed. As a result, both the closure and the post-closure funds have increased since the 1990s and now sit at $16,222,800 (closure) and $5,7343,202 (post-closure.) These amounts are updated annually, insured by third-party bonds, and approved by DEQ. LLU-F-3B, as drafted by the Legal subcommittee, reiterates this position.

- **CUP-F-29: A "Special Waste Management Plan (Draft)" 10/03 file date identifies wastes other than household material that can be brought to Coffin Butte.**

This finding is based on a document that is two decades old and is significantly out of date. We have a special waste section in our operations plan that's been updated several times since 2003. The most recent of these was submitted to DEQ in 2020 and is publicly available.

- **CUP-F-30: No records for DEQ's air emissions (Title V) or surface water (NPDES) programs were available for review.**

Title V reports are submitted to the county in our quarterly reports; the air quality and annual reports are available on the DEQ website. And the stormwater NPDES permits, and monitoring reports were provided to the Benton County FTP site and via a public records request.
There are other disputes of record – most notably with the 2002 Memorandum of Understanding and the use of Cell 6 (also known as the Quarry) as a disposal site. My colleague discusses these in detail in his member statement, but it is my belief that the Legal subcommittee's review, and subsequent conclusions, are accurate as it relates to both issues.

Finally, I'd like to address Republic Services' forthcoming CUP. Coffin Butte Landfill applied to Benton County for a conditional use permit in May 2021. Two years have since passed, and the need for this vital expansion remains critical.

Coffin Butte Landfill now has -- at most -- 2 years of remaining disposal life if we don't utilize Cell 6/the Quarry**.** Without approval of our upcoming CUP there will be no outlet for the County's waste in the very near future.

Yes – we are making plans to move into the quarry, but the clock is ticking. We cannot begin construction of the cell until we excavate the rock. We are working aggressively on an accelerated excavation schedule, but this does not guarantee the continuity of an environmentally responsible, safe, and cost-effective disposal option for Benton County and surrounding communities. An expansion onto a previously zoned portion of our existing property (that is already being used for routine landfill operations) does.

10. Conclusion

I do not yet have a date by which Republic Services plans to file its CUP application, but time is of the essence. It is our intent – and my commitment – that the future application will align with the spirit of the Oregon Consensus/Benton County Talks Trash workgroup process. We have had numerous conversations with very passionate members of the local community, and greatly appreciate their input. We've listened and heard their concerns and will do our best to be mindful of those as we re-engage with the County on Coffin Butte Landfill and the future of solid waste management in Benton County.

Thank you again for allowing us a seat at the table as you consider these vital issues.

BCTT Solid Waste Workgroup Final Report

Template for Member Statements

Please add your comments to any or all of the following sections. Structuring your comments in this order will better enable readers to connect your comments to the relevant sections of the BCTT Report.

Name: **Chuck Gilbert**

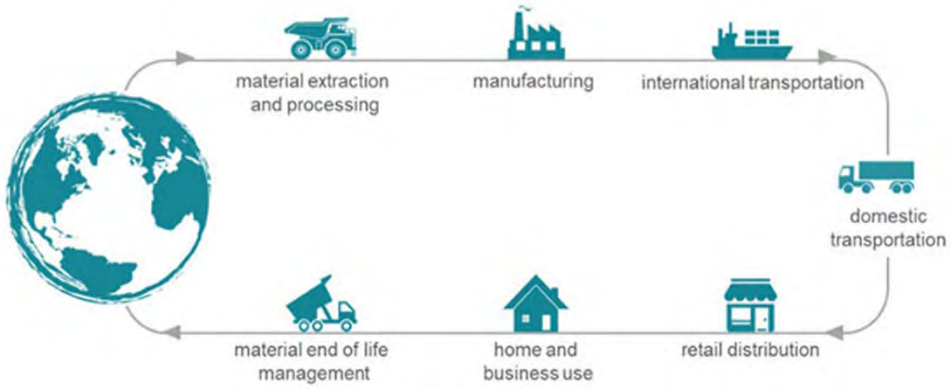
Date of Statement: 4/8/2023

1. Introduction
   Looks good.

2. Executive Summary

   Looks good.

3. History



Solid Waste Reduction Advancement

Today, most developed countries are industrial societies, although there is a growing trend towards automation and digitalization, which is changing the nature of work and production. Many developing countries are also undergoing a process of industrialization, as they seek to modernize their economies and increase their global competitiveness.

Solid waste management is of great importance in today's industrial societies due to the high volume of waste generated by industrial and commercial activities, as well as by households. Effective solid waste management practices are necessary to protect public health, prevent environmental pollution, and conserve natural resources.

A linear economy is a traditional model of production and consumption in which resources are extracted, processed into products, used, and then discarded as waste. In this model, the focus is on maximizing economic growth and consumption, with little regard for the long-term environmental and social impacts of resource depletion and waste generation.

In a linear economy, resources are treated as disposable and the waste generated is typically disposed of in landfills or incinerated. This approach leads to the depletion of finite resources, pollution, and greenhouse gas emissions that contribute to climate change, if unchecked.

The linear economy is often referred to as a "take-make-dispose" approach, as it involves taking raw materials, making products, and disposing of the waste generated. It is a linear process with a clear end point: waste.

As awareness of environmental issues and resource constraints grows, there is increasing recognition of the need to move towards a more sustainable and circular economy.

The aim of a circular economy is to create a more sustainable and resilient economic system that maximizes the use of resources and minimizes waste and pollution. In a circular economy, materials and resources are kept in use for as long as possible, through processes such as recycling, refurbishment, remanufacturing, or waste energy conversion.

The circular economy is based on three key principles: designing out waste and pollution, keeping products and materials in use, and regenerating natural systems. By applying these principles, the circular economy seeks to create a closed-loop system in which waste is minimized, and resources are kept in circulation for as long as possible.

The circular economy has many potential benefits, including reducing waste and pollution, conserving natural resources, creating new business opportunities and jobs, and improving economic and social resilience. It also has the potential to contribute to climate change mitigation by reducing greenhouse gas emissions associated with the extraction and processing of virgin materials.

Overall, the aim of a circular economy is to create a more sustainable and resilient economic system that meets the needs of people and the planet.

4. Sustainable Materials Management Plan (SMMP)

A Sustainable Materials Management Plan (SMMP) is a comprehensive plan that outlines strategies for managing materials and resources in a sustainable way. The plan typically includes a range of strategies, policies, and practices that focus on reducing waste generation, increasing resource efficiency, and promoting sustainable consumption and production.

Overall, an SMMP can work in synergy with the circular economy, by providing a comprehensive approach to managing materials and resources in a sustainable way, and by helping to support the transition to a more circular and sustainable economic system.

A SMMP transportation plan outlines strategies for managing the transportation of materials and resources in a sustainable way.

A SMMP transportation plan may include strategies to reduce the environmental impact of transportation, such as reducing fuel consumption, greenhouse gas emissions, and air pollution. This may involve promoting the use of alternative modes of transportation, as well as encouraging the use of low-emission truck vehicles or electric truck vehicles and optimizing the routing of transportation.

In addition, an SMMP transportation plan may also focus on optimizing the efficiency of transportation, to reduce costs and improve overall sustainability. This may involve implementing strategies to reduce the distance and frequency of transportation, promoting the use of intermodal transportation, and adopting technologies that can improve the efficiency of transportation.

Overall, a SMMP transportation plan is an important component of a comprehensive approach to sustainable materials management. By optimizing the transportation of materials and resources, organizations and communities can reduce their environmental impact, improve their economic efficiency, and promote social sustainability.

5. Landfill Size/Capacity/Longevity

   Looks good.

6. Legal Issues & Land Use Review

   Looks good.

7. Past Land Use Application Conditions

   Looks good

8. Community Education & Public Involvement
   Look good.

9. Overall Comments

The SMMP Intermodal Transportation Plan is a transportation planning document that outlines strategies and policies for improving the movement of freight and goods in and around a particular region, with a particular focus on intermodal transportation, in particular solid waste and renewal and scrap recyclables.

Intermodal transportation refers to the use of multiple modes of transportation, such as roads, railways, and waterways, to move freight and goods from one place to another. The SMMP Intermodal Transportation Plan aims to improve the efficiency and effectiveness of this transportation network by identifying key challenges, goals, and opportunities for improvement of solid waste management and materials management in a sustainable circular economy,

The plan may include a range of strategies and initiatives, such as improving the connectivity between different modes of transportation, enhancing the safety, reliability, and interoperability of transportation systems, promoting sustainable transportation options, and engaging with stakeholders to better understand their needs and preferences.

By developing an effective and comprehensive intermodal transportation plan, communities and regions can better manage the movement of goods and freight, reduce congestion and environmental impacts, and improve overall quality of life for residents and businesses, in particular with a viable solid waste management plan working shoulder to shoulder with sustainable materials management plan.

10. Conclusion

VII. Public Outreach Summary and Analytics

1. **Benton County Solid Waste Situation Assessment**
   a. On Tuesday, July 19, 2022, the Benton County Board of Commissioners heard the results of a Situational Assessment focused on solid waste and disposal, including Coffin Butte landfill. An independent third-party affiliated with Oregon Consensus presented the situation assessment. For a copy of the written report, please click HERE. The assessment included a recommendation for the Board of Commissioners to create a temporary workgroup for making recommendations to the Board regarding specific solid waste topics. During the July 26, 2022 meeting, the Board decided to move forward with the process of convening this workgroup.
   b. Information about the Board meetings that approved the Assessment and the Charter, along with BOC meetings where members of the public gave testimony can be found at the Solid Waste Process Workgroup (SWPW) webpage.

2. **Outreach: Sep. '22 – Mar. '23**
   a. Products:
      i. Talking Points completed Sept. 15
      ii. Strategic communications information completed Sept. 30
      iii. Updates about workgroup prior to every meeting sent to SWPW subscription list every time.
         1. SWPW mtg, Sept. 8 Recap and Sept. 15 mtg info – Sept. 15, 2022
         2. SWPW mtg, Oct. 6 – Sept. 22, 2022
         3. SWPW mtg reminder, Oct. 6 – Sep – Oct. 5, 2022
         4. SWPW mtg, Oct. 27 – Oct. 20, 2022
         5. SWPW subcommittee mtgs, Oct. 24-25 - Oct. 21, 2022
         6. SWPW mtg reminder, Oct. 27 – Oct. 25, 2022
         7. SWPW mtg CANCELLED, Nov. 3 – Nov. 1, 2022
         8. SWPW mtg reminder, Nov. 17 & Open House – Nov. 15, 2022
         9. SWPW mtg, Dec. 15 – Dec. 7, 2022
         10. SWPW mtg reminder, Dec. 15 – Dec. 13, 2022
         11. SWPW mtg, Jan. 19 – Jan. 12, 2023
         12. SWPW mtg reminder, Jan. 19 – Jan. 18, 2023
         13. SWPW mtg update, Jan. 19 – Jan. 19, 2023
         14. SWPW delivers draft report – Jan. 30, 2023
         15. SWPW mtg, Feb. 23 – Feb. 17, 2023
         16. SWPW mtg reminder, Feb. 23 – Feb. 22, 2023
         17. SWPW mtg, Mar. 16 – Mar. 9, 2023
         18. Benton County asks public to "talk trash" and the future of solid waste – Mar. 14, 2023
         19. SWPW mtg reminder, Mar. 16 – Mar. 15, 2023
         20. SWPW mtg, Mar. 23 – Mar.17, 2023
         21. BOC statement on BCTT – Mar. 22, 2023
         22. SWPW mtg reminder, Mar.23 – Mar. 22, 2023
         23. SWPW survey notification - Mar. 24, 2023
         24. SWPW mtg, Apr. 3 – Mar. 29, 2023
         25. Benton County launches Public Podcast series – Mar. 31, 2023

26. UPDATE Benton County launches Public Podcast series – Apr. 1, 2023
27. Benton County launches Public Podcast series – Mar. 31, 2023
28. UPDATE Benton County launches Public Podcast series – Apr. 1, 2023

iv. Periodic workgroup updates
    1. County internal and external newsletters.
        a. "Benton County Talks Trash" workgroup scheduled to address future of solid waste! – Aug. 11, 2022
        b. Benton County News - September 2022 – Sept. 6, 2022
        c. Benton County workgroup talking trash & the future of solid waste – Sept. 12, 2022
        d. The Buzz, Benton County Employee Newsletter - September 2022 – Sept. 20, 2022
        e. Benton County News - October 2022 – Oct. 3, 2022
        f. Benton County News - November 2022 – Nov. 1, 2022
        g. Benton County News - December 2022 – Dec. 6, 2022
        h. Benton County News - January 2023 – Jan. 3, 2023
        i. Benton County News - February 2023 – Feb. 6, 2023
        j. Benton County asks public to "talk trash" and the future of solid waste – Mar. 14, 2023
        k. The Buzz, Benton County Employee Newsletter - March 2023 – Mar. 22, 2023
        l. Benton County News - April 2023 – Mar. 30, 2023
        m. UPDATE Benton County launches Public Podcast series – Apr. 1, 2023
    2. Social media updates
        a. SWPW community outreach (Aug. – Dec. 2022 analytics) report completed Jan. 24, 2023, see last page.
        b. SWPW community outreach (Jan. – Mar. 2023 analytics) report under development.

v. Public Engagement Events
    1. Tour of Coffin Butte Landfill – Sept. 24, 2022
        a. Nextdoor
        b. Website Press Release – Sept. 22, 2022
        c. Sent to all Benton County employees
        d. Benton County organic subscribers
        e. Sent SWPWG subscriber list - Sept. 20, 2022
        f. Sent to media partners via FlashAlert
        g. Facebook – Sept. 22, 2022
        h. Twitter – Sept. 22, 2022
        i. Instagram – Sept. 22, 2022
    2. Tour of Neighborhood – Oct. 1, 2022
        a. Nextdoor
        b. Website Press Release
        c. Sent to all Benton County employees
        d. Benton County organic subscribers
        e. Sent SWPW subscribers – Sept. 28, 2022
        f. Sent SWPW subscribers reminder email – Sept. 29, 2022
        g. Sent to media partners via FlashAlert
        h. Facebook event – Sept. 26, 2022

3. Open House – Nov. 17, 2022
    a. Nextdoor
    b. Benton County organic subscribers – Nov. 10, 2022
    c. Sent to SWPW subscribers – Nov. 10, 2022
    d. Sent to media partners via FlashAlert
    e. Facebook – Nov. 14, 2022
    f. Developed flyer
    g. Supported logistics
4. Open House – Apr. 4
    a. Nextdoor – Mar. 29, 2022
    b. Website Press Release – Mar. 14, 2022
    c. Sent to all Benton County employees
    d. Benton County organic subscribers – Mar. 14, 2022
    e. Sent to SWPW subscribers – Mar. 14, 2022
    f. Sent to media partners via FlashAlert – Mar. 14, 2022
    g. Facebook
    h. Twitter
    i. Instagram
    j. Developed flyer
    k. Supported logistics

vi. Media releases
1. "Benton County Talks Trash" work group scheduled to address future of solid waste! – August 11, 2022
2. Benton County workgroup talking trash and the future of solid waste – September 9, 2022
3. "Benton County Talks Trash" Solid Waste Process Workgroup's scheduled to offer landfill/neighborhood tours – September 22, 2022
4. Benton County asks public to "talk trash" and the future of solid waste – March 14, 2023
5. Benton County Solid Waste Process Workgroup open house invites community members to "Talk Trash" – March 21, 2023
6. El Condado de Benton le pide al público que hable sobre la basura y el futuro de los residuos sólidos – March 21, 2023
7. Benton County Board of Commissioners response to Community petition regarding Coffin Butte landfill – March 22, 2023
8. La jornada de puertas abiertas del Grupo de Trabajo de Tratamiento de Residuos Sólidos del condado de Benton invita a los miembros de la comunidad a "hablar basura" – March 30, 2023
9. Benton County launches Public Podcast series – March 31, 2023
10. Solid Waste Workgroup Talks Trash at community open house – April 5, 2023

vii. Social media posts
1. Facebook, Twitter, Instagram & Nextdoor, Aug. 12, 2022. The #BentonCountyBoardOfCommissioners want you to help "talk trash" this fall by participating in Benton County Talks Trash.
2. Facebook, Twitter, Instagram & Nextdoor, Sept. 9. The "Benton County Talks Trash" workgroup officially kicked off yesterday with a welcome from the

#BentonCountyBoardOfCommissioners. The workgroup discussed the collaborative process from now through mid-December that will support decision-making about the future of solid waste in Benton County.

3. Facebook, Twitter & Instagram, Sept. 15, 2022. #BentonCountySolidWasteWorkgroup is meeting today from 3-7pm. Members of the public are invited to attend in person at the Kalapuya Bldg, 4500 SW Research Way, Corvallis or via Zoom.
4. Facebook & Nextdoor, Sept. 15. Neighborhood Tour events created.
5. Facebook, Twitter & Instagram, Sep. 22, 2022. ICYMI: The Benton County Talks Trash Solid Waste Process Workgroup is offering a tour of the Coffin Butte Landfill this Saturday!
6. Facebook, Twitter & Instagram, Oct. 5, 2022. ICYMI the Solid Waste Process Workgroup is holding meeting #3 tomorrow from 3-7pm. Join in person at the Kalapuya Building - 4500 SW Research Way, Corvallis or attend online.
7. Facebook & Nextdoor, Oct. 1, 2022 Neighborhood Tour events created.
8. Facebook, Twitter & Instagram, Oct. 5, 2022. Workgroup is holding meeting #3 tomorrow from 3-7pm. Join in person at the Kalapuya Building - 4500 SW Research Way, Corvallis or attend online.
9. Facebook & Nextdoor, Oct. 6, 2022. Meeting #3 events created.
10. Facebook, Twitter & Instagram, Oct. 25, 2022. Meeting #4 post shared: Workgroup meeting #4 this Thursday, from 3-7pm. Join in person at the Kalapuya Building at 4500 SW Research Way, Corvallis or attend online.
11. Facebook & Nextdoor, Oct. 27, 2022. Meeting #4 events created.
12. Facebook & Nextdoor, Nov. 1, 2022. CANCELLED meeting #5 (Nov. 3, 2022) posts and events created.
13. Facebook & Nextdoor, Nov. 14, 2022. Meeting #5 (Nov. 17) post and events created.
14. Facebook & Nextdoor, Dec. 12, 2022. Meeting #6 (Dec. 15) post and events created.
15. Facebook, Twitter, Instagram & Nextdoor, Jan. 12, 2023. Meeting #7 (Jan. 19) posts and events created.
16. Facebook, Twitter & Instagram, Jan. 19, 2023. ICYMI: the Solid Waste Process Workgroup meeting #7 is TODAY from 3-7:30pm. Join in person at the Kalapuya Building [4500 SW Research Way, Corvallis] or attend online.
17. Facebook, Twitter, Instagram & Nextdoor, Feb. 17, 2023. Meeting #8 (Feb. 23) posts and events created.
18. Facebook, Twitter, Instagram & Nextdoor, Mar. 9, 2023. Meeting #9 (Mar. 16) posts and events created.
19. Facebook, Twitter & Instagram, Mar. 13, 2023. The #BentonCountyBoardOfCommissioners invites community members to “talk trash” and learn more about the future of sustainable materials management, solid waste, and disposal in Benton County. Share your feedback this Thursday. Learn more: http://ow.ly/3JhO50NfPPa
20. Facebook, Twitter & Instagram, Mar. 17, 2023. Community members, The Benton County Talks Trash Solid Waste Process Workgroup is seeking your feedback. Take a survey on the Workgroup’s draft recommendations until Mar. 22:

http://ow.ly/Zx1Z50NkJw2. Learn more about the BCCT SWPW: http://ow.ly/rEiv50NkJAs

21. Facebook, Twitter & Instagram, Mar. 20, 2023. The LAST Solid Waste Process Workgroup meeting is this Thursday! Join us to discuss the future of sustainable materials management, solid waste, and disposal in Benton County. Join us in person at the Kalapuya Bldg. at 4500 SW Research Way or register to be online: http://ow.ly/nkx950NlHez. Learn more: http://ow.ly/Ukoi50NlHcq
22. Facebook, Twitter, Instagram & Nextdoor, Mar. 21, 2023. Meeting #10 (Mar. 23) posts and events created.
23. Facebook, Twitter & Instagram, Mar. 22, 2023. ICYMI: Today is the last day to share your feedback to the Benton County Talks Trash (BCTT) Solid Waste Process Workgroup (SWPW) on solid waste materials management in Benton County. Take the survey: http://ow.ly/liRO50NkJw4. Learn more about the BCCT SWPW: http://ow.ly/zpUl50NkJAt
24. Facebook, Twitter & Instagram, Mar. 23, 2023. Benton County seeking public input on sustainable waste disposal.
25. Facebook, Twitter & Instagram, Mar. 27, 2023. At the request of the Benton County Talks Trash (BCTT) Solid Waste Process Workgroup (SWPW), the survey on solid waste materials management in Benton County has been extended until noon on Friday. Take the survey: http://ow.ly/liRO50NkJw4. Learn more about the BCCT SWPW: http://ow.ly/zpUl50NkJAt.
26. Facebook, LinkedIn & Nextdoor, Mar. 24, 2023. Open House events created.
27. Facebook, Twitter & Instagram, Mar. 30, 2023. ***Español a continuación*** Mark your calendars for the Benton County “Talks Trash” – Solid Waste Process Workgroup in-person Community Open House! WHEN: April 4 from 5:00 to 7:00 p.m. WHERE: 4500 SW Research Way, Corvallis. RSVP to pioinfo@bentoncountyor.gov. MORE: https://bit.ly/BentonCoGov-BCCTApr4OpenHouse
28. Facebook, Twitter & Instagram, Mar. 31, 2023. Listen to Episode 1 of Benton County's brand new Public Podcast: http://ow.ly/5q9w50Nxurt. This series features: - The history of the Coffin Butte landfill, - The critical work of the #BentonCountyTalksTrash #SolidWasteProcessWorkgroup, - What the County is doing to manage solid waste now and in the future, and - What individuals can do to help decrease consumption. Guests include Workgroup member Kathryn Duvall and Community Development Deputy Director Greg Verret. The podcast mentions how members of the Workgroup have volunteered thousands of hours working to provide recommendations about the future of #SustainableMaterialsManagement, #SolidWaste, and disposal in Benton County. The podcast strives to dive deeper into topics the community cares about. We hope you can take some time to listen. Feedback is encouraged and welcome; please share it with pioinfo@bentoncountyor.gov.
29. Facebook, LinkedIn, Twitter & Instagram, Apr. 1, 2023. Episode 1 of Benton County's brand-new Public Podcast: rss.com/podcasts/bentonpublicpodcast/890401/. Episode 1 of the series features history of Coffin Butte, Solid Waste Workgroup, what & what we can all do to decrease consumption. Stay tuned for our next episode in May!

30. Facebook, Twitter & Instagram, Apr. 3, 2023. ***English continued below*** ¡No se olviden de que mañana por la noche es el ÚLTIMO evento en persona de jornada de puertas abiertas comunitaria de "Habla de la Basura" - Grupo de Trabajo de Proceso de Residuos Sólidos! CUÁNDO: El 4 de abril de las 5:00 a las 7:00 p.m. DÓNDE: 4500 SW Research Way, Corvallis. Confirme su asistencia a través de: pioinfo@bentoncountyor.gov. PARA MÁS INFORMACIÓN: https://bit.ly/BentonCoGov-Abr4OpenHouse
31. Facebook, Twitter & Instagram, Apr. 4, 2023. ***Español a continuación*** TONIGHT is the night to join us for the Benton County "Talks Trash" – Solid Waste Process Workgroup in-person Community Open House event! We look forward to seeing you there. WHEN: April 4 from 5:00 to 7:00 p.m. WHERE: 4500 SW Research Way, Corvallis. RSVP: to pioinfo@bentoncountyor.gov. MORE: https://bit.ly/BentonCoGov-BCCTApr4OpenHouse.

3. Media Coverage

Another one bites the dustbin in Benton County trash committee

Albany Democrat-Herald, Dec. 13, 2022. Benton County's elected board took another of its trash advisers to the curb, voting Tuesday morning, Dec. 13, to remove someone from the task force that focuses on a potential expansion at Coffin Butte.

DEADLINE APPROACHES, OFFICIALS ANNOUNCE DAYTIME WARMING CENTERS

Corvallis Advocate, Dec. 23, 2022. Ahead of the new year, the Benton County Board of Commissioners got another update from the Benton County Trash Talks workgroup during their meeting on Tuesday, Dec. 20.

Tour provides peek into landfill operations, Benton workgroup dynamics

Albany Democrat-Herald, Sep. 24, 2022. Operators of Coffin Butte had local leadership on hand, and views of the landfill near Corvallis during a tour on Saturday, Sept. 24 — but few answers.

BENTON COUNTY SEEKS LANDFILL BOARD MEMBERS, SPENDS $88,000 ON FACILITATORS

Corvallis Advocate, Aug. 15, 2022. Benton County came out with some trashy news this week. Yes, things are moving forward for the question of what to do about the Coffin Butte landfill, as well as solid waste management in general for our County.

County awards more time, money to Coffin Butte workgroup; fires member

Albany Democrat-Herald, Oct. 25, 2022. Benton County's executive board took the unusual step of firing a volunteer adviser, voting 2-1 Tuesday, Oct. 25 to remove a delegate from its landfill task force.

COUNTY BACKS NEW TRAIL IN MONROE, CITY OFFERS MORE ASSISTANCE, MORE UPCOMING SOLID WASTE MEETINGS

Corvallis Advocate, Dec. 9, 2022. Trash Talks continue in Benton County with several upcoming meetings for the Solid Waste Process Workgroup, with the next scheduled on Dec. 15.

County awards more time, money to Coffin Butte workgroup; fires member

Albany Democrat-Herald, Oct. 25, 2022. Benton County's executive board took the unusual step of firing a volunteer adviser, voting 2-1 Tuesday, Oct. 25 to remove a delegate from its landfill task force.

OSU GROWS, ROCKIT COMES TO TOWN, DAIRY POLLUTANT PETITION FAILS BY FUNDING, UPDATE TO ROCK CREEK FOREST WATERSHED, OPEN HOUSE FOR TRASH TALKS, & CHAMBER EVENTS

Corvallis Advocate, Nov. 14, 2022. On Thursday, November 17, all are welcome to come to the Trash Talks Open House from 3:00-7:30 p.m. at the Benton County Kalapuya Building, located at 4500 SW Research Way, Corvallis.

JSIP & TRASH TALKS UPDATES, MHADDAC MEETING DISCUSSES MEASURE 110 FAILURES, ELECTION DENIERS & CORPORATE FUNDING

Corvallis Advocate, Nov. 3, 2022. Darren Nichols and Sam Imperati spoke about how things are going with the talks about the possible expansion of the Coffin Butte Landfill.

TRASH TALKS START UP, JSIP DRAFT OF MASTER PLAN, NEW PUBLIC HEALTH POSITIONS REQUESTED

Corvallis Advocate, Sep. 5, 2022. The Benton County Talks Trash workgroup will have its first meeting.

"Benton County Talks Trash" Solid Waste Process Workgroup scheduled to offer landfill/neighborhood tours

Flashalert, Sep. 22, 2022. The Benton County Talks Trash Solid Waste Process Workgroup is offering the following tours:

Benton County workgroup talking trash and the future of solid waste.

Flashalert, Sep. 9, 2022. The "Benton County Talks Trash" workgroup officially kicked off Sept. 8 with a welcome from the Benton County Board of Commissioners, introductions, and discussion about a collaboration process that will be happening through mid-December to support decision-making about the future of solid waste in Benton County.

Benton county talks trash - Twitter Search / Twitter

Solid Waste Process Workgroup Meeting #7 | Facebook

Facebook, Jan. 12, 2023. Solid waste process workgroup meeting #7.

Solid Waste Process Workgroup Meeting #6 | Facebook

Facebook, Dec. 7, 2022. Solid waste process workgroup meeting #6.

Solid Waste Process Workgroup Meeting #5 & Open House Event | Facebook

Facebook, Nov. 14, 2022. Solid Waste Process Workgroup Meeting #5 & Open House.

Solid Waste Process Workgroup Meeting #4 | Facebook

Facebook, Oct. 21, 2022. Solid Waste Process Workgroup Meeting #4.

Solid Waste Process Workgroup Meeting #3 | Facebook

Facebook, September 26, 2022. Solid Waste Process Workgroup Meeting #4.

Solid Waste Process Workgroup meeting

Nextdoor, Jan. 12, 2023. Please join us for the next Solid Waste Process Workgroup meeting on Jan 19.

Solid Waste Process Workgroup Meeting #6

Nextdoor, Dec. 7, 2022. Please join us for the next Solid Waste Process Workgroup Meeting #6.

Solid Waste Process Workgroup Meeting #5 & Open House Event

Nextdoor, Nov. 14, 2022. Please join us for the next Solid Waste Process Workgroup Meeting #5 and a special open house event.

BENTON COUNTY WORKGROUP TALKING TRASH AND THE FUTURE OF SOLID WASTE

Nextdoor, Sep. 12, 2022. The "Benton County Talks Trash" workgroup officially kicked off Sept. 8 with a welcome from the Benton County Board of Commissioners, introductions, and discussion about a collaboration process that will be happening through mid-December to support decision-making about the future of solid waste in Benton County.

Trash Talks Report Deadline

Corvallis Advocate, Dec. 23. Ahead of the new year, the Benton County Board of Commissioners got another update from the Benton County Trash Talks workgroup during their meeting on Tuesday, Dec. 20.

Letter: Four years before landfill is full

Gazette Times, Jan. 11, 2023**.** Benton and Linn counties dump only 15% of the trash in our landfill, while the rest of the waste comes from elsewhere.

COUNTY MULLS CHANGING CONSTRUCTION RULES, TRASH TALKS WORKGROUP RELEASED ONE DRAFT, WORKS ON ANOTHER

Corvallis Advocate, Jan. 18, 2023. **New Construction Rules Changes:** Benton County Board of Commissioners were given an update on proposed changes to the current development code for stormwater management.at their Jan. 17 meeting.

Trash Talks: Benton County Board of Commissioners was also given a project status update from the Benton County Trash Talks work group at the Jan. 17 meeting ahead of the release of the second draft for the project.

Benton dump findings take shape

Democrat Herald, Jan. 26, 2023. A task force charged in part with deciding the fate of Coffin Butte landfill has sent its draft findings to the committees that will oversee the dump owner's next effort to expand.

Letter: Republic will make billions, walk away

Democrat Herald, Feb. 3, 2023. I'm very disappointed that two very outspoken community members were kicked off the Benton County Talks Trash committee and were replaced with pro-Republic Services members!

Trash Talks: The Advocate, Feb. 8, 2023. The Benton County Solid Waste Workgroup has several upcoming meetings that they want the public to be aware of. The next work group meeting will take place on Feb. 23 prior to the next draft report release.

Corvallis to negotiate new trash agreement with Republic Services

Gazette Times, Feb. 16, 2023. Corvallis officials are slated to discuss a trash deal at an upcoming meeting.

LANDFILL WORKGROUP WILL UPDATE COUNTY LEADERS TUESDAY, CITY MULLS SUPPORTIVE HOUSING POSITION MONDAY NIGHT, POLICE 101 SESSION COMING

Corvallis Advocate, Mar. 6, 2023. Trash Talk: The Benton County Talks Trash Work Group will be giving one of its final updates at the Benton County Board of Commissioners meeting on March 7.

Wyse Seeks Trash Talk Budget Clarity: Corvallis Advocate, Mar. 13, 2023. There were two agenda items for the Trash Talks workgroup at the March 7 Benton County Board of Commissioners meeting.

PUBLIC COMMENT DEADLINE APPROACHES ON LANDFILL, WYSE SEEKS TRASH TALK BUDGET CLARITY, COUNTY ENDORSES HOUSELESSNESS RELIEF PROJECT

Corvallis Advocate, Mar. 13, 2023. Talks Trash: It's the final days of the Benton County Talks Trash work group, they only have two more meetings on the books – and the online link for public comment expires March 20.

Benton County asks public to "talk trash" and future of solid waste

FlashAlert, Mar. 14, 2023. The Benton County Board of Commissioners is inviting community members to "talk trash" and learn more about the future of sustainable materials management, solid waste, and disposal in Benton County. (See also KMTR16, KEZI9).

Benton County seeking public input on sustainable waste disposal

KEZI, Mar. 14, 2023. Benton County's Board of Commissioners is seeking public input on future sustainable solid waste disposal management practices.

LANDFILL PROCESS NEARING END

Corvallis Advocate, Mar. 17, 2023. "It is important for Benton County to work with the broader community on a long-term strategy for solid waste and disposal," said Benton County Commissioner Pat Malone.

'Talk Trash' series continues with public comment opportunities

Philomath News, Mar. 21, 2023. The Benton County Board of Commissioners announced opportunities for the public to participate in its "Talk Trash" series, a program looking at the future of sustainable materials management, solid waste and disposal in Benton County. (See also: KEZI)

Benton County to advisers about landfill: Stop advising us

Gazette-Times, Mar. 21, 2023. Elected officials in Benton County have told the advisers appointed to guide county policy on land use and trash disposal not to have any more meetings about the Coffin Butte Landfill until further notice.

Benton County Board of Commissioners responds to petition regarding Coffin Butte landfill

KVAL-13, Mar. 22, 2023. Advocates have asked the Benton County Board of Commissioners to delay its consideration of any land use action at Coffin Butte landfill, until after the County has completed a sustainable materials management plan.

Benton County Board of Commissioners response to community petition regarding Coffin Butte landfill

FlashAlert, Mar. 22, 2023. The Benton County Board of Commissioners is aware that advocates are circulating a petition asking the Board to delay its consideration of any land use action at Coffin Butte landfill until after the County has completed a sustainable materials management plan.

Benton County Commissioners respond to landfill concerns

KEZI-9, Mar. 27, 2023. In response to an upwelling of concern from some Benton County residents about the future of Coffin Butte landfill, the Benton County Board of Commissioners is clarifying its stance on the issue. (See also: Corvallis Advocate)

GOVERNMENT: WORKGROUP HAS NO OPINION ON LANDFILL EXPANSION

Corvallis Advocate, Mar. 29, 2023. The Benton County Trash Talks Solid Waste Workgroup will be hosting an open house on April 4.

Benton County Solid Waste Process Workgroup open house invites community members to "Talk Trash"

FlashAlert, Mar. 30, 2023. Benton County is inviting the public to an open house on April 4 from 5 to 7 p.m. at the Kalapuya Building in Corvallis hosted by the Benton County Talks Trash Solid Waste Process Workgroup. (Also, in Spanish)

Coffin Butte landfill in Benton County is filling up

KEZI-9, Mar. 30, 2023. Officials and members of the public in the Corvallis have concerns over the Coffin Butte landfill reaching capacity.

Solid Waste Process Workgroup talks trash at community open house

FlashAlert, Apr. 5, 2023. The Benton County “Talks Trash” Solid Waste Process Workgroup hosted a community open house, April 4 at the Kalapuya Building in Corvallis.

4. Advertising

Print & Digital: The Advocate and the Gazette-Times, BCTT Survey #1, open house, and important dates (Feb. 28 – Apr. 4)
Radio: Bicoastal Radio (KORCC) Survey #1, open house, and important dates (Mar. 21 – Apr. 3)
Television: KEZI BCTT Survey #1, open house, and important dates (Mar. 21 – Apr. 3)

Benton County Solid Waste Process Workgroup - Outreach Analysis

Facebook reach = the # of unique users who saw your content. **Twitter impression** = the # of times a tweet shows up in somebody's timeline. **Instagram reach** = the # of unique accounts that have seen your post or story. **Nextdoor reach** = the # of unique views, opens and clicks of the post in the **E-news reach** = the # of users that opened the email. **Email reach** = the # of users that opened the email.

Email	**August 11, 2022:**									Constant Contact Emails	
Benton County workgroup talking trash & the future of solid waste										Reach	3,666
Post	**August 12, 2022:**	Facebook		Twitter		Instagram		Nextdoor			
The #BentonCountyBoardOfCommissioners want you to help "talk trash" this fall by participating		Reach	155	Impressions	143	Reach	231	Reach	1,562		
								Benton County Talks Trash workgroup scheduled to address future of solid waste!			
E-news	**September 6, 2022:**									E-news	
Benton County News - September 2022: Talking Trash										Reach	4,783
Post	**September 9, 2022:**	Facebook		Twitter		Instagram		Nextdoor			
The "Benton County Talks Trash" workgroup officially kicked off yesterday		Reach	411	Impressions	266	Reach	480	Reach	1,630		
								Benton County workgroup talking trash and the future of solid waste.			
Email	**September 12, 2022:**									Constant Contact Emails	
Benton County workgroup talking trash & the future of										Reach	3,564
Email	**September 15, 2022:**									Constant Contact Emails	
Solid Waste Workgroup Meeting, Sept. 15										Reach	119
Post	**September 15, 2022:**	Facebook post		Twitter		Instagram					
The #BentonCountySolidWasteWor		Reach	561	Impressions	126	Reach	219				
Event post	**September 15, 2022:**	Facebook event						Nextdoor event			
Neighorhood Tour		Reach	79					Reach		unable to capture	
Internal newsletter	**September 20, 2022:**									Internal newsletter	
This month, I would like to let you know about a new										Reach	156
Email	**September 20, 2022:**									Constant Contact Emails	
Landfill and neighborhood tours scheduled										Reach	118
Email	**September 22, 2022:**									Constant Contact Emails	
Solid Waste Workgroup Meeting, "Benton County Talks										Reach	102
Post	**September 22, 2022:**	Facebook post		Twitter		Instagram					
The Benton County Talks Trash Solid Waste Process		Reach	1,226	Impressions	151	Reach	158				
Email	**September 28, 2022:**									Constant Contact Emails	
Neighborhood tour update										Reach	109
Email	**September 29, 2022:**									Constant Contact Emails	
Tour the Neighborhoods that surround the Coffin Butte										Reach	100
Event post	**October 1, 2022:**	Facebook event						Nextdoor event			
Neighorhood Tour		Reach	313					Reach		unable to capture	
E-news	**October 5, 2022:**							Nextdoor		E-news	
Benton County News - October 2022: Solid Waste Process Workgroup tours Coffin Butte								Reach	4,503	Reach	4,638
Post	**October 5, 2022:**	Facebook		Twitter		Instagram					
ICYMI the Solid Waste Process Workgroup is holding meeting #3 tomorrow from 3-7pm.		Reach	2	Impressions	139	Reach	161				
		n/a Facebook error									
Email	**October 5, 2022:**									Constant Contact Emails	
Reminder - Solid Waste Workgroup Meeting, "Benton										Reach	111
Event post	**October 6, 2022:**	Facebook event						Nextdoor event			
Solid Waste Process Workgroup Meeting #3		Reach	164					Reach		unable to capture	
Email	**October 20, 2022:**									Constant Contact Emails	
Solid Waste Process Workgroup Meeting, "Benton										Reach	108
Email	**October 21, 2022:**									Constant Contact Emails	
Solid Waste Process Workgroup Subcommittee										Reach	115
Email	**October 25, 2022:**									Constant Contact Emails	
REMINDER: Solid Waste Process Workgroup Meeting -										Reach	111
Post	**October 25, 2022:**	Facebook		Twitter		Instagram					
Attend the Solid Waste Process Workgroup meeting #4 this		Reach	778	Impressions	122	Reach	130				
Event post	**October 27, 2022:**	Facebook event						Nextdoor event			
Solid Waste Process Workgroup Meeting #4		Reach	183					Reach		unable to capture	
E-news	**November 1, 2022:**							Nextdoor		E-news	
Benton County News - November 2022: Solid Waste								Reach	5,054	Reach	3,732
Email	**November 1, 2022:**									Constant Contact Emails	
CANCELLED: Solid Waste Process Workgroup Meeting -										Reach	115
Email	**November 10, 2022:**									Constant Contact Emails	
Open House at the next Solid Waste Process Workgroup										Reach	3,516
Event post	**November 14, 2022:**	Facebook event						Nextdoor event			
Solid Waste Process Workgroup Meeting #5		Reach	220					Reach		unable to capture	
Email	**November 15, 2022:**									Constant Contact Emails	
REMINDER: Solid Waste											

Process Workgroup Meeting &
E-news
Benton County News -
December 2022: Upcoming
Email
Solid Waste Process
Workgroup Meeting - Dec. 15
Event post
Solid Waste Process
Workgroup Meeting #6
Post
Attend the Solid Waste Process
Workgroup meeting #6 this
Email
REMINDER: Solid Waste
Process Workgroup Meeting -
Benton County Solid Waste Process Workgroup totals:

December 6, 2022:

Nextdoor		E-news	
Reach	4,256	Reach	4,215

Constant Contact Emails	
Reach	103

December 7, 2022:

Facebook event	
Reach	213

Nextdoor event	
Reach	unable to capture

December 12, 2022:

Facebook		Twitter		Instagram	
Reach	103	Impressions	142	Reach	179

December 13, 2022:

Constant Contact Emails	
Reach	109

Facebook		Twitter		Instagram		Nextdoor		E-news		Constant Contact Emails	
Reach total	4,408	Reach total	1,089	Reach total	1,558	Reach total	17,005	Reach total	17,524	Reach total	12,171
Follwers total	5,899	Follwers total	3,079	Follwers total	2,087	Follwers total	21,922	Subscribers total	6,959	Subscribers total	6,959

Total Reach =		
***Total Followers =**	39,946	*as of 12/31/22

Web visits	
SWPW page views	1,084
Ave. time on page:	4:07
Subcommittee page views	1,276
Meeting links views	558

Media advisories	
Page views	437

Benton County Solid Waste Process Workgroup outreach

REACH:

- The greatest reach was through the County's E-newsletter and Nextdoor (ND) platforms, which also have the most followers/subscribers. The next greatest reach is through email subscriptions, followed by Facebook (FB), Instagram (IG), and Twitter (TW) channels.
- The County's total reach surpassed it's total number of followers/subscribers.

ENGAGEMENT:

- The County received a 3.5% overall engagement rate. 2022 industry standards for E-newsletters = 1%, ND = 0.45-0.55%, Email subscriptions = 1%, FB = 0.064%, IG = 0.67%, TW = 0.037%.
- Direct engagement rates: E-newsletter = 5%, ND = 0.09, Email subscriptions = 5.6%, FB = 2.9%, IG = 2.5%, TW = 1.5%. With the exception of ND, all of the engagement rates are higher than industry standards.

VIII. Member Process Evaluation Summary

Member Process Evaluation Summary

The member process survey concluded on April 10, 2023, at 5:00 PM. Nine "polling" Workgroup Members completed the survey. Here are five of the 13 results that speak to the overall process. The survey also included five open-ended questions asking about significant process challenges, achievements, advice for future processes, etc. The complete results can be found in Appendix F, and readers are encouraged to review them in their entirety and form their own conclusions.

Quality of the Findings

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
0	0	0	5	3

One Abstained

Quality of the Recommendations

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
0	0	0	6	2

One Abstained

Overall Results

Much Worse	Worse	Neutral	Better	Much Better
1	1	1	3	3

Impact on Relationships

Worsened	SMWHT Worsened	Neutral	SMWHT Improved	Improved
0	0	1	0	7

One Abstained

BCTT Process

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
1	1	0	0	7

IX. Appendices – Table of Contents

A. **Meeting Summaries and Open House Topics**

B. **Final Poling Results**

1. **Draft #6 Language Final Polling Result – Grouped by F&Rs**
2. **Final Polling Numbers by Member – Grouped by F&R**
3. **Rev Transcripts for M10 and M11 (Formal Polling Meetings)**

C. **Subcommittee Reports**

1. Sustainable Materials Management Plan (SMMP)
2. Landfill Size/Capacity/Longevity
3. Legal Issues & Land Use Review
4. Past Land Use Application Conditions
5. Community Education & Outreach

D. **Draft #3 Feedback from the Planning Commission and SWAC/DSAC**

E. **Public Survey Results**

F. **Member Survey Results – Review of the Project Process**

G. **County Counsel Email Exchange**

Appendix A: Meeting Summaries and Open House Topics

MEETING ONE: 09/08/2022

1. **Main Topics**

   - Welcome & Introductions
   - Participant Meeting Instructions
   - Participant Commitments
   - How We Got Here
   - Review Major Charter Sections:
   - Collaboration 101 Training
   - Public Comment
   - Triage Charge Elements
   - Draft Report Structure Explore Common Understandings Section
   - Mechanics: Add Representative Table
   - Next Steps

2. **Materials Presented**

   - Agenda
   - Assessment
   - Facilitator Observations
   - Charter
   - PowerPoint
   - Survey Summary
   - First Draft of Report

3. **Workgroup Discussion**

   The workgroup reviewed the major Charter sections: these were the general scope, charge elements, guiding principles, how polling works, and the "one table" concept. The workgroup triaged the draft report structure, exploring the Common Understandings section. The major themes were refining the list of missing topics/questions, providing additional information where needed, and commenting on the next draft. When discussing the mechanics of the workgroup, the central topics were establishing meeting times, and scheduling suggestions for the landfill and neighborhood tours.

   For the complete Workgroup discussion, please review the 09/08/2022 Meeting Minutes HERE.

   The Zoom video recording is available HERE.

4. **Action Items**

   Members were given the Meeting One Evaluation link. Homework for the next meeting included providing information on member alternates and submitting any final topics and/or questions with supporting materials.

   The County agreed to work on increasing project visibility and public information and expanding the interested party list in the making with those that were on the CUP process list.

5. **Public Comment**

   Themes from Public Comments:

   a) Mountain of garbage. Need to keep existing capacity in mind and what this means for the County.
   b) Only 7% of waste comes from Benton County and should not be dumping ground for others.
   c) Process should focus more on SMMP – not a CUP application.
   d) Once a cutting-edge facility; now never-ending community problem.
   e) Coffin Butte a tragedy of commons; make those furthest away pay more.
   f) Future-orientated focus removed from the Charter – focus on more than landfilling.
   g) Consider options for harvesting energy from the landfill.
   h) He workgroup is in a unique position regarding common understandings. The workgroup should get the facts and work hard to develop common understandings. This could be a worthy outcome in and of itself.

MEETING TWO: 09/15/2022

1. **Main Topics**

   - Welcome & New Member Introductions
   - Participant Meeting Instructions
   - Participant Commitments
   - Approve Draft Minutes from Meeting One
   - Public Comment
   - Meeting One Evaluation Highlights
   - Homework Highlights
   - Explore Common Understandings & Refine List of Missing Topics/Questions
   - Discuss SWMP Table of Contents Concept
   - Triage Charge Elements/Workplan
   - Next Steps

2. **Materials Presented**

   - Agenda
   - Draft 9/8/22 Minuets
   - Comments
   - Meeting One Evaluation
   - Homework Summary
   - Common Understandings Table of Contents
   - SWMP Table of Contents

3. **Workgroup Discussion**

   Sam shared the results and explained how the evaluations and homework answers are compiled. Amelia pulls comments from SurveyMonkey and formats it for ease of review. The workgroup then had a brief discussion about fairness and balance. Important themes from exploring the Common Understandings Section and the SWMP include emphasizing that the workgroup's current purpose is to grow a full list of topics (not to finetune or get precise placement), brainstorming different areas of questioning. The

workgroup then triaged the Charge Elements/Workplan. The overarching theme was flushing out what the workgroup has the ability and resources to do.

For the complete Workgroup discussion, please review the 09/15/2022 Meeting Minutes HERE.

The Zoom video recording is available HERE.

4. **Action Items**

Members were given the Meeting Two Evaluation link, and tour updates were given. Homework for the next meeting included members track changing the Charge Common Understandings and SMMP Table of Contents with any topics/questions they think are missing.

5. **Public Comment**

- Paul Nietfeld (engineer and resident living between Corvallis city limits and the landfill): Issues: Historic intake for coffin butte. Shows a graph with landfill input and a table with projections for landfill life, including Cell 6. Quarry challenge. Shared a desire to document intake, life, and quarry in a final report.
- Sam's shared an example about assumptions used by different parties and the need to test them collaboratively. The use of sensitivity analyses.
- Ryan McAlister adds that life events make landfill input ebb and flow.
- Chuck Gilbert: Referenced the memo submitted on sustainability & looking at the landfill as a resource and encouraged the members to read it.
- Ken Ekland: Followed up on Paul's presentation. He had concerns about volume numbers in the report/document being incorrect, so the lifespan Paul predicted may be too generous. Shared comments on the history of the Solid Waste Advisory Council (SWAC) and the Disposal Site Advisory Committee (DSAC.)
- Brian Fuller also shared comments on the topic of comparing the different assumptions and metrics used by different groups.
- A subcommittee should be set up so people from different groups can discuss these assumptions and then present them together to the workgroup. Sam also encourages people to send in additional written comments on these topics.

MEETING THREE: 10/06/2022

1. **Main Topics**

- Welcome & New Member Introductions
- Review Participant Meeting Instructions & Agenda
- BOC Presentation
- Approve Draft Minutes: Last Meeting & Tours
- Landfill Tour Questions
- Public Comment
- Comments on Meeting Two Evaluation Suggestions
- Discuss County Counsel Deference Memo & Set Stage for Legal Subcommittee
- Check-in Activity
- Big Picture Discussion
- Stand-Up the Subcommittees

- Review Amended Workplan
- Next Steps

2. Materials Presented

- Agenda
- Draft 9/15/2022 Minutes
- Landfill Tour Minutes & Landfill Tour Questions
- Neighborhood Tour Minutes & Neighborhood Tour Questions
- Meeting Two Evaluation
- Email Attachment Comments
- County Council Deference Memo
- Common Understandings Table of Contents with Track Changes
- SWMP Table of Contents with Track Changes
- CUP Conditions with Track Changes
- Member Memo
- Republic Memo: Section 2 C and Section 3
- Charge C
- Charge B

3. Workgroup Discussion

The workgroup discussed what to do with the mass number of emails that get sent between meetings. Between meeting one and two it was roughly 1,600 emails. Many of these emails focused on understanding Charge b, so a legal subcommittee to present to the group on what the law was proposed. The big picture process discussion emphasized that the workgroup is engaging in a bridge process that will set the stage for subsequent processes and decisions. The subcommittees to stand up are as follows:

- Landfill Size/Capacity/Longevity Subcommittee (Existing)
- CUP Conditions Subcommittee (Existing)
- Law Subcommittee (Pending)
    i. Land Use Law 101
    ii. Deference Memos
    iii. Rights and Obligations
    iv. Entity Rights and Obligations
    v. Reporting Requirements
- Potential SWMP Subcommittee and Potential Amendment Request to BOC

For the complete Workgroup discussion, please review the 10/06/2022 Meeting Minutes HERE.

The Zoom video recording is available HERE.

4. Action Items

Members were given the Meeting Three Evaluation link. The facilitation team will schedule and conduct the subcommittee meetings before the next workgroup meeting. County staff will organize and add additional materials to the discussed documents and present them to the workgroup at the next meeting. Republic also committed to responding to tour questions for the subcommittees to review.

5. Public Comment

- Audrey Sterling (Community Member): Reflects that the talk in the community focuses on the idea that the landfill is full and what to do with the trash. They need to find a place for it, so the landfill does not overflow.
- Kristen Mitchell (Executive Director of Oregon Refuse & Recycling): Explains what her company does, noting that Coffin Bute is in very good standing. She also notes that because Senate Bill 882 was passed, RMA should come into effect soon
- Chris Reese (Community Member and Small Business Owner): Expresses appreciation for the work Republic does at Coffin Bute and notes he does not want small businesses to be forced to pay garbage trucks to haul longer distances.
- Chuck Gilbert (Community Member): Comments on how the landfill and rock removal are both valuable resources.
- Jennifer Holworth (Community Member): Reflects positively on Republic's compost and recycling programs.

MEETING FOUR: 10/27/2022

1. **Main Topics**

   - Welcome & New Member Introductions
   - Review Participant Meeting Instructions & Agenda
   - Approve M3 Draft Minutes
   - BOC Action on Updated Workplan
   - Public Comment
   - Update on Tour Questions & Answers
   - SMMO Values & Goals Discussion
   - Q&A Session with Representatives from other Counties
   - Subcommittee Reports
   - Next Steps

2. **Materials Presented**

   - Agenda
   - Draft M3 Minutes
   - M3 Evaluation Summary
   - Updated Workplan
   - Public Comments Document
   - Member Comments Document
   - BCTT Tour Questions 10/25
   - SMMP Values & Goals Presentation: 2040 Initiative History & Overview
   - Charge C
   - A.1 Subcommittee Report
   - A.2 Subcommittee Webpage
   - A.3 Subcommittee Webpage
   - C.1. Subcommittee Report

3. **Workgroup Discussion**

   The Facilitator reviewed the agenda, M3 Minutes, and updated workplan. The minutes were approved and the only significant change to the BOC Action and Workplan was more time was added between the Workgroup meetings, so there is time for

subcommittees to meet. After the public comment, the group went over the updated Tour Questions - Joel requested they be changed so it does not appear that the neighborhood leadership neglected to respond to Republic tour questions. Sean then presented on the SMMP Values & Goals with coverage of the 2040 Initiative, including History & Overview. Daniel had previously reached out to other Counties so they could talk about the issues/topics they have been dealing with. Key takeaways from this discussion:

1. Public engagement is critical, especially with the SWMP or SMMP.
2. Subcommittees can be very effective
3. The Recycling Modernization Act should be front and center
4. They should consider different housing types. EX: Multi-family homes have different recycling resources. How can you still support these homes?
5. Remember that solid waste is a transportation issue.
6. Keep in mind changing technologies (EX: JUNO)
7. Recycling is vital to the transient community. It is an equity issue.

Subcommittee reports were given to the group and there was discussion on ways to improve their action plans.

For the complete Workgroup discussion, please review the 10/27/2022 Meeting Minutes HERE.

The Zoom video recording is available HERE.

4. Action Items

Members were given the Meeting Four Evaluation link. The facilitation team will continue scheduling and conducting the subcommittee meetings with County staff. The discussion of applying Values to the CUP will be added to the agenda for the next applicable meeting. Staff and the Facilitation team will plan and communicate to members the plans for the Open House element of Workgroup Meeting Five.

5. Public Comment

- Doug Pollock (neighbor of the landfill, engineer, and parent): He explained how he documented that inkjet cartridges being sent to the landfill from HP were leaking ink into the landfill as they were crushed by landfill equipment. In response he helped develop a recyclable ink cartridges program which processed 200 tons of cartridges in its first year, half of that being ink. He also discussed how Corvallis public schools have been resistant to recycling and continue to put hazardous materials such as fluorescent tubes and epoxy into bins going to the landfill. Essentially, there is no audit of what is going into the landfill. He also emphasized that these consensus processes are hard for the real public to get involved with and be heard. He said these processes tend to favor process insiders more than the public.
- Debbie Palmer (resident) 11/16/22 Submittal: [She] expressed her opinion that the facilitator misrepresented the neighbors as wanting to close the landfill as soon as possible. She elaborated that the neighbors just want it to stop expanding, and that the County should take the estimated 10-15 years of landfill life left via already-permitted airspace to plan for post-closure waste management. She also noted the difference between intentionally-sited and accidentally-sited landfills, pointing out that Coffin Butte is an accidentally-sited one, and commented that since Republic

Services profits substantially from landfilling garbage, they have no incentive to pursue alternatives to landfilling. She summarized that she felt everyone wants to do something to combat the climate crisis, and that working towards eventual closure of the landfill would help.

- Linda Brewer (resident, soil scientist, and ten-year member of SWAC): stated that, in her opinion, Republic is doing a good job managing the landfill. She also noted that the Benton County trash rate has been held artificially low.
- Pat Schwartz (resident): expressed the belief that the Republic is an important part of the community.
- Cat Newsheller (resident): expressed the belief that Republic is simply trying a new tactic to get what they want – expanding the landfill and taking in more trash. She feels that Republic should not be making money off people's health, and if the County lets them expand, they will become out of control. She also shared personal experiences concerning the traffic and debris on HWY 99 from landfill trucks.
- Dale Elizabeth Draeger (resident): explained that they recently visited the landfill and were concerned that people were throwing away recyclable materials like metal. Republic should have someone to monitor the sorting.
- Pat Hare (City Manager of Adair Village): Pat reflected on their positive experiences working with Republic and noted that they are a large employer in the community. He also notes that when the cost to get rid of trash increases, more trash ends up on the street.
- James Rodell (resident, but not close to the landfill): He would like clear and transparent communication on whether Republic broke certain agreements and the consequences.

MEETING FIVE: 11/17/2022

1. **Main Topics**

   - Welcome
   - Review Participant Meeting Instructions & Agenda
   - Approve M4 Draft Minutes
   - Approve Updated Tour Q&A
   - Updated Workplan Facilitator 11/16/22
   - Public Comment
   - Subcommittee Reports
   - Reintroduce Charges D & E
   - Next Steps
   - Open House

2. **Materials Presented**

   - Agenda
   - Draft M4 Minutes
   - M4 Evaluation
   - Tour Q&A Final Version
   - Updated Workplan
   - Public Comments
   - Public & Member Comments (passcode: Benton1!)

- A.1. Subcommittee Report
- A.2. Subcommittee Homepage
- A.3. & B.1. Subcommittee Homepage
- C.1. Subcommittee Report

3. Workgroup Discussion

Joel Geier introduces a motion to revise the M4 notes as per the recent email exchange, which Ed Pitera seconds. Ed also suggests alternative ideas like using a transcript. Sam holds a quick poll on the original motion: Substituting the language that Joel Geier presented in place of the existing Doug Pollock comments in the Public Comments section of the Meeting 4 Minutes. (See Polling Issue 1, below, and 07:53 – 10:00 of meeting recording). Sam responds to the alternative ideas raised by Ed and suggests that people can bring in written statements if they would like or send in a written statement the next week to encapsulate the comment they made at the Workgroup. This is viewed favorably by the workgroup. Daniel explains how the comments are currently accessible on the meeting agendas via FTP's, and the Tour Q&A and Project Workplan updates are approved.

Subcommittee reports were given to the group and there was discussion on ways to improve their action plans.

For the complete Workgroup discussion, please review the 11/17/2022 Meeting Minutes HERE.

The Zoom video recording is available HERE.

4. Action Items

Members were given the Meeting Five Evaluation link. The facilitation team will continue scheduling and conducting the subcommittee meetings with County staff, and subcommittee E will be formed and begin meeting. Notes created from the open house will be prepared for presentation at the next meeting.

Polling Issue 1: Substituting the language that Joel Geier presented for Doug Pollock's current comments in the Public Comments section of the Meeting 4 Minutes.

WORKGROUP Member	Polling	Charge	Not Here	Abstain	Yes	No
Joel Geier	X	All			X	
Marge Popp	X	All		X		
Elizabeth Irish	X	All		X		
Russ Knocke	X	All but C			X	
Shawn Edmonds	X	All but C		X		
John Deuel	X	All			X	
Kathryn Duvall	X	All	X			

Christopher McMorran	X	All	X			
Ryan McAlister	X	All			X	
Mary Parmigiani	X	All			X	
Ed Pitera	X	All			X	
Louisa Shelby	X	All			X	
Catherine Biscoe	X	All	X			
Polling Totals:				**3**	**7**	**0**
EX-Officio	**Polling**	**Charge**	**Not Here**	**Abstain**	**Yes**	**No**
Brian Fuller				X		
Brian May			X			
Shane Sanderson				X		
County	**Polling**	**Charge**	**Not Here**	**Abstain**	**Yes**	**No**
Daniel Redick					X	
Sean McGuire				X		
Ex-Officio Totals:				**3**	**1**	**0**
Grand Totals:				**6**	**8**	**0**

RESULT: Consensus / No Consensus

Facilitator counts a Majority, so the group is going to move forward with making the changes.

Minority Proposal: None

5. **Public Comment**

- Schmidt Pathman: His company promotes research on Solid Waste Management and partners with universities, national, and international organizations. Some of their concerns about landfills are: 1) the underestimation of methane produced by landfills and lessoning organic materials thrown away, and 2) lessening cross contamination of recyclable materials, which can be better achieved with the sorting system they have designed. (Pending receipt (full statement) by speaker to be placed in Appendix A of Meeting Minutes.)
- Debbie Palmer: Notes that the link to the FTP links is only good for a month. She also notes that she likes the need for fidelity between the oral and written public comments.
- Daniel: Explains that, yes, the links need to be reset each month. However, they will ensure the links are always updated and available.

- Dr. Skip Rochefort: (Associate Professor of Chemical Engineering at Oregon State University) He presents a recorded lecture/slideshow on how they have created a way to create diesel fuel from plastics using only heat. (See Appendix B of Meeting Minutes for slideshow).

MEETING SIX: 12/15/2022

1. **Main Topics**

   - Welcome & New Member Introduction
   - Review Agenda
   - Member Shares Original Document
   - Public Comment
   - Subcommittees A.1. & E.1. Report
   - Review & Approve M5 Minutes & Evaluation Summary
   - Discuss Consultant/Attorney for Next CUP
   - Subcommittee A.2 Report and A.3 B.1 Report
   - Introduce & Approve Third Attorney with Poll
   - Subcommittee C.1. Reports
   - Updated Project Workplan
   - Next steps

2. **Materials Presented**

   - Working M6 Agenda
   - Draft M5 Minutes and Open House Notes
   - M5 Evaluations
   - Comments
   - Topic A.1. Landfill Capacity/Longevity
   - E.1 Community Education
   - Topic A.2. Past CUP Conditions
   - A.3. Legal Issues and Topic B.1. Land Use Review
   - Legal Subcommittee PPT
   - Legal Subcommittee Statement
   - Virginia Gustafson Lucker Resume
   - C.1. SMMP
   - BCTT Draft Workplan Gantt Chart
   - BCTT Draft Workplan Calendar

3. **Workgroup Discussion**

   For the complete Workgroup discussion, please review the 12/15/2022 Meeting Minutes HERE. The meeting recording can be found HERE.

4. **Action Items**

   Members were given the Meeting Six Evaluation link. The facilitation team will continue scheduling and conducting the subcommittee meetings with County staff, an Informal Member Survey will be sent out for Members to complete over the holiday, and facilitation staff will begin drafting the first draft of the final report.

Polling Issue 1: Virginia (Ginny) Lucker will join the Legal Subcommitee to serve as the neutral "third leg of the stool."

WORKGROUP Member	Polling	Charge	Not Here	Abstain	1	2	3
Chuck Gilbert	X	All			X		
Marge Popp	X	All	X				
Elizabeth Irish	X	All			X		
Russ Knocke	X	All but C				X	
Shawn Edmonds	X	All but C				X	
John Deuel	X	All			X		
Kathryn Duvall	X	All			X		
Christopher McMorran	X	All	X				
Ryan McAlister	X	All	X				
Mary Parmigiani	X	All			X		
Ed Pitera	X	All			X		
Louisa Shelby	X	All			X		
Catherine Biscoe	X	All			X		
Polling Totals:				**3**	**8**	**0**	**0**
EX-Officio	**Polling**	**Charge**	**Not Here**	**Abstain**	**1**	**2**	**3**
Brian Fuller					X		
Brian May					X		
Shane Sanderson					X		
County	**Polling**	**Charge**	**Not Here**	**Abstain**	**1**	**2**	**3**
Daniel Redick					X		
Sean McGuire					X		
Ex-Officio Totals:			**0**	**0**	**5**	**0**	**0**
Grand Totals:			**3**	**0**	**13**	**2**	**0**

RESULT: **Consensus** / No Consensus

Minority Proposal: None

5. **Public Comment**

- Camille Hall: (Resident) She is sad that the Board chose to remove Nancy, and now, Joel. These members have unique experiences and knowledge that was valuable. The County currently does not have a process to deal with the tons of trash that go into the landfill. She understands that the two removed people had complained about the facilitator and commissioners and is saddened they chose to remove them.
- Debbie Palmer: (Resident) Question: Who, in the end, will be writing the SMMP? Who will write the RFP? Darren: Answering - He does not know for sure, but staff will put together a draft RFP to hire the consultant. They may ask the Board and maybe some Subcommittees / WG if appropriate. They are looking at other counties' successful plans, and they are invested in getting it right.
- Tom Hewes: (Resident since 1974.) He seconds Camille's statement and is also extremely disappointed in the facilitator and the County for removing the two members. Question - How does having the second biggest landfill on OR align with the Country's values?
- Kate Harris: (Lives in Soap Creek and kids go to school in Adair Village) Thanks the group for being here. Explains that the Adair Village water source is in an area that gets contaminated by the landfill. The contaminants go to the Corvallis treatment plant, but how do we know the water from the park is getting cleaned for all the things? What is the filtration process? We know fires at the landfill, earthquakes, even air quality is starting to be tracked, but water is a big issue too. She hopes the focus can be on minimizing the landfill need. How can we move landfill storage to drier climates, so they are not so hazardous?
- Ron Thompson: (From Newport and is a third-generation garbage disposal business.) Wants to share his concerns if Coffin Butte were to close. It is expensive to haul stuff farther away, more emissions from trucks, and more wear on roads. They also had rates go way up when their local landfill closed, and as they already have a notable dumping problem, raising rates so people cannot afford it would make things worse. He would love to recycle everything, but landfills are an important and needed tool.
- Marge Popp: (Workgroup Member) She is also disappointed that Nancy and Joel were removed. They were hardworking and knowledgeable - and while they could challenge authority, she wishes that their positive qualities could have been more prioritized.
- Brain Fuller: (DEQ Workgroup Member) lets folks know he is retiring from DEQ, and that Audrey O'Brien will be replacing him. Audrey then introduced herself and shared some of her background at DEQ.

MEETING SEVEN: 1/19/2023

1. **Main Topics**

- Welcome
- Review Agenda
- Approve Draft M6 Minutes
- M6 Meeting Evaluation Summary
- Workgroup Report D2 Overview
- Comment Period
- Subcommittee Reports and Member Feedback:

- Topic E. Community Education
- Topic C.1. SMMP
- Topic A.2. Past CUP Conditions (~35 mins)
- Topic A.3. Legal Issues and Topic B.1. Land Use Review (~35 mins)
- Topic A.1. Landfill Capacity/Longevity (~40 mins)

6. **Materials Presented**

- BCTT Meeting 6 Evaluation Summary
- BCTT Key Dates 1/13/23 version
- BCTT Final Report Draft 2
- Memo to BCTT Regarding Consultant Selection Processes

3. **Workgroup Discussion**

For the complete Workgroup discussion, please review the 1/19/2023 Meeting Minutes HERE. The meeting recording is not available as that is the day that the Zoom meeting was hacked.

7. **Action Items**
None

5. **Public Comment**

No comments in the room or on Zoom.

MEETING EIGHT: 2/23/2023

1. **Main Topics**

- Welcome
- Review Agenda
- Approve Draft M7 Minutes
- Updated Workplan
- Introduce Key Findings and Key Recommendations (FRs) Crosswalk Document
- Review Tonight's Feedback Plan
  - Member FRs Feedback Session 1
  - Member FRs Feedback Session 2
  - Member FRs Feedback Session 3

2. **Materials Presented**

- BCTT Draft Workplan Calendar Update
- Draft 4 Findings and Recommendations
- Crosswalk – Draft 4 Findings and Recommendations

3. **Workgroup Discussion**

For the complete Workgroup discussion, please review the 12/15/2022 Meeting Minutes HERE. The meeting recording can be found HERE.

4. **Action Items**

Sam uses the last few minutes to walk through the calendar and next steps and add clarification for how 1-2-3 polling functions. He also notes that workgroup each member gets to make their own personal statement that goes into the final report.

There is an issue with one of the new BCTT calendar date being the same day as a sustainability event, so County will have to look at a new date.

5. Public Comment

- Bill Gellatly – (resident and mechanical engineer): Encouraged the group to consider key questions about the landfill, such as has there been a supplier analysis done if this site was a brand-new start-up, and has Republic been asked about long-term technology plans and getting recycling back to the people making the materials? (Bill Gellatly provided a copy of his statement, so please see Appendix A for the full comment.)
- Paul Nietfeld – (resident and subcommittee member): He resigns from the sub due to how his wife, Nancy, was dismissed. He offered criticism of the facilitator, including statements about his unprofessional behavior and overall engagement. He notes that Nancy brought a lot of experience to the workgroup, and yet she was dismissed because of her hard work. (For the full statement, please see Appendix B and the meeting recording provided on the project website.)
- Chris Workmen – (Philomath city manager): He notes the Republic has an exclusive contract with the city of Philomath, and that they do great work. He encourages the County to continue to see Republic as a partner to continue working with for community development. He also notes some concerns about timing and the report coming out. It would be problematic if the County waits to decide on the expansion until all the research and discussion is done. All development has adverse impacts, but you try to mitigate them. It is harder to do this them just saying no, but it would help a lot of people. . (For the full statement, please see Appendix B and the meeting recording provided on the project website.)
- Joel Geier – (resident and former BCTT member): He is sorry to see Paul going and would like to thank him for his role and hard work. He has a few questions for Darren: What did he mean when he said “many important things are happening behind the scenes” at the Board of Commissioners meeting, and when is this BCTT finally going to finish? . (For the full statement, please see Appendix B and the meeting recording provided on the project website.)
- Debbie Palmer – (resident and public participant): There are so many things wrong she doesn’t know where to start. She says that, at some point, the polling members will be asked to poll on the whole document, and that there will be pressure for consensus. She feels the process has been disingenuous due to the 1-2-3 polling. While she doesn't know if the group will poll on sections of the final report or just the whole thing, she emphasizes that, if you don’t understand something, you are well within your rights to poll a 3. . (For the full statement, please see Appendix B and the meeting recording provided on the project website.)
- Linda J. Brewer – (certified soil scientist, works in waste management, served 10 years on SWAC, resident): She makes several points, including that functioning solid waste management is essential for a County to function, SWMS needed for a county to function, Republic has been a reliable partner to the County, and climates like

ours requires special needs that Republic has provided. She also notes that the BCTT moniker was a mistake because it gives a humorous and unprofessional impression. . (For the full statement, please see Appendix B and the meeting recording provided on the project website.)

- Bernie Cummings – (resident): He appreciates that everyone, to some extent, is coming together. The County and Republic seem to be coming to the table, and he hopes more people can come to the table to help move forward. After all, the County will not stop making trash anytime soon. . (For the full statement, please see Appendix B and the meeting recording provided on the project website.)

MEETING NINE: 3/16/2023

1. **Main Topics**

   - Welcome
   - Review Agenda
   - Approve Draft M8 Minutes
   - Updated Workplan
   - Introduce Key Findings and Key Recommendations (FRs) Crosswalk DOC
   - Review Tonight's Plan
   - Member FRs Feedback Session 1
   - Member FRs Feedback Session 2
   - Member FRs Feedback Session 3
   - Member FRs Feedback Session 4
   - Discuss: Final polling on Body of the WG Report, not on the Appendix. The Appendix SUB sections will be approved by the Subcommittees, but not the full Workgroup. While linked to the findings and recommendations for ease of reference, they are for background purposes only.
   - 1-2-3 Polling Refresher

2. **Materials Presented**

   - BCTT Workplan 3/14/23 Update
   - Consensus Polling Refresher
   - Draft 5 without Appendices
   - Final Draft Recommendations as of 3/15/23
   - Crosswalk 3/16/23

3. **Workgroup Discussion**

4. **Action Items**

5. **Public Comment**

   One person in the room and 5 on zoom.

   The meeting recording can be found HERE (Passcode: 4C#uq@%F). There are three, and their comments are as follows.
   6:00 – mayor of Albany Alexander D. Johnson II - his short comment to the public.

MEETING TEN: 3/23/23

1. **Main Topics**

- Welcome
- Public Polling Results
- Review Tonight's Polling Plan 1-2-3 Polling Refresher
- Explore the F&Rs with "3s"
- Board of Commissioners' Thank You!

2. **Materials Presented**

- Draft 6 with Revisions
- BCTT Public Survey – all data 3/22/23
- BCTT Public Survey – Q 46 Responses 3/22/23
- BCTT Public Survey – Q 58 Responses 3/22/23
- BCTT Public Survey – Q 77 Responses 3/22/23
- BCTT Public Survey – Q 92 Responses 3/22/23
- BCTT Public Survey – Q 93 Responses 3/22/23
- BCTT Public Survey – Summary of Responses 3/22/23

3. **Workgroup Discussion**
   The meeting recording can be found HERE.

4. **Action Items**

5. **Public Comment**

   This meeting allowed for two extended public comment periods. Thirteen during the first public comment period and nine during the second public comment period.

MEETING ELEVEN: 4/3/2023

1. **Main Topics**

- Welcome
- Public Polling Results
- Review Tonight's Polling Plan 1-2-3 Polling Refresher
- Explore the F&Rs with "3s"

2. **Materials Presented**

- BCTT Public Survey Results – 3/31/23
- Findings & Recommendations – Polling & Revision Document
- List of Findings & Recommendations to Review – 4/3/23
- SMMP F-1 Polling and Revision Document
- CUP R-1 – Polling and Revision Document
- LLU F-22 – Polling and Revision Document
- LSCL F-16 - Polling and Revision Document
- Finding and Recommendations – Polling & Revision Document Final
- Findings & Recommendations – Excerpt from BCTT Final Report Draft 6
- BCTT Draft Workplan Calendar – Update 3/29/23

3. **Workgroup Discussion**

4. **Public Comment**

OPEN HOUSE: 4/4/23

The Benton County "Talks Trash" Solid Waste Process Workgroup hosted a community open house, April 4, from 5:00 to 7 p.m. in the Holmes & Shipley Public Meeting Rooms and lobby, of the Kalapuya Building in Corvallis.

Some of the community members who volunteered thousands of hours working with County staff and key stakeholders to provide recommendations about the future of sustainable materials management, solid waste, and disposal in Benton County supported the event. There were four workgroup members, two subcommittee members, and seven county employees staffing the open house.

The open house provided a chance for the public to learn more from the workgroup and subcommittees at seven stations that focused on:

- Check-in and survey submittal
- History section
- Landfill Size/Capacity/Longevity
- Sustainable Materials Management Plan
- Past Land Use Application Conditions
- Legal Issues and B.1. Land Use Review
- Community Education

The goal of the open house was to be open and transparent with the community by engaging with community members who have diverse perspectives. At least 23 members of the public signed the attendance form and some attended who did not sign the attendance form.



Appendix B Final Polling Results

Appendix B1: Draft #6 Language Final Polling Results – Grouped by F&R

"Benton County Talks Trash" Workgroup
Findings & Recommendations – Polling and Revisions Document

Contents

Legend
SMMP FINDINGS
SMMP RECOMMENDATIONS
LSCL FINDINGS
LSCL RECOMMENDATIONS
LLU FINDINGS
LLU RECOMMENDATIONS
CUP FINDINGS
CUP RECOMMENDATIONS
CEO FINDINGS
CEO RECOMMENDATIONS

Legend

INFORMAL POLLING:
Green Shading = All 1s
Yellow Shading = Any 2s
Red Shading = Any 3s

FORMAL POLLING:
Pink Shading = Consensus (All 1s and 2s)
Dark Blue Shading = Majority-Minority in Favor (At least one 3)
Light Blue Shading = Majority-Minority Against (More 3s than combined 1s and 2s)

SMMP FINDINGS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

SMMP F-1	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Many Sustainable Materials Management Plans (SMMP) and related Request For Proposals (RFP)s have been formulated, executed, and are in use in Oregon and beyond.	11	1	0
Language Proposed by 3s			
Language Proposed by 2s Although, many SMMP's are in use in Oregon not all are equal. Some have landfills, other do not. Some have incinerators, others have none. Many have transfer stations, while some have few. Nonetheless, all SMMP's progress from a linear economy to a more robust circular economy sustained by a materials management plan. A linear economy is a traditional economic model in which resources are extracted, used to produce goods, and then disposed of as waste. In this model, resources are typically extracted from the environment, transformed into products, used by consumers, and then discarded as waste. A circular economy is an alternative economic model that aims to keep resources in use for as long as possible, minimizing waste and maximizing the value of resources. In a circular economy, resources are used, reused, and recycled in a closed-loop system, with minimal loss of materials and energy. This in turn should increase the service life an existing landfill. In a circular economy, products are designed with their entire lifecycle in mind, so that they can be easily disassembled, repaired, and recycled. Instead of being discarded after use, products are repurposed or remanufactured into new products or materials. A Sustainable Materials Management (SMM) plan is a comprehensive approach to managing materials in a way that reduces waste and maximizes the reuse, recycling, and recovery of valuable resources. The goal of an SMM plan is to create a more sustainable and efficient materials management system that conserves natural resources, reduces greenhouse gas emissions, and supports a circular economy.			

Alternative Language Submitted by Chuck Gilbert

The overarching process of Benton County is the tenets and goals of sustainability in the 2040 Thriving Communities Initiative.

Within the underpinnings are both the needed proposed Sustainable Materials Management Plan (SMMP) and the existing Solid Waste Management Plan (SWMP) of Benton County working shoulder to shoulder for a transition from a linear economy model of landfill waste disposal to a more robust circular economy model sustained by the SMMP and SWMP.

The Benton County Solid Waste Management Plan outlines how the county manages its solid waste, including garbage, recyclables, and other materials. The plan is designed to provide guidance on how to minimize waste, increase recycling, and reduce the environmental impact of waste disposal.

Although, many SMMP's are in use in Oregon not all are equal. Some have landfills, other do not. Some have incinerators, others have none. Many have transfer stations, while some have few.

The goal of an SMM plan is to create a more sustainable and efficient materials management system that conserves natural resources, reduces greenhouse gas emissions, and supports a circular economy.

Nonetheless, all SMMP's progress from a linear economy to a more robust circular economy sustained by a materials management plan.

A linear economy is a traditional economic model in which resources are extracted, used to produce goods, and then disposed of as waste. In this model, resources are typically extracted from the environment, transformed into products, used by consumers, and then discarded as waste.

A circular economy is an alternative economic model that aims to keep resources in use for as long as possible, minimizing waste and maximizing the value of resources. In a circular economy, resources are used, reused, and recycled in a closed-loop system, with minimal loss of materials and energy. This in turn should increase the service life in an existing landfill.

In a circular economy, products are designed with their entire lifecycle in mind, so that they can be easily disassembled, repaired, and recycled. Instead of being discarded after use, products are repurposed or remanufactured into new products or materials.

A Sustainable Materials Management (SMM) plan is a comprehensive approach to managing materials in a way that reduces waste and maximizes the reuse, recycling, and recovery of valuable resources.

This combination of approaches supports the solid waste management plan of Benton County working shoulder to shoulder with a sustainable materials management plan being developed by Benton County Community Development in conjunction with Oregon Department of Environmental Services, members of Benton County, as well neighboring Counties and municipality using Republic Services waste management services. In Republic Services 2021 Sustainability Report, Jon Vander Ark, President and Chief Executive Officer reports, "This is our company vision, which is intentionally ambitious because we believe we are uniquely positioned to help our customers achieve their own sustainability goals. That commitment begins with our Elements of Sustainability – Safety, Talent, Climate Leadership and Communities – and these elements anchor our 2030 sustainability goals". The reader of this committee executive summary is encouraged to read further into subcommittee reports to appreciate the wealth of information the members of the community have brought forwarded in the short amount of time granted under the Benton County Talks Trash bridge approach into a needed sustainable landfill economy and transportation plan for waste disposal.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 Many Sustainable Materials Management Plans (SMMP) and related Request For Proposals (RFP)s have been formulated, executed, and are in use in Oregon and beyond.			

SMMP F-2	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The charges of the SMMP Subcommittee are intimately related to and should be embodied when scoping the necessary tasks to start a Long-Term Sustainable Materials Management Plan process.	11	1	0
Language Proposed by 3s			
Language Proposed by 2s			

Not sure if this is mentioned in charges of SMMP Subcommittee but Long-Term Sustainable Materials plan should cover the economic and environmental advantages and disadvantages of other landfills and other technologies.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	11	1	0

SMMP F-3	Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Contracting-out processes often include a Technical Advisory Committee (TAC), which vet technical information in the RFP, and a Community Advisory Committee (CAC), which review the RFP from the community perspective. Institutions of higher learning, including Oregon State University has a large population of faculty, faculty emeriti, staff and students that are subject matter experts in many of the technical areas that the SMMP will address.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

SMMP F-4	Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The overall length of the project can be heavily impacted and defined by the level of public interaction/engagement included in the project. The consultant may help define the scope of public engagement, including engagement in rural areas of the county and in communities outside the county.	10	2	0
Language Proposed by 3s			

Language Proposed by 2s • 'may be" in place of "can be" "should help" in place of "may help" Consider adding "Areas of the county should include representatives from all incorporated and unincorporated • Can also include recommendations from the CEO subcommittee for communication.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0

SMMP F-5	Workgroup Polling		
	1	**2**	**3**
Draft 6 Text There are aspects of the work to be performed that are technical in nature or lend themselves toward extensive research, that the consultant may conduct at the same time as public engagement. To expedite the process, certain procedural elements can be done concurrently. The timeline can generally be defined throughout the process.	11	1	0
Language Proposed by 3s			
Language Proposed by 2s Consider adding a sentence 1.5 "Extensive research work should be done in an open nature to avoid appearance of lack of transparency.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	11	1	0

SMMP F-6	Workgroup Polling		
	1	**2**	**3**
Draft 6 Text	10	2	0

The SMMP aims to reduce the full lifecycle impacts of materials management practices in Benton County and where other jurisdictions' practices overlap with Benton County. Addressing only materials from Benton County would have limited impacts compared to that of all of all the materials from neighboring counties, as Benton County's waste contribution to the landfill is relatively small. SMMPs are not specifically about landfills, but about materials management across the full lifecycle of materials, including addressing impacts from production, transportation, use, reuse, recovery, and disposal.			
Language Proposed by 3s			
Language Proposed by 2s • ...is relatively small, " as1 of 39 counties, and contributing only X% of the waste received at CBL" • Not only other jurisdictions' not also other states/ countries			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0

SMMP F-7	Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Benton County has limited control over the waste management practices of the counties that emplace the vast majority of the annual landfill waste intake, and the volume of waste material they haul to Coffin Butte Landfill, however, the county and its infrastructure is impacted by other counties' waste stream contributions to facilities within Benton County (via Coffin Butte Landfill, Pacific Region Compost, and transportation methods through the county).	9	3	0
Language Proposed by 3s			
Language Proposed by 2s • ...Pacific Region Compost...add "municipal water treatment facilities"...and transportation methods, etc. • Does Benton County as well as other counties and municipalities have better control over the waste collection franchise that may be able to direct waste to other landfill locations that are economically beneficial to the longevity of Coffin Butte landfill.			

• Edit. " material hauled to Coffin Butte Landfill. However, the county and its infrastructure are impacted" or something like that. Confusing sentence structure.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	9	3	0

SMMP F-8	Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The 2040 Thriving Communities Initiative identified our communities' Core Values and has been adopted by Benton County government which is used as a benchmark or lens for initiatives such as the Benton County SMMP.	10	1	0
Language Proposed by 3s			
Language Proposed by 2s • The "Benton County" 2040 Thriving Communities… Other Comments: • i don't know what the 2040 Thriving Communities Initiative is so am uncomfortable providing a score			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	10	1	0

SMMP RECOMMENDATIONS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

SMMP R-1	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Benton County Sustainable Materials Management Plan should be developed within a Sustainable Materials Management framework, reflecting full lifecycle impacts. The development of a Sustainable Materials Management Plan should consider, 1) the 2040 Thriving Communities Initiative and our communities' Core Values, 2) national, State and local goals, vision documents (DEQ's Materials Management in Oregon 2020 Framework for Action), plans, policies, ordinances, etc. relating to materials management and climate change, 3) examples of values and goals expressed in state and local jurisdiction materials management plans, and 4) long-term strategies (to 2040) with short-term action items (5 years or less).	10	3	0	45	17	97	35
Language Proposed by 3s							
Language Proposed by 2s • does 2) national, "State" need to be capitalized? • "...full lifecycle impacts of materials used in the County or brought into the County for disposal." • Also the SMMP should consider environmental and economic impacts							
	Formal Workgroup Polling						

Real-Time Draft Revision 4/3/23 – No Changes Made	10	3	0				

SMMP R-2	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Benton County should use the 2040 Thriving Communities Initiative as a high-level lens to frame our communities' Core Values in developing the SMMP.	12	0	0	41	19	91	36
	Formal Workgroup Polling						
No Changes Made	12	0	0				

SMMP R-3	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The SMMP should not just be about how Benton County can better manage materials, but to also address how to approach inter-county collaboration from a regional perspective. The RFP should indicate the need for researching and exploring opportunities for a regional multi-county approach to achieve the goals of sustainable materials management. RFP firms with experience with Oregon's materials management legislation, policies and other county materials management plans may have the capability to address this need.	10	2	0	43	19	90	38
Language Proposed by 3s							

Language Proposed by 2s • regional multi-county approach... "to include the counties contributing waste to CBL" ...to achieve the goals of, etc. • ".. inter-county and inter-state collaboration... " "...other county and state (WA, ID, add CA?) materials management plans may have..."							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0				

SMMP R-4	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Counties impacting Benton County through their materials management practices (including by contributing materials to Coffin Butte Landfill) should have an SMMP in place. The SMMP should have a perspective on how to strategize this.	10	3	0	41	19	92	36
Language Proposed by 3s							
Language Proposed by 2s • Question: Do we have jurisdiction over other Counties? • how would Benton County compel other counties to have a SMMP? Instead, I wonder if Benton County could evaluate how other counties and wastesheds in Oregon by reviewing the Oregon DEQ annual material recovery survey results to see how other counties that send waste to Coffin Butte are doing with their OTR requirements and how they are doing with their own SMMPs.							

• "Counties and states..."							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	3	0				

SMMP R-5	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text SMMP content should incorporate the sustainability of materials management strategies/tactics. The result of the process should give us a method of measuring costs and benefits to evaluate the impact on economic, social, and environmental indicators. Specific goals should be included of how materials in Benton County can fit within a circular economy, cradle-to-cradle, or similar framework.	12	0	0	41	19	90	35
	Formal Workgroup Polling						
No Changes Made	12	0	0				

SMMP R-6	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The SMMP should clarify Benefit-Cost perspectives being addressed through an equity analysis, including, 1) financial cost impacts associated with materials management and outcomes, 2) the equity of circular economy, how it engages and impacts consumers, 3) a	12	0	0	42	18	89	37

perspective that goes beyond landfilling, and 4) a "who's at the table" list of stakeholder perspectives.							
	Formal Workgroup Polling						
No Changes Made	12	0	0				

SMMP R-7	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Bring "lessons learned" into the process from other sources, including international examples as well as other counties, lessons from past Benton County experiences, and West Coast states. See full report for more sources.	11	1	0	47	13	98	26
Language Proposed by 3s							
Language Proposed by 2s "...Benton County experiences, the waste industry - particularly Republic, and Western states."							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	11	1	0				

SMMP R-8	Workgroup Polling	Initial Public Polling as of 3/23/23	Cumulative Public Polling as of 3/31/23

	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Beyond those in the County, a wide assortment of stakeholders should be brought to the table. Stakeholders include community members, advocacy groups, businesses and industry, local and state government, and resources for innovation. See report for full stakeholder list. The consultant should provide recommendations based on analysis and extensive outreach and engagement with community stakeholders from the "who should be at the table" list. These stakeholders should represent a broader area than Benton County.	10	2	0	33	24	68	52
Language Proposed by 3s							
Language Proposed by 2s • Strike "Beyond those in the County" and begin with "A wide assortment..." Outside the county representation is identified with last sentence, "These stakeholders should represent a broader area than Benton County" • The people at the table should also include those who would be most affected by the landfill/ other waste technology being discussed.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0				

SMMP R-9	Workgroup Polling	Initial Public Polling as of 3/23/23	Cumulative Public Polling as of 3/31/23

	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Benton County should use an RFP to find consultant(s) for developing a Sustainable Materials Management Plan.	11	0	0	36	20	73	42
	Formal Workgroup Polling						
No Changes Made	11	0	0				

SMMP R-10	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The SMMP subcommittee researched other jurisdiction's plans, compared and aggregated a list of subjects, and the SMMP should evaluate and address the subjects listed in the full subcommittee report, answering the 117 questions listed as RFP priorities allow, and include recommended courses of action.	11	2	0	36	20	69	41
Language Proposed by 3s							
Language Proposed by 2s • Suggest "and the" be removed. Sentence would then read, "The SMMP should evaluate..." • The SMMP should address the aggregated list of subjects contained in the full subcommittee report, answering the 117 questions listed as RFP priorities allow, and include recommended courses of action.							
	Formal						

	Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	11	2	0				

SMMP R-11	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Recruitment for the RFP needs to be extensive, and selection of successful proposal should be careful and thorough. Qualities of a successful applicant should include those listed in the full subcommittee report.	11	1	0	34	19	76	34
Language Proposed by 3s							
Language Proposed by 2s Add sentence, "Evaluation of RFP candidates should include at a minimum, one member of the public."							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	11	1	0				

SMMP R-12	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	12	0	0	41	17	88	34

The scope of work for this project is expected to be broad and comprehensive, with specific goals recommended for the County to consider as milestones.							
	Formal Workgroup Polling						
No Changes Made	12	0	0				

SMMP R-13	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The RFP development process should: 1) provide details about the Workgroup process and its findings to RFP applicants, 2) prioritize topics, adding additional topics that are important to consider, and 3) communicate accurate priorities to applicants.	12	0	0	34	19	78	37
	Formal Workgroup Polling						
No Changes Made	12	0	0				

SMMP R-14	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Members of this BCTT SMMP subcommittee should be offered to participate in subsequent stakeholder group meetings for RFP development and review. The County's Advisory Committees related	11	3	0	39	21	80	40

to SMMP work should have an advisory role during the development of the plan.							
Language Proposed by 3s							
Language Proposed by 2s • Members of this BCTT SMMP subcommittee should be offered an opportunity to participate in subsequent stakeholder group meetings for RFP development and review. The County's Advisory Committees related to SMMP work should have an advisory role during the development of the plan. • This just concerns me because there isn't a CAC for North Corvallis and the landfill area right? How should the County address this? I know there are other Advisory Committees but is the Community Advisory Committee being inactive a concern and should there be recommendations about that? • I do not disagree with what the recommendation is in itself. With how I read things, I feel like there are two separate recommendations being presented. I am fine with the language and would have no problem if it did not change but would ask for the reconsideration that it be split.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	11	1	0				

SMMP R-15	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	11	1	0	37	20	79	36

The RFP Release/Announcement should: 1) communicate an expectation that this plan can be approached by teams (multiple firms), instead of just single firms, 2) put guidelines on the size/length of proposals and sections of proposals, and 3) be distributed to allow enough time for it to be posted to various trade groups, shared with underrepresented groups, and internationally minded outlets.							
Language Proposed by 3s							
Language Proposed by 2s communicate an expectation that this plan may be approached by teams of multiple firms, instead of just single firms,							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	11	1	0				

SMMP R-16	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should share the various steps of the process with the public, making updates available, and demonstrating transparency (cross-referencing subcommittee E.1. work).	12	0	0	44	15	98	29
	Formal Workgroup Polling						
No Changes Made	12	0	0				

SMMP R-17	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The RFP should demonstrate flexibility in allowing further work plan development after applications are reviewed and accepted.	10	1	0	35	20	77	40
Language Proposed by 3s							
Language Proposed by 2s too broad. perhaps use something like the following: the RFP should clarify that the county will allow some flexibility for the selected consultant/contractor to expand on the work plan development in the following areas: use phase 1 data developed/collected to clarify the work in phase 2, etc.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	1	0				

SMMP R-18	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The SMMP timeline should allow for extensive public interaction and engagement. In order to expedite the process, procedural elements should be done concurrently as possible. The timeline should generally be defined throughout the process.	10	2	0	38	18	87	34
Language Proposed by 3s							

Language Proposed by 2s • A schedule for the overall project and each of its elements such as public engagement should be developed before the project is authorized by the Board of Commissioners. This schedule should be updated each calendar quarter. • And the timeline should be shared with the public.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0				

SMMP R-19	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Applicants should include various scope/cost options for one year, two years, and three-year timelines. The report should be released in sections, based on timeline and content priorities.	12	0	0	35	20	73	38
	Formal Workgroup Polling						
No Changes Made	12	0	0				

SMMP R-20	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	11	2	0	38	19	82	36

It's important that the SMMP process include extensive public outreach and engagement. In addition, a Technical Advisory Committee (TAC) should vet the consultant's technical work (SMMP development) and a Community Advisory Committee (CAC) to provide more general review. SMMP subcommittee members should be included in the CAC. The TAC should include subject matter experts from Oregon State University, and other regional academic institutions. Many of the subject areas of central importance to the SMMP are characterized by fast-moving science, and a TAC could help the SMMP consultant to navigate to the best available data and knowledge.							
Language Proposed by 3s							
Language Proposed by 2s • SMMP "and/or BCTT" subcommittee members should be included... • What's the plan with including the North Corvallis area CACs when there isn't any (or is there one now, not on BC website). Comments from 1s • Seems redundant with one earlier in the list.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	11	2	0				

SMMP R-21	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	10	2	0	36	19	76	36

Proposals contain the following information, with parameters around each of these items in terms of document length. Requested information includes project team experience and qualifications, understanding of the project, approach to the scope of work, cost of the proposal, the project schedule, social/environmental responsibility, and references. Each criteria includes a total set of points the proposal can be awarded. See full report for more information.							
Language Proposed by 3s							
Language Proposed by 2s • Proposals "should" contain the following... Strike "requested information includes" and start with "Project team experience" etc. • Proposals should project team experience and qualifications, understanding of the project, approach to the scope of work, cost of the proposal, the project schedule, social/environmental responsibility, and references. Each criteria includes a total set of points the proposal can be awarded. See full report for more information.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0				

SMMP R-22	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	11	1	0	35	18	73	43

An evaluation team consisting of County staff and members of the stakeholder group should determine the best proposal deemed most qualified based on the above criteria.							
Language Proposed by 3s							
Language Proposed by 2s An evaluation team consisting of County staff and members of the stakeholder group should determine the proposal deemed most qualified based on the above criteria (See Recommendation 21). *Comments from 1s* "...determine the three best proposals and their costs deemed..."							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	11	1	0				

SMMP R-23	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The SMMP should emphasize impacts of the results of the RFP on social equity and innovation, to understand and emphasize the upstream aspects of material sustainability and creative solutions that provide pathways for tangible long-term outcomes.	10	2	0	33	22	77	40
Language Proposed by 3s							
Language Proposed by 2s • Strike "and emphasize" the upstream... • The SMMP should emphasize impacts of its recommendations on social equity and innovation, while emphasizing the upstream							

aspects of material sustainability and creative solutions that provide new pathways for tangible positive long-term outcomes.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0				

SMMP R-24	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The workplan should include ongoing adaptive management and refinement and include a timeline for completion. The sections of the workplan outline include RFP development and release, a webinar for prospective consultants, a pre-proposal Q&A period, a period for application submittal, and the selection committee to identify shortlisted firms who are given time for additional presentation. The committee then evaluates proposals, selects a consultant, and develops a workplan with selected consultant. See full report for more information.	10	2	0	37	19	80	37
Language Proposed by 3s							
Language Proposed by 2s • The sections of the workplan "should" include... Start sentence "The selection subcommittee "should" identify... The committee "shall" then evaluate proposals... • Each firm's proposed SMMP workplan should include ongoing adaptive management and refinement and include a timeline for completion. The sections of the workplan outline should include							

RFP development and release plan, a webinar for prospective consultants, a pre-proposal Q&A period, and a period for application submittal. The selection committee should identify shortlisted firms who may be given time for additional presentation. The committee then evaluates proposals, selects a consultant, and develops a workplan with selected consultant. See full report for more information.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0				

SMMP R-25	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should evaluate if it would be in their best interest to have an SMMP in place prior to any major materials management decisions.	13	0	0	38	20	82	37
	Formal Workgroup Polling						
No Changes Made	13	0	0				

SMMP R-26	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	13	0	0	39	19	76	43

The county should consider using alternative funding mechanisms, including landfill revenue, to support the SMMP recommendations.							
	Formal Workgroup Polling						
No Changes Made	13	0	0				

SMMP R-27	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text A complete materials audit is highly recommended as both a benchmark and a way to measure progress. The County should initiate a Waste Audit to characterize more precisely what is in the waste stream of Coffin Butte Landfill. The SMMP consultant can use this audit information when formulating this plan, and there is no up-to-date information specific to the landfill currently available. The benchmark audit should be completed as soon as possible, along with recommendations for follow up audits.	10	2	0	36	17	81	34
Language Proposed by 3s							
Language Proposed by 2s • Strike "and" there is no up-to-date, and start sentence with "There" is no... • this may be very important. DEQ is conducting a waste composition study currently and perhaps Benton County could evaluate the results of DEQ's waste composition study to see if the results meet the SMMP needs. If there are information gaps, perhaps Benton County may want to address through a partial waste audit.							

Other comments A complete materials audit is highly recommended as both a benchmark and a way to measure progress. The County should initiate a Waste Audit to characterize more precisely what is in the waste stream of Coffin Butte Landfill. The SMMP consultant may use this audit information when formulating this plan, as there is little up-to-date information specific to the landfill currently available. The benchmark audit should be completed as soon as possible, along with recommendations for follow up audits.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	10	2	0				

SMMP R-28	Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text (NEW) The SMMP should evaluate the costs, benefits, risks, and opportunities of a wide range of materials management strategies to find the most sustainable future for Benton County. The successful applicant should present a complete benefit-cost analysis of a wide range of strategies that work as a more integrated system, including but not limited to, the benefit-costs analysis of Benton County acting as the host of a regional landfill that contributes a small portion of the total waste the landfill receives. This analysis should include key parameters of Coffin Butte landfill, such as its operating life, its large	11	2	0	None	None	None	None

intake from outside the county, its franchise fees, and its long-term environmental risks and costs.							
Language Proposed by 3s							
Language Proposed by 2s • "A complete benefit-cost analysis..." is dangerous language. I would soften it, otherwise you have people coming out of the woodwork stating that the analysis has to be scrapped because no one did a count on the number of candy wrappers heading to the landfill. I'd drop the word complete and add wholistic or reasonable or another term like that. • Strike "the successful applicant" and replace with "the consultant" *Comments from 1s* Excellent							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 – No Changes Made	11	2	0				

LSCL FINDINGS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

LSCL F-1	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In 2003 EOL was projected to be approximately 2074, with a Landfill Life estimate of 71 years (2003 East Triangle CUP document, Benton County file PC-03-11.pdf). Twenty years later EOL is projected to be 2037-2039 with a Landfill Life of 14.5-16 years, a reduction of approximately 36 years of estimated life in 20 elapsed years. In 2013 Valley Landfills Inc. reevaluated an area of Landfill Site zoned property in the northeast corner of the site for waste placement stability engineering. This area was removed from the landfill's site development plan based on updated state seismic guidance for landfill stability.	13	0	0
	Formal Workgroup Polling		
No Changes Made	13	0	0

LSCL F-2	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In 2013 EOL was projected to be 2053-2062, with a Landfill Life estimate of 40-49 years[70]. Ten years later EOL is projected to be 2037-2039 with a Landfill Life of 14-16 years, a lower and upper range reduction of approximately 16 and 23 years respectively.	13	0	0
	Formal Workgroup Polling		

[70] 2013 Coffin Butte Landfill and Pacific Region Compost Annual Report

No Changes Made	13	0	0

LSCL F-3	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Current (1Q2023) estimate for landfill EOL = CY 2037 – 2039, with a landfill life estimate of 14-16 years, based on an annual intake level of 1.0 – 1.1 MTons/year and a density of 0.999 Tons/yd3, assuming the quarry area will be fully excavated by the time the current disposal areas are full. Valley Landfills, Inc. has represented that this nominal life projection ("baseline") is derived from a few data points in annual measurements, and is the product of a modeling process that is standard in the landfill industry. Valley Landfills, Inc. acknowledges that a variety of factors, including human factors, can impact landfill site life, but are not included in this baseline calculation. Valley Landfills, Inc.'s baseline projection of a 2037-2039 closure date is based both upon existing demand and Valley Landfill Inc.'s efforts to maintain and/or grow its service area and business in the market.	13	0	0
	Formal Workgroup Polling		
No Changes Made	13	0	0

LSCL F-4	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The 2021 Site Development Plan is a registered engineer of record stamped and dated plan set which includes but not limited to a projected a 2039 EOL based on an annual intake of approximately 846,000 Tons/year, but this intake tonnage is not considered binding or controlling by either ODEQ or Valley Landfills, Inc. This is based on the best information available at time of approval by Oregon DEQ, which can change based upon service area impacts.	11	2	0
Language Proposed by 3s			

Language Proposed by 2s • The 2021 Site Development Plan is a registered engineer of record stamped and dated plan set which includes but not limited to a projected a 2039 EOL based on an annual intake of approximately 846,000 Tons/year, but this intake tonnage is not considered binding or controlled by either ODEQ or Valley Landfills, Inc. This is based on the best information available at time of approval by Oregon DEQ, which can change based upon service area impacts. • On third line should be DEQ not ODEQ			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	11	2	0

LSCL F-5	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Under the 2020 Franchise Agreement, the 1.1M tonnage cap is eliminated upon Benton County's approval of a CUP (expansion). If intake volumes increase, an **expansion would not necessarily guarantee an increase in site life** or the extension of the Landfill's closure date. For example, if an expansion increases available airspace but intake volumes increase the fill rate even more, the overall life of the landfill could decrease. Republic Services said it was unlikely such a scenario would occur, due to operational limitations at the Landfill and in the Service Area [could not reach consensus]. Nonetheless, transitioning from the current linear landfill economy to a circular economy landfill can potentially extend the life of a landfill. This is because a circular economy landfill is designed to minimize the amount of waste sent to the landfill and extract value from the materials that are discarded. By recovering valuable materials through recycling, composting, and other forms of recovery, a circular economy landfill reduces the volume of waste that needs to be disposed of in the landfill. This, in turn, reduces the rate at which the landfill is filled up, which can extend its lifespan with or without tonnage cap limitation.	6	6	0

Notwithstanding, a landfill tonnage cap is a regulatory limit on the amount of waste that can be disposed of in a landfill over a certain period of time. The tonnage cap is typically set by the local or state government and is intended to prevent the landfill from becoming overfilled and causing environmental or problems such as contamination of groundwater, soil, air, or demand and supply equilibrium problems, while transitioning to a circular economy.			
Language Proposed by 3s			
Language Proposed by 2s • Remove everything after "Service Area" • i don't know which state government is being referred to in this statement. • Remove everything after "Service Area" • Third paragraph: Flesh out the "regulatory limit" concept. Has one been set? Proposed? Point/link to supporting documentation in the report. • By transitioning the economy of Benton County and surrounding counties to support more circular systems of materials management, such as through product and packaging redesign, increased recycling, increased food waste prevention and composting, and other forms of recovery, the volume of waste that needs to be disposed of in the landfill will decrease. This, in turn, reduces the rate at which the landfill is filled up, which can extend its lifespan with or without tonnage cap limitation. • This could be more clear. Is this saying that there will be no tonnage cap at all or it will be another amount higher than 1.1 M? If the CUP is approved then there will be unlimited amounts of material dumping and so then the landfill could fill up more quickly even with expansion if materials increase? At some point, we were told that the SMMP would only make a minor dent in the landfill tonnage since Benton County is such a small percentage of the landfill's solid waste tonnage. I feel like this paragraph should have more clarity about the franchise, CUP, and tonnage correlation and how this would affect the community.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	6	6	0

LSCL F-6	Informal Workgroup Polling

	1	2	3
Draft 6 Text For purposes of this discussion, the subcommittee agreed to rely on data from the annual reports and other landfill filings with the county. EPA also provides data in in its greenhouse gas reporting webpage that uses different data from another source.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-7	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Factors such as population growth and debris from disasters may drive up intake rates and thus shorten landfill life; factors such as recycling and waste diversion, plus emerging factors such as extended producer responsibility (EPR) incentives and climate crisis legislation, may drive down intake rates and thus lengthen landfill life.	12	1	0
Language Proposed by 3s			
Language Proposed by 2s "...extended producer responsibility (EPR) incentives recently authorized by Oregon..."			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	12	1	0

LSCL F-8	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text	12	1	0

Landfill Life (longevity) is the availability of the landfill reserve resources and landfill ancillary resources that currently operates the landfill's demand, supply and equilibrium of refuse disposal in a linear economy model.			
Language Proposed by 3s			
Language Proposed by 2s "reserve resources.. ancillary resources .. linear economy model." The terms are very difficult to relate to. Please rewrite with a general community audience in mind.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	12	1	0

LSCL F-9	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The subcommittee identified these factors that could impact usable landfill airspace: Landfill expansion(s) and associated removal of tonnage cap; the quarry excavation schedule; water table concerns; disasters that happen to the landfill itself.	9	4	0
Language Proposed by 3s			
Language Proposed by 2s • Remove "water table concerns; disasters that happen to the landfill itself." • should also include engineering design, construction and management of current and future cell development, environmental considerations that may be discovered as part of future cell design, construction, operation and closure that DEQ must review and approve or request changes to. Also economic impacts that may influence generation of waste. • Remove water table concerns; disasters that happen to the Landfill itself. • Also environmental disasters/ other issues that would cause a lot of debris to be added to the landfill.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	9	4	0

LSCL F-10	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The subcommittee identified many factors that could impact the landfill's annual tonnage, i.e., the rate at which its usable volume fills up. These included: exceedance of the tonnage cap; recession(s); economic growth; structural and societal reductions in waste generation; disposal alternatives; transportation alternatives; global health issues such as pandemics; climate change and other environmental legislation concerning methane and other greenhouse gases; climate change and other environmental legislation concerning the reduction of waste and pollution in landfilled material; state and local legislation upgrading waste diversion efforts; environmental activism, especially about the climate crisis; wildfires and other disasters that generate debris for landfilling; service area changes; changes in population in the service area.	13	0	0
	Formal Workgroup Polling		
No Changes Made	13	0	0

LSCL F-11	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Recognizing that the question "What factors could make the landfill close earlier than the Baseline Scenarios (by 2037–39)?" is of particular importance to this report's readers, the subcommittee has prepared a table that contains background information about each factor and proposes questions for the County and the SMMP to answer. This information can be found in Table 4.	11	1	0
Language Proposed by 3s			
Language Proposed by 2s In addition to Table 4, maybe also provide a page number to make it easier to find.			

	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	11	1	0

LSCL F-12	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text Landfills are known to be major emitters of methane, but previously these emissions have typically been estimated through mathematical modeling, because the emissions themselves were hard to measure directly. The methane emissions from Coffin Butte Landfill have not been well-characterized, so the possible effects of methane-reducing legislation on the landfill's waste intake rates are also hard to characterize.	10	3	0
Language Proposed by 3s			
Language Proposed by 2s • Remove "major" • Remove "major" in the first sentence. • see annual reports submitted to DEQ: https://www.oregon.gov/deq/ghgp/Documents/ghgAnnualaqpHold.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 – No Changes Made	10	3	0

LSCL F-13	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the EPA estimated that Coffin Butte Landfill's gas collection system operates at 57% efficiency.	10	1	2

Language Proposed by 3s • This will become a "1" with the inclusion of the following sentence at the end of the finding. (Note, this sentence appears in the body of the report but didn't make it's way into the finding.) "Republic Services provided data to the EPA for inclusion in the 2021 GHG report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent." • This will become a "1" with the inclusion of the following sentence at the end of the finding. (Note, this sentence appears in the body of the report but didn't make it's way into the finding.) "Republic Services provided data to the EPA for inclusion in the 2021 GHG report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent."			
Language Proposed by 2s • clarify language. Does collection system refer to monitoring, collection and treatment or just monitoring of landfill gas? Perhaps Benton County can obtain more recent gas monitoring, collection and treatment results from DEQ.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the Oregon DEQ estimated that Coffin Butte Landfill's controls (engine/generators with backup flare) collected 57% (https://downloads.regulations.gov/EPA-R10-OAR-2019-0640-0011/content.pdf). Republic Services provided data to Oregon DEQ for inclusion in EPA's 2021 Greenhouse Gas report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent. (Reference: https://ghgdata.epa.gov/ghgp/service/html/2021?id=1007054&et=undefined)			
One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the Oregon DEQ estimated that Coffin Butte Landfill's controls (engine/generators with backup flare) collected 57% (https://downloads.regulations.gov/EPA-R10-OAR-2019-0640-0011/content.pdf).	4	3	5

Republic Services provided data to the Oregon DEQ for inclusion in EPA's 2021 Greenhouse Gas report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent. (Reference: https://ghgdata.epa.gov/ghgp/service/html/2021?id=1007054&et=undefined)	8	3	0
One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the Oregon DEQ estimated that Coffin Butte Landfill's controls (engine/generators with backup flare) collected 57% (https://downloads.regulations.gov/EPA-R10-OAR-2019-0640-0011/content.pdf). Republic Services provided data to Oregon DEQ for inclusion in EPA's 2021 Greenhouse Gas report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent. (Reference: https://ghgdata.epa.gov/ghgp/service/html/2021?id=1007054&et=undefined)	6	1	4
One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the Oregon DEQ estimated that Coffin Butte Landfill's controls (engine/generators with backup flare) collected 57% (https://downloads.regulations.gov/EPA-R10-OAR-2019-0640-0011/content.pdf). Republic Services provided data to Oregon DEQ for inclusion in EPA's 2021 Greenhouse Gas report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent. (Reference: https://ghgdata.epa.gov/ghgp/service/html/2021?id=1007054&et=undefined)	11	1	0
~~*Concern with the 57% finding is not having a certain citation.*~~			
Oregon adopted DEQ regulations for GHG reporting in 2021 under air quality permit program. First requirement is to calculate emissions and then in the future control requirements will be implemented.			
Potential Recommendation LSCL R-XX Compare DEQ vs EPA and identify which the county wants to reference.			

LSCL F-14	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The impetus to curtail methane emissions is focusing attention on ways to divert organic waste from landfill wastestreams. The 2023 Food Donation Improvement Act, for example, enables existing food donation	13	0	0

organizations to expand operations and incentivizes the creation of new methods and innovations in preventing food waste, both to stop wasting a valuable resource and to reduce methane emissions.			
	Formal Workgroup Polling		
No Changes Made	13	0	0

LSCL F-15	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text A significant portion of the permitted airspace in the quarry area (also known as Cell 6) is currently unavailable for waste disposal due to unexcavated rock. As with other cells at Coffin Butte, permitted airspace is ultimately the result of two separate decisions by two separate entities. Benton County approves the land use for the landfill's footprint, while DEQ and the franchisee (Valley Landfills Inc.), approve the cell design that determines the physical volume available.	13	0	0
	Formal Workgroup Polling		
No Changes Made	13	0	0

LSCL F-16	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The addition of Cell 6 added approximately 13,400,000 cubic yards of airspace. The Landfill total capacity increased by approximately 9,000,000 cubic yards in 2003 with the addition of the West and East triangle areas for a total of approximately 35,500,000 cubic yards. The formal County approval of Cell 6 as a disposal area has not been identified or confirmed. Since 2004, reported remaining airspace has decreased gradually, while total permitted airspace has remained remaining somewhat constant. As of end 2021 approximately 44% of permitted capacity remained unused.	10	2	1

Language Proposed by 3s • Remove: The formal County approval of Cell 6 as a disposal area has not been identified or confirmed. It is not accurate			
Language Proposed by 2s • double check land use files for 2000 LUCS and verify what the county means in the signoff of this document. • Clarify. Past tense appropriate? Consider "The addition of Cell 6 would add approximately..."			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 The addition of Cell 6 added approximately 13,400,000 cubic yards of airspace. The Landfill total capacity increased by approximately 9,000,000 cubic yards in 2003 with the addition of the West and East triangle areas for a total of approximately 35,500,000 cubic yards. ~~The County should clarify whether/when formal approval of Cell 6 as a disposal area was granted. (See LLU F-23, CUP F-XX, detailed rebuttal) provides more information on this matter~~. Since 2004, reported remaining airspace has decreased gradually, while total permitted airspace has remained remaining somewhat constant. As of end 2021 approximately 44% of permitted capacity remained unused. [See also LSCL F-37]	12	0	0
Real-Time Draft Revision 4/3/23 Language Proposed by Ed Pitera (Consolidate with LSCL F-37) Prior to 2003, the airspace capacity was 13,100,000 cubic yards. This increased 69% to 22,100,000 cubic yards in 2003 when the County approved the addition of the West and East triangle areas for disposal. If approved by the County, the proposed "Cell 6" would add 13,400,000 cubic yards of airspace for a total of 35,500,000 cubic yards of disposal capacity. A 170% increase in permitted landfill airspace since 2003. The expected landfill longevity is 2 to 3 years (2025) without Cell 6 being constructed and 14 to 16 years (2037 – 2040) if Cell 6 is approved and operational in 2025. Valley Landfills Inc. anticipates it will no longer be able to place waste in Cell 5 by mid-year 2025. Excavation of the footprint of Cell 6 within the current rock quarry is scheduled to begin in Spring of 2023 with completion in Spring 2025.			

LSCL F-17	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The amount of waste placed into the landfill has grown dramatically over the past 40 years. In 1983, 375 tons per day were placed into the landfill (117,000 tons per year). By 1993, the tonnage volume increased to 310,000 tons per year. In 2003, 550,000 tons were placed into the landfill. In 2013, the waste tonnage was 479,000, and in 2021, 1,046,000 tons were placed into the landfill.	12	1	0
Language Proposed by 3s			
Language Proposed by 2s Recommend paragraph be consistent in annual tons. First sentence could be, "In 1983, 117,000 tons were placed in to the landfill (375 tons per day)."			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	12	1	0

LSCL F-18	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The official 2022 Coffin Butte annual intake tonnage is not available at the time of this report (February 2023). The size of the Host Fee payment to Benton County in January 2023 indicates a 2022 intake volume of 1,066,436 Tons. Actual tonnage should be updated upon receipt of the 2022 Coffin Butte Landfill Annual Report.	12	1	0
Language Proposed by 3s			
Language Proposed by 2s "The size of the Host Fee payment (add $ amount) to Benton..."			
	Formal		

	Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	12	1	0

LSCL F-19	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text The 2000 Landfill Franchise Agreement stipulated that the County was to perform a "Baseline" study as a reference for measuring potential future adverse effects (completed in 2001), and defined a ramping intake tonnage threshold to be applied during the term of the agreement (CY2001-2019). Intake volumes in excess of this threshold granted the County clear right to pursue specific remedies: a) the County, at its expense, could perform an updated Baseline assessment, and b) if the County determined that the new assessment indicated an adverse impact on "the Baseline," the agreement stipulated that "the parties shall immediately proceed in good faith to negotiate an increase in the Franchise Fee and/or Host Surcharge…".	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-20	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text The 2000 intake tonnage threshold was exceeded in calendar years 2017, 2018 and 2019.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-21	Informal Workgroup Polling		
	1	2	3
Draft 6 Text Washington County waste tonnage accepted at the landfill increased by over 400% between 2016-2017, with the increased tonnage continuing through 2019. Riverbend Landfill was a regional landfill that accepted waste from many counties, including Washington County. Riverbend's owner/operator diverted tonnage to Coffin Butte in an effort to extend Riverbend's site life.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-22	Informal Workgroup Polling		
	1	2	3
Draft 6 Text Benton County did not utilize either of the contractual remedies available to it as a result of the intake tonnage exceeding the threshold in 2017-2019. No updated Baseline study was performed, and no renegotiation of the landfill fee structure was undertaken.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-23	Informal Workgroup Polling		
	1	2	3
Draft 6 Text	11	0	0

Benton County received approximately $3.1M of incremental revenue from the increased intake volumes over the 2017-2019 period. Of this, approximately $1.08M was the result of intake volume in excess of the annual limits over the three-year period. This equates to roughly $11.50 total per Benton County resident for the three-year period.			
	Formal Workgroup Polling		
No Changes Made	11	0	0

LSCL F-24	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In an official 2018 presentation to Benton County Board of Commissioners, Benton County represented the 2000 Franchise Agreement intake threshold as "Annual Maximums Specified in Franchise Agreement." However, the 2000 Franchise Agreement does not describe the tonnage threshold as a "limit" or "maximum" and does not limit the number of tons that can be accepted.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-25	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Both the 2000 Landfill Franchise Agreement and the 2020 Landfill Franchise Agreement include a section stating that "The parties acknowledge that there may be adverse effects to the County's infrastructure and environmental conditions due to increased annual volumes of Solid Waste accepted at the Landfill." In both agreements this section of the agreement then stipulates terms regarding intake volumes.	12	0	0

	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-26	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text The intake threshold defined in the 2000 Landfill Franchise Agreement and the Tonnage Cap defined in the 2020 Landfill Franchise Agreement were stipulated as contractual provisions, with consequences explicitly defined in the 2000 agreement and implicit (violation of contract) consequences in the 2020 agreement.	11	1	0
Language Proposed by 3s			
Language Proposed by 2s This sentence isn't clear to me and probably not to the average person. "were required as part of the contract. The consequences of a violation of the contracts were clearly addressed in the documents" or something like that.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	11	1	0

LSCL F-27	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text The 2020 Landfill Franchise Agreement defined a 2020 Tonnage Cap of 1.1 M Tons/year that the Landfill "shall not exceed." That includes 75,000 tons reserved annually for Benton County. The Tonnage Cap does not apply to fire, flood, natural disaster, or Force Majeure event materials.	10	2	0
Language Proposed by 3s			

Language Proposed by 2s • Republic was asked about the impact of Benton County going over 75,000 ton reservation at Mtg 8 and committed to reply. What is the reply? • suggestion to define Force Majeure or say unforeseeable circumstances			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	10	2	0

LSCL F-28	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The 2020 Landfill Franchise Agreement also includes a provision that the tonnage cap would be eliminated upon governmental approval of an application to "expand the landfill onto the Expansion Parcel."	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-29	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text It is unclear if the 2020 Franchise Agreement's enforcement mechanisms are strong enough to prevent agreement violation or if the County will pursue the options at its disposal.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-30	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The landfill operator generally chooses how much tonnage to accept, based on demand and their contracts with various jurisdictions and haulers. Some of the increasing tonnage accepted at the landfill from 1993-2021 reflect the increase in business development.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-31	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The slow downward trend in intake volume in the 2006-2010 period is explained by the franchisee as resulting from the economic downturn of 2008.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-32	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Republic Services states that the drop in volumes to Coffin Butte in 2020 is due to the global COVID-19 pandemic, coupled with diversion of tonnage from Riverbend Landfill to other landfills besides Coffin Butte. However,	12	0	0

tonnage volumes increased again in 2021 due in part to changes in lifestyle/development/at home shopping patterns as a result of the pandemic, as well as debris from the Oregon wildfires.			
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-33	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text A range of human factors have been seen to influence the landfill's intake rate and therefore its operating life in the past. These include business factors such as expansions or contractions of the Service Area, social factors such as recessions and population growth, and environmental factors such as recycling and other initiatives that divert materials out of the waste stream.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-34	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text More human factors are emerging that could influence the landfill's intake rate and therefore its operating life in the future. These include newly enacted state legislation assigning responsibility for disposal costs to the producers of waste material, newly enacted national legislation addressing food waste, and national legislation being rolled out that targets methane and other greenhouse gas pollution.	13	0	0
	Formal Workgroup Polling		

No Changes Made	12	0	0

LSCL F-35	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text A 2016 MOU between Benton County and Republic Services acknowledged "Coffin Butte Landfill will be accepting municipal solid waste currently being delivered to Waste Management's Riverbend Landfill for a term of 1-2 years, beginning in January of 2017."	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-36	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The 2016 MOU does not contain language preventing Benton County from exercising its rights under the 2000 Landfill Franchise Agreement (see Recommendations).	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-37	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text	11	2	0

Valley Landfills Inc. anticipates it will no longer be able to place waste in Cell 5 by mid-year 2025. When Cell 5 is full, Republic Services is working on a plan to deposit waste in the permitted area of the landfill known as the quarry known as Cell 6. Excavation of the primary quarry footprint is scheduled to begin in Spring of 2023 with completion in Spring 2025.			
Language Proposed by 3s			
Language Proposed by 2 • DEQ will need to review and approve design plans before any construction takes place. • "...the landfill known as the quarry known as Cell 6." Typo? Please clarify.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	11	2	0
[Delete, per Ed Pitera's proposed revision to LSCL F-16] *Moved to below LSCL F-16*			

LSCL F-38	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text Approval of the 1983 rezoning was recommended by SWAC and CAC with on the condition that "No landfill be allowed on property south of Coffin Butte Road."	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LSCL F-39	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text	11	1	0

The recommended condition prohibiting landfill south of Coffin Butte Road was not included in the 1983 rezoning ordinance through a change recommended by Benton County Staff, in which Staff noted that any new disposal area would require approval of the Planning Commission in a public vote. The process for approving landfill south of Coffin Butte Road was subsequently changed to "allowed by conditional use permit." This appears to be done via Ord. 90-0069 (BCC 77.305) This change was memorialized in the 2002 Memorandum of Understanding executed by Valley Landfills and Benton County.			
Language Proposed by 3s			
Language Proposed by 2s "The process for approving landfill south of Coffin Butte Road was subsequently changed to "allowed by conditional use permit."" Please clarify what this sentence means. What was changed by whom, how, when, why? What are the consequences?			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	11	1	0

LSCL F-40	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The 1983 rezoning action defined 194 acres as Landfill Size (LS) zone. An additional 59-acre parcel south of Coffin Butte Road, while zoned LS, would not be used for disposal of solid waste unless approved by a conditional use permit and Department of Environmental Quality permit for solid waste landfill use. The site map attached to the 2002 MOU restricted "fill" activity to the north side of Coffin Butte Road.	11	0	1
Language Proposed by 3s Need to see the complete County file on 2002 MOU, particularly the site map referred to.			
Language Proposed by 2s			
	Formal Workgroup Polling		

Real-Time Draft Revision 4/3/23 The 1983 rezoning action defined 194 acres as Landfill Size (LS) zone. An additional 59-acre parcel south of Coffin Butte Road, while zoned LS, would not be used for disposal of solid waste unless approved by a conditional use permit and Department of Environmental Quality permit for solid waste landfill use. The site map attached to the 2002 MOU restricted "fill" activity to the north side of Coffin Butte Road.	11	0	0

LSCL F-41	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Twenty-three tax lots are owned by landfill-affiliated entities. Six of these tax lots are zoned LS, and the five LS tax lots on the north side of Coffin Butte Road contain landfill cell disposal areas. The most recent tax lots associated with the landfill were purchased in 2001 (non-disposal areas).	11	1	0
Language Proposed by 3s			
Language Proposed by 2s Please fill in "totaling xx acres" then same for yy, zz acreage amounts "Twenty-three tax lots totaling xx acres are owned by landfill-affiliated entities. Six of these tax lots totaling yy acres are zoned LS, and the five 5 LS tax lots totaling zz acres on the north side of Coffin Butte Road contain landfill cell disposal areas. The most recent tax lots associated with the landfill were purchased in 2001 (non-disposal areas)." *Comments by 1s* Is LS defined somewhere?			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	11	1	0

LSCL F-42	Informal Workgroup Polling		
	1	**2**	**3**

Draft 6 Text The landfill has developed visually over time in accordance with site development plans. Coffin Butte Landfill has changed visually since it's designation as a regional landfill in 1974, growing in both height and size, and visual appearance. However, the overall landfill acreage has not changed significantly since 1983; it has filled in more of its footprint.	12	0	1
Language Proposed by 3s Replacement language: "The landfill has developed since 1974. It has grow in both height and size, and changed in visual appearance. Although still within the Landfill Zone designated in 1983, the actual footprint of the landfill cells has increased as more wastes are brought to the site." Note: The original F-42 language runs into issues of geographic & regional definitions that have numerous nuances. The topic has been better addressed in the CUP and LLU sections.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 [unchanged] The landfill has developed visually over time in accordance with site development plans. Coffin Butte Landfill has changed visually since it's designation as a regional landfill in 1974, growing in both height and size, and visual appearance. However, the overall landfill acreage has not changed significantly since 1983; it has filled in more of its footprint.	7	1	2
Real-Time Draft Revision 4/3/23 The landfill has developed visually over time in accordance with site development plans. Coffin Butte Landfill has changed visually since it's designation as a landfill in 1974, growing in both height and size, and visual appearance. However, the overall landfill acreage has not changed significantly since 1983; it has filled in more of its footprint.	8	1	2

LSCL RECOMMENDATIONS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

LSCL R-1	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The Sustainable Materials Management Plan (SMMP) should further develop scenarios and factors that may impact the landfill lifespan, including detailed analyses of likely projections. The Board of Commissioners (Board) and Benton County (County) staff should keep the questions about these factors and their effects in mind when making decisions affecting the landfill.	11	2	0	34	16	76	32
Language Proposed by 3s							
Language Proposed by 2s • Add the following: "Benton County's decision on a future CUP application can neither be denied, nor delayed, based on the status and/or development of an SMMP." • Add the following: "Benton County's decision on a future CUP application can neither be denied, nor delayed, based on the status and/or development of an SMMP."							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	11	2	0				

LSCL R-2	Informal Workgroup Polling	Initial Public Polling as of 3/23/23	Cumulative Public Polling as of 3/31/23

	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should create and share a plan for the enforcement of all franchise agreements.	11	1	0	38	13	80	26
Language Proposed by 3s							
Language Proposed by 2s The county should consider the Community Outreach and Education Subcommittee when deciding how to communicate a plan for enforcement of all franchise agreements.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	11	1	0				

LSCL R-3	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should contract for an updated Baseline Study to evaluate the impact of the current intake level at Coffin Butte Landfill. As with the 2001 Baseline Study stipulated in the 2000 Landfill Franchise Agreement, this new study should determine and measure adverse effects, including but not limited to: traffic, soil conditions and contamination levels, air quality, surface and ground water conditions and contamination levels, noise, odor, visual screenings, litter, hours of operation, solid waste control systems and compliance with all solid waste permits. This baseline study could	9	4	0	31	20	73	36

help inform the County in decision making and financial choices regarding how to use the income from the landfill.							
Language Proposed by 3s							
Language Proposed by 2s • This is at Benton County's discretion. Republic Services does not wish to opine on the county's business or operating decisions. • This is at Benton County's discretion. Republic Services does not wish to opine on the county's business or operating decisions. • The County should contract for an updated Baseline Study to evaluate the impact of the current intake level at Coffin Butte Landfill. As with the 2001 Baseline Study stipulated in the 2000 Landfill Franchise Agreement, this new study should determine and measure adverse effects, including but not limited to: traffic, soil conditions and contamination levels, air quality, surface and ground water conditions and contamination levels, noise, odor, visual screenings, litter, hours of operation, solid waste control systems and compliance with all solid waste permits. • The Baseline Study should also include human health impact of landfill.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	9	4	0				

LSCL R-4	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	9	3	0	24	24	62	40

The County should, as soon as possible, consider the public record of the deliberations leading to the execution of the 2020 Landfill Franchise Agreement in order to assess a) which party requested that the 2020 Tonnage Cap be eliminated if expansion was approved, b) if Benton County proposed the elimination of the 2020 Tonnage Cap, determine why this was done, c) determine the County's expectation for the benefit(s) to the County of accepting up to 1.1M Tons of waste per year when the County's reserve portion is approximately 6.8% of that amount, d) interpretation of the "Tonnage Cap", specifically relative to the 2020 Tonnage Cap, and e) expectations of both parties for future landfill site expansion, including any plans for multiple (repeated) future expansions. The county should then use this information to inform landfill-related decision-making. These negotiations were conducted privately (not in public meetings), and there are elements of these discussions that may be proprietary and/or fall under attorney-client privilege.							
Language Proposed by 3s							
Language Proposed by 2s "The county should use this information in its landfill-related decision-making and make it public to the extent possible. It should be recognized that the 2020 franchise negotiations were conducted privately (not in public meetings), and there are elements of these discussions that may be proprietary and/or fall under attorney-client privilege."							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	9	3	0				

LSCL R-5	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should clarify and document the process for officially establishing Permitted Space, including any and all required Benton County actions and regulatory agency approvals (Oregon Dept. of Environmental Quality (ORDEQ), Environmental Protection Agency (EPA), etc.).	9	3	0	32	18	75	32
Language Proposed by 3s							
Language Proposed by 2s • Already addressed by Legal Subcommittee • This was already addressed by the Legal subcommittee. • Define or describe (a few adjectives would do) "Permitted Space" to help the general reader understand what is being recommended.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	9	3	0				

LSCL R-6	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	10	1	2	26	23	70	38

The County should clarify when formal approval of Cell 6 as a disposal area was granted.							
Language Proposed by 3s • This recommendation should be removed. This issue has already been addressed by the legal subcommittee. • This finding should be removed. This issue has already been addressed by the legal subcommittee.							
Language Proposed by 2s And communicate this with the County.							
	Formal Workgroup Polling						
Real-Time Draft Revision 3/23/23 The County should clarify when formal approval of Cell 6 as a disposal area was granted. LLU F-23 provides information on this issue.	7	5	0				

LSCL R-7	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The Benton County Solid Waste Advisory Council (SWAC) should review all future Coffin Butte Landfill Annual Reports relative to past reports and official approvals, in particular with regard to intake volume, landfill traffic volume (both Municipal Solid Waste and leachate transport), expected landfill life and end of life, and total and remaining Permitted Space. SWAC should report these findings to the Board for consideration.	12	0	1	32	18	72	35

Language Proposed by 3s The Benton County Disposal Site Advisory Council (DSAC) should review all future Coffin Butte Landfill Annual Reports relative to past reports and official approvals, in particular with regard to intake volume, landfill traffic volume (both Municipal Solid Waste and leachate transport), expected landfill life and end of life, and total and remaining Permitted Space. DSAC should report these findings to the Board for consideration.							
Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revision 3/23/23 The Benton County Disposal Site Advisory Council (DSAC) should review all future Coffin Butte Landfill Annual Reports relative to past reports and official approvals, in particular with regard to intake volume, landfill traffic volume (both Municipal Solid Waste and leachate transport), expected landfill life and end of life, and total and remaining Permitted Space. DSAC should report these findings to the Board for consideration.	9	3	0				

LSCL R-8	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Benton County should secure information from Republic Services about the Annual Tonnage figures for presentation to SWAC/DSAC as	12	0	0	31	19	74	34

soon as they are available, and not wait to include them for the first time in the Annual Report.							
	Formal Workgroup Polling						
No Changes Made	12	0	0				

LSCL R-9	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The baseline scenarios laid out in this report assume that landfilling will continue as it is doing today for the next 16 years. That expectation should be tempered by signals of factors that can reshape Coffin Butte Landfill's social and regulatory landscape, especially environmental considerations related to the climate crisis. This reshaping is something that the County can participate in, on behalf of its residents, as the landfill's permitted volume is filled.	12	1	0	24	26	63	41
Language Proposed by 3s							
Language Proposed by 2s "That expectation should be tempered by signals of factors that can reshape Coffin Butte Landfill's social and regulatory landscape" Unclear, I don't know what you mean here. What signals and factors? What do you mean by reshaping and what does that entail?							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	12	1	0				

LSCL R-10	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should take steps to acquire better information about the methane emissions of Coffin Butte Landfill, because the landfill's emissions are currently not well-characterized and use this information to guide diversion programs that could limit the amount of organic waste going to the Landfill.	12	1	0	30	21	75	35
Language Proposed by 3s							
Language Proposed by 2s please review latest submittal to DEQ before concluding that landfill gas is not well characterized.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	12	1	0				

LSCL R-11	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text In its current actions and in concert with its Sustainable Materials Management Plan, the County should be aware of and prepare for changes in Coffin Butte Landfill's social and regulatory landscape, as the future could hold significant opportunities for the County and affiliated	12	1	0	33	17	72	33

organizations to bring waste management closer into alignment with the County's goals and values.							
Language Proposed by 3s							
Language Proposed by 2s In its current actions and in concert with its Sustainable Materials Management Plan, the County should be aware of and prepare for changes in Coffin Butte Landfill's social and regulatory landscape, as the future could hold significant opportunities for the County and affiliated organizations to bring materials management closer into alignment with the County's goals and values.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	12	1	0				

LSCL R-12	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should keep in mind that the most effective way to curtail a landfill's greenhouse gas emissions is to divert organic material from being landfilled. This can inform County and area-wide decisions regarding recycling, composting, food waste, and other initiatives affecting how the landfill's permitted volume is filled.	11	2	0	32	17	73	33
Language Proposed by 3s							

Language Proposed by 2s • The county should keep in mind that "ONE OF THE" most effective ways... Not the only way.... • The County should keep in mind that ONE OF the most effective WAYS to curtail a landfill's greenhouse gas emissions..." (As an industry leader with numerous composting operations, it is inaccurate to suggest this is the only way.)							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	11	2	0				

LLU FINDINGS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

LLU F-1	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Do conditions of approval imposed as part of a later land use approval supersede conditions imposed as part of a prior approval? Unless a later land use approval expressly addresses whether conditions of a prior land use approval are superseded, the issue will be subject to interpretation by the local government (the Board of County Commissioners, in this case).	11	0	0
	Final Workgroup Polling		
No Changes Made	11	0	0

LLU F-2	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Only the current franchise agreement has legal effect. The previous franchise agreement is superseded when a new agreement takes effect.	11	0	0
	Final Workgroup Polling		
No Changes Made	11	0	0

LLU F-3A	Informal Workgroup Polling

	1	2	3
Draft 6 Text Only the current franchise agreement has legal effect. The previous franchise agreement is superseded when a new agreement takes effect.	12	1	0
Language Proposed by 3s			
Language Proposed by 2s "...and post-closure maintenance. The existing closure, post-closure plans do not include the physical work or monies needed to comply with the County's Land Use Conditions of Approval. [See additional DEQ information and CUP evaluations including PC-74-01 at conditions 4 & 6 and PC83-07 condition 10 in the full reports of the Legal and CUP subcommittees.]			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	12	1	0

LLU F-3B	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text DEQ reviewed the last annual FA update submittal, which was dated April 1, 2022 and approved on April 13, 2022. DEQ's approval letter summarizes the following: 1. The updated cost estimates for closure ($16,222,800) and post-closure care ($5,743,202) were correctly updated, prepared, and stamped by a registered P.E. 2. The current penal sum of your Bond, as provided by Evergreen National Indemnity Company, with your new Riders in place, covers the total of updated cost estimates. DEQ identifies Valley Landfill Inc. as the owner of the landfill and the DEQ solid waste permittee for DEQ permit #306. The operator of the landfill is Coffin Butte Landfill. The owner or operator of the landfill is responsible for compliance with the permit and permit conditions. The owner or operator is responsible for providing financial assurance for closure, post closure and any needed corrective action per ORS 459.272.	11	1	0

Valley Landfill Inc. uses a bond to provide financial assurance. According to OAR 340-094-0140(6)(d) and (6)(e) the permittee is to recertify compliance every year which Valley Landfill Inc. did in a March 28, 2022 attachment to the annual financial assurance submittal that DEQ received.			
Language Proposed by 3s			
Language Proposed by 2s #2: Who is "your"?			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	11	1	0

LLU F-3C	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In negotiating the 2020 landfill franchise agreement, Benton County established three elements to provide assurance that costs of closure, post-closure and corrective action are covered: Statutory DEQ financial assurances, insurance, and the environment trust fund	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LLU F-4	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text What legally can and cannot be conditions of any land use approvals? Conditions of approval must relate to approval criteria. To be approved, an applicant must demonstrate compliance with all discretionary approval criteria. Conditions of approval cannot substitute for compliance with applicable criteria but may be imposed to	11	0	0

ensure the criteria are met. The county may find compliance with approval criteria by establishing that compliance is feasible, subject to compliance with a specific condition(s) of approval. A preponderance of the evidence must support a finding that the condition is "likely and reasonably certain" to result in compliance. To lessen adverse impacts on surrounding uses, the county may "impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code." (BCC 53.220)			
	Formal Workgroup Polling		
No Changes Made	11	0	0

LLU F-5	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In reviewing a CUP for landfill expansion, the County has jurisdiction over only the proposed expansion. Existing and past operations are not within the County's scope of review. Prior decisions are final and cannot be subjected to a new review or have additional/revised conditions of approval imposed as part of the CUP application for the expansion. The mechanism for enforcing conditions of approval is a separate process; see recommendation LLU R-11.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

LLU F-6	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Benton County may not prohibit a private landfill operator from accepting solid waste from outside Benton County.	12	0	0

	Formal Workgroup Polling		
No Changes Made	12	0	0

LLU F-7	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text Is DEQ prohibited from permitting another landfill west of the Cascades? No.	12	0	0
	Formal Workgroup Polling		
No Changes Made	12	0	0

LLU F-8	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text What does the "regional landfill" designation mean? Oregon Revised Statute (ORS) 459.005(23) defines a Regional Disposal Site as "a disposal site that receives … more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located…." The immediate service area of Coffin Butte is Benton County. Coffin Butte Landfill has received more than 75,000 tons from outside its immediate service area every year since at least 1993. Coffin Butte thus meets the definition of a regional landfill per ORS.	11	1	0
Language Proposed by 3s			
Language Proposed by 2s What does "regional landfill" mean as it relates to Coffin Butte? In the history of Coffin Butte, there are two meanings. As described in 1974 and 1983 County records, "regional landfill" is specified as one serving a three county geographic area (Benton, Linn, Polk). Also in 1983, a Benton County document includes mention of Coffin Butte receiving about 94,000 tons per year of waste from these three counties. Receiving this tonnage of wastes			

brings the landfill within the requirements of Oregon Revised Statute (ORS) 459.005(23) which defines a Regional Disposal Site as "a disposal site that receives … more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located…." Whether the immediate service area of Coffin Butte is just Benton County or included Linn and Polk, Coffin Butte Landfill has received more than 75,000 tons from outside its immediate service area every year since at least 1993 bringing it under DEQ's requirements for "regional landfills". A US Supreme Court decision in 1998 which prohibits the County from limiting the collection area for the landfill makes the "regional" distinction moot. Coffin Butte has received wastes from 39 counties, some of them in the states of Washington and Idaho.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	11	1	0

LLU F-9	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Interpretation of the review criteria for a landfill-expansion conditional use permit requires determinations that are based on the facts of the specific application. The rules of statutory construction describe how ambiguous terms are to be interpreted: text, context, and legislative history. However, LUBA's standard of review is highly deferential to the local decisionmaker's interpretations, so if the interpretation is plausible (does not conflict with the provision's language), LUBA (and the courts) will uphold the local interpretation. This gives the decision-maker a lot of flexibility in interpreting their own code provisions. In response to a request by the Board of Commissioners, the following four findings provide staff-provided historical information, particularly over the past 25 years, on how the County decision-makers have interpreted these terms across the full range of conditional use applications the County reviews. They are not recommendations on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.	11	1	0
Language Proposed by 3s			
Language Proposed by 2s			

"...(does not conflict with the provision's language)"... What provision is being referred to? Awkward to read. Is the phrase in parentheses needed?			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	11	1	0

LLU F-9A	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The first criterion requires the decision-maker to find that "*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"* [BCC 53.215(1)]. In applying the term "seriously interfere", Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered factors such as: does the proposed use make it difficult to continue uses on the adjacent property; would it create significant disruption to the character of the area; would it conflict, in a substantive way, with the purpose of the zone. As noted above, the county decision-makers have wide discretion in evaluating whether a use will "seriously interfere." In the past, "seriously interfere" has generally been applied as meaning more than an inconvenience or irritation but is a lesser threshold than rendering the uses on adjacent property impossible. Speculated effect on property values has not been a primary consideration in determining serious interference.	9	0	1
Language Proposed by 3s No contemporaneous historical factual records seem to have been reviewed. This appears to be the current County staffs impression / recollection of what others were thinking. This finding is extremely hard to support.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 The first criterion requires the decision-maker to find that "*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"* [BCC 53.215(1)]. In	11	0	0

applying the term “seriously interfere”, Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered factors such as: does the proposed use make it difficult to continue uses on the adjacent property; would it create significant disruption to the character of the area; would it conflict, in a substantive way, with the purpose of the zone. As noted above, the county decision-makers have wide discretion in evaluating whether a use will “seriously interfere.” In the past, “seriously interfere” has generally been applied as meaning more than an inconvenience or irritation but is a lesser threshold than rendering the uses on adjacent property impossible. Speculated effect on property values has not been a primary consideration in determining serious interference. This is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.			

LLU F-9B	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In the phrase “character of the area” in BCC 53.215(1), how narrow or broad has “the area” typically been? When the County is evaluating the “character of the area”, the “area” is based on the facts of each application and how far the effects of the proposed land use are likely to extend. The impacted area will be unique to each application and may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa). Because each review is unique, examining past cases for the specific distances utilized may not be illuminating. Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered these factors in determining the character of the area and its extent include: • The particular attributes of the geographic setting (including existing operations in the vicinity.) • Is there a distinct change in the area's physical characteristics beyond a certain point (such as a change from flat land to hills or from one river basin across a ridgeline into another)? • What features or elements give the area its character? Is it a homogenous or heterogeneous character (is there a high degree of similarity, or is it mixed)?	9	0	1

How far are the effects of the proposed land use likely to extend? This may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa).			
Language Proposed by 3s No contemporaneous historical factual records seem to have been reviewed. This appears to be the current County staffs impression / recollection of what others were thinking. This finding is extremely hard to support.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 In the phrase "character of the area" in BCC 53.215(1), how narrow or broad has "the area" typically been? When the County is evaluating the "character of the area", the "area" is based on the facts of each application and how far the effects of the proposed land use are likely to extend. The impacted area will be unique to each application and may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa). Because each review is unique, examining past cases for the specific distances utilized may not be illuminating. Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered these factors in determining the character of the area and its extent include: • The particular attributes of the geographic setting (including existing operations in the vicinity.) • Is there a distinct change in the area's physical characteristics beyond a certain point (such as a change from flat land to hills or from one river basin across a ridgeline into another)? • What features or elements give the area its character? Is it a homogenous or heterogeneous character (is there a high degree of similarity, or is it mixed)? • How far are the effects of the proposed land use likely to extend? This may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa). This is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.	11	0	0

LLU F-9C	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In the conditional use review criterion of: "*The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area"* [BCC 53.215(2)], what constitutes a "burden" is again based on the facts of the application. Staff has stated that in past CUP applications the Planning Official, Planning Commission or Board has considered a "burden" on public infrastructure and service is likely "undue" if it overloads the system or causes significant degradation in terms of quality, effectiveness or timeliness of infrastructure or service. Lesser burdens may also be "undue" if the effect jeopardizes people's health, safety, or welfare. Burdens that the County has typically not considered "undue" include those that can be mitigated through planned improvements, that are incremental service additions[71] consistent with that generated by other uses in the area or that fall below an established threshold (such as road classification standards). For planned improvements to be relied upon in determining that a burden is not undue, the implementation of those improvements must be certain, such as through a condition of approval specifying the improvement and the timeline for implementation. Again, as noted in LLU F-9 above, so long as the interpretation is plausible, the decision makers have wide discretion in interpreting the term "undue burden."	9	1	0
Language Proposed by 3s			
Language Proposed by 2s No contemporaneous historical factual records substantiating these statements are cited. Please cite and explain supporting records of actual Benton County "Undue Burden" decisions.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 In the conditional use review criterion of: "*The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area"* [BCC 53.215(2)], what constitutes a "burden" is	11	0	0

[71] Incremental service additions are additions to the overall burden on services that are small relative to the total. For example, adding 10 daily vehicle trips to a road currently experiencing 300 daily vehicle trips could be considered an incremental service addition.

again based on the facts of the application. Staff has stated that in past CUP applications the Planning Official, Planning Commission or Board has considered a "burden" on public infrastructure and service is likely "undue" if it overloads the system or causes significant degradation in terms of quality, effectiveness or timeliness of infrastructure or service. Lesser burdens may also be "undue" if the effect jeopardizes people's health, safety, or welfare. Burdens that the County has typically not considered "undue" include those that can be mitigated through planned improvements, that are incremental service additions[72] consistent with that generated by other uses in the area or that fall below an established threshold (such as road classification standards). For planned improvements to be relied upon in determining that a burden is not undue, the implementation of those improvements must be certain, such as through a condition of approval specifying the improvement and the timeline for implementation. Again, as noted in LLU F-9 above, so long as the interpretation is plausible, the decision makers have wide discretion in interpreting the term "undue burden." This is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.			

LLU F-9D	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text With regard to the conditional use review criterion of BCC 53.215(3) *["The proposed use complies with any additional criteria which may be required for the specific use by this code."*], if the county has adopted additional code criteria that apply to a proposed use, then those code provisions would apply. This does not allow the county to apply unadopted criteria that are not in the code at the time of application. In applying for expansion in the Landfill Site zone, the BCC Chapter 77 does not adopt any additional criteria and, therefore, no additional criteria apply.	10	0	0
	Formal Workgroup Polling		

[72] Incremental service additions are additions to the overall burden on services that are small relative to the total. For example, adding 10 daily vehicle trips to a road currently experiencing 300 daily vehicle trips could be considered an incremental service addition.

No Changes Made	10	0	0

LLU F-10	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text SWAC's bylaws require it to "assist the Board of Commissioners (Board) in Planning and implementing solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance." BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations regarding the Site Development Plan and Narrative submitted on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. Based on SWAC's bylaws and role in planning and implementing solid waste management, it appears that the intent of the language in BCC 77.305 is that the Planning Commission rely on SWAC for guidance on the impacts of the Site Development Plan and Narrative on solid waste management. However, the language of BCC 77.305 does not expressly limit the scope of SWAC's recommendations.	9	1	0
Language Proposed by 3s			
Language Proposed by 2s Delete "Based on SWAC's bylaws and role in planning and implementing solid waste management, it appears that the intent of the language in BCC 77.305 is that the Planning Commission rely on SWAC for guidance on the impacts of the Site Development Plan and Narrative on solid waste management. However, the language of BCC 77.305 does not expressly limit the scope of SWAC's recommendations." Option is to use Oregon statutes to explain SWAC role.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	9	1	0

LLU F-11	Informal Workgroup Polling		
	1	**2**	**3**

Draft 6 Text Pursuant to BCC 77.310(1)(e), to what extent may the Planning Official require additional information from an applicant for a Landfill Site Zone Conditional Use Permit? Only "other information" that relates to the approval criteria for a conditional use permit may be required under BCC 77.310(1)(e), and the applicant may choose to provide some, all, or none of the requested information. The land use decision must be based on demonstrating compliance with the code criteria, not on whether the applicant provided the requested information.	10	0	0
	Formal Workgroup Polling		
No Changes Made	10	0	0

LLU F-12	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text BCC 77.310(1) lists the information required in the applicant's narrative submitted with a conditional use application. The information required under BCC 77.310(1) includes the documents and information required to be part of the application. During the "completeness" process, the Planning Official will consider whether the applicant's documents and information are sufficient for purposes of review of the application. A determination that an application is complete does not mean that the information satisfies the approval criteria.	10	0	0
	Formal Workgroup Polling		
No Changes Made	10	0	0

LLU F-13	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In addition to the list of information listed in BCC 77.310(1)(a)-(d), BCC 77.310(1)(e) allows the Planning Official to request that the conditional use application narrative include "other information". This information must relate	10	0	0

to the approval criteria. The applicant has the discretion whether to submit the requested information. The applicant's failure to submit any requested information is relevant to the decision on the application only to the extent that the decision maker determines that the information is necessary to comply with an approval criterion.			
	Formal Workgroup Polling		
No Changes Made	10	0	0

LLU F-14	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Pursuant to long-standing LUBA case law, representations and statements made by the applicant do not become conditions of approval unless those statements are specifically included or incorporated, directly or by reference, into the final decision as conditions of approval. See LLU R-10.	10	0	0
	Formal Workgroup Polling		
No Changes Made	10	0	0

LLU F-15	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text How does the 2002 Memorandum of Understanding (MOU) fit into the Workgroup considerations? The 2002 MOU clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements. • The MOU does not address whether the County's determination of "compliance with local requirements" includes compliance with all conditions of past land use approvals.	9	0	1

• The MOU indicates that, as of 11/5/2002, there were no known land use ordinance violations involving the landfill. The MOU does not describe the extent to which Benton County investigated the compliance status of any conditions of past land use approvals in preparing the MOU. • The MOU did not negate or supersede conditions of past land use approvals.			
Language Proposed by 3s Notes Regarding the 2002 MOU: 1) it does not mention how the MOU was intended to relate to land use decisions 2) it is unclear as to what LUCS are referred to and their impact e.g.: the 1996 LUCS referred to in the MOU has not been found, 3) a LUCS dated 12/18/00 has been found as a free standing document, 4) a 2000 Site Plan (Is the the last DEQ approve in 2000 the MOU refers to?) using a LUCS dated Feb 25 '22 was found i.e. an 8 year gap between LUCS issuance and use in an identified document. 4) the current Operating Permit was issued in 2019 but references a 12/18/00 LUCS i.e. 20 year gap	2	4	4
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 How does the 2002 Memorandum of Understanding (MOU) fit into the Workgroup considerations? The 2002 MOU clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements. • The MOU does not address whether the County's determination of "compliance with local requirements" includes compliance with all conditions of past land use approvals. • The MOU indicates that, as of 11/5/2002, there were no known land use ordinance violations involving the landfill. The MOU does not describe the extent to which Benton County investigated the compliance status of any conditions of past land use approvals in preparing the MOU. • The MOU did not negate or supersede conditions of past land use approvals.	8	0	2

LLU F-16	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text	10	0	0

Is there an opportunity for public input to determine whether an application is complete? The public may submit comments on the completeness of an application. However, the completeness process is not a review of the application's merits; only whether sufficient information has been submitted to the application's merits can be evaluated through the public hearing process. And there are no statutory or code requirements for incorporating public input on the county's administrative determination of whether an application is complete.			
	Formal Workgroup Polling		
No Changes Made	10	0	0

LLU F-17	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Once any land use application is submitted to the County, the County Planning Official must determine within 30 days whether the application is complete. Following the completeness process, the County then has 150 days to make a final land use decision, including the completion of any appeal to the Board of Commissioners or other proceeding under County Code. If the County does not make a final decision within the prescribed time, an applicant may petition the circuit court for a "writ of mandamus." ORS 215.429(1) et seq and citing ORS 34.130. This statute requires the circuit court to approve the application unless the County can prove it violates a substantive provision of the Comprehensive Plan or Code. If the court determines the County has not met that burden, the applicant may then proceed with the development as proposed.	10	0	0
	Formal Workgroup Polling		
No Changes Made	10	0	0

LLU F-18	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text	10	0	0

Section 2 of the June 7, 2022, collection franchise agreement between Benton County and Allied Waste Services of Corvallis ("Republic Services") contains a mandatory limited reopener provision. Contract negotiations are not conducted in public. With that said, a process could be designed to allow public input, comment, and feedback on any provisions subject to Section 2 that may be negotiated between the parties to the agreement. The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both Benton County and Republic Services.			
	Formal Workgroup Polling		
No Changes Made	10	0	0

LLU F-19	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text What options does the Planning Commission have if they determine that DEQ regulation of a particular parameter is inadequate or likely to be inadequate? The County could not determine that DEQ regulation of a particular environmental parameter is inadequate to protect public health and deny the application on those grounds. The County also has no authority to interpret, apply or enforce DEQ regulations (except for regulatory programs that DEQ formally delegates to a local government, such as with on-site sewage disposal regulation.) Additionally, the County cannot assume that an activity will result in a violation of DEQ parameters when the activity hasn't happened. The County could potentially determine that DEQ's regulation of a particular parameter is inadequate to prevent the proposed land use from seriously interfering with uses on surrounding properties. However, the County must articulate why DEQ's requirements are insufficient, and the County typically lacks the expertise or personnel to determine whether a particular environmental parameter is being exceeded. Alternatively, the County could require that specified mitigations be implemented, which is simpler to monitor than the level of certain emissions.	9	1	0
Language Proposed by 3s			
Language Proposed by 2s			

• This finding is very narrow. Consider adding this broader based finding. "The County could potentially determine that DEQ's regulations are inadequate to prevent the proposed land use from seriously interfering with uses on surrounding properties or becoming a public burden. The County could require that specified mitigations be implemented to address these concerns.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	9	1	0

LLU F-20	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Could a new CUP approval be conditioned on cleaning up noncompliance with existing operations? A new CUP cannot require as a condition of approval that an existing operation on a different property be modified or that noncompliance be rectified. Enforcement procedures (see Chapter 31 of the Benton County Code) would have to address the noncompliance. See recommendation R-11.	9	1	0
Language Proposed by 3s			
Language Proposed by 2s • "...an existing operation on the same or a different property" ...			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	9	1	0

LLU F-21	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text	11	0	0

Is compliance/noncompliance with conditions of past land use approvals a topic that can be considered in any way during a new land use application? Generally, the new proposal must be evaluated on its own merits relative to the approval criteria. However, the current non-compliance of an existing land use condition could provide information that the Planning Commission considers in developing a condition on a new application. If an application is made to expand an existing land use that is currently out of compliance with a condition of approval of a previous decision, and that noncompliance is causing issues for surrounding land uses, noncompliance of the original land use decision is not in itself grounds to deny the new application. However, the decision-maker could potentially look at the fact of existing noncompliance in evaluating whether that noncompliance is causing the existing land use to "seriously interfere" with uses on surrounding properties. That fact can then be used as evidence in evaluating whether the proposed land use complies with the review criteria because the same land use in a similar location was seriously interfering with surrounding uses even though it was subject to conditions of approval. If the language in a condition of a past decision was unclear or insufficient to ensure compliance with an approval criterion, in evaluating a new application the decision maker could craft and impose a condition on a new decision that more clearly describes the measures necessary to ensure compliance. Past conditions superseded by subsequent decisions or changes in the law could not form a basis for such analysis.			
	Formal Workgroup Finding		
No Changes Made	11	0	0

LLU F-22	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Were the site plan and narrative in PC-83-7 regulatory conditions of approval? No. The Board adopted the applicant's site plan and narrative in PC-83-07 as "findings" but did not specifically adopt them as conditions of approval. Findings are not conditions of approval. Rather, they explain how the decision	9	0	1

was reached and the facts the decision maker relied on to determine compliance with a criterion. For compliance with specific findings to be enforceable they must be made conditions of approval. The conditions that were adopted through the 1983 decision, described as "conditions of development", specified changes to be made to the applicant's site plan. Compliance with those revisions was not required as a condition of approval; the conditions required only that the revisions be submitted. The decision did not describe these revisions as necessary to establish compliance with any approval criteria and required only submission of additional documentation and a revised narrative. Because a) the site plan and narrative, while relied upon as findings, were not made conditions of approval, and because b) the conditions imposed in PC-83-07 that required changes to the site plan did not require those changes on the basis that they were necessary to establish compliance with any criterion but rather required only that they be submitted, the site plan and narrative are not conditions approval of PC-83-07.			
Language Proposed by 3s I believe this question needs more review. One of the documents the CUP Subcommittee reviewed is the Planning Commission recommendation for approving changes to the Comprehensive Plan. The Commission based their positive recommendation on a Staff Report and completion of multiple narratives. Many of these materials are in the file. The submittals describe proposed landfill terracing, sloping, post closure grazing, expectations for future use of these lands as indicated by the existing farm and forest use designations, methane management, and some aspects of screening the landfill. Presumably these were included in the Comprehensive Plan. The question is what requirements / obligations, etc were agreed to for the site in 1983.			
Add as new finding LLU F-22a: In 1983 the County created community expectations for how the landfill would look in decisions documented in PC83-07. Appearance issues including steepness of the landfill slopes, terracing, screening, and returning the land to grazing or other farm-like uses were addressed and committed to by the County and landfill operator. The way the County chose to implement these commitments is questionable given legal hindsight. Whether they be enforceable "conditions of approval" or "findings" in the PC83-07 record remains in dispute. The BCTT Workgroup is not a court of law. The differing interpretations over a possible process or wording error of the 83-07 decision, that causes this issue to arise, should not be the primary concern. Of greater importance for the County's relationship with its residents is the Planning Commission and Board of Commissioners decisions to adopt the offered designs and reclamation plans to meet public expectations. These expectations were made clear in the records of PC83-07. At a minimum, the debate over PC83-07's intended vs.	5	2	4

actual conditions of approval or findings draws attention to the fragile "good neighbor" relationship between the County, landfill owner/operator and the public established through the 83-07 land use hearing process. Acknowledging these discrepancies with prior commitments should form a basis for the County, landfill owner/operator, DEQ and the public to come to reasonable expectations for the appearance and long-term use and closure of the landfill facility.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made Were the site plan and narrative in PC-83-7 regulatory conditions of approval? No. The Board adopted the applicant's site plan and narrative in PC-83-07 as "findings" but did not specifically adopt them as conditions of approval. Findings are not conditions of approval. Rather, they explain how the decision was reached and the facts the decision maker relied on to determine compliance with a criterion. For compliance with specific findings to be enforceable they must be made conditions of approval. The conditions that were adopted through the 1983 decision, described as "conditions of development", specified changes to be made to the applicant's site plan. Compliance with those revisions was not required as a condition of approval; the conditions required only that the revisions be submitted. The decision did not describe these revisions as necessary to establish compliance with any approval criteria and required only submission of additional documentation and a revised narrative. Because a) the site plan and narrative, while relied upon as findings, were not made conditions of approval, and because b) the conditions imposed in PC-83-07 that required changes to the site plan did not require those changes on the basis that they were necessary to establish compliance with any criterion but rather required only that they be submitted, the site plan and narrative are not conditions approval of PC-83-07.	7	1	3

LLU F-23	Informal Workgroup Polling		
	1	**2**	**3**

Draft 6 Text Clarify when formal approval of landfilling Cell 6 (current quarry) was granted. Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7.	9	0	1
Language Proposed by 3s More background and historical support on the County's interpretation is needed. I am uncomfortable with the interpretation PC-83-7 and the 2002 MOU because: "Cell 6" is: 1) not mentioned in PC-83-7. 2) not show on applicant drawings of the landfill as late as 2011. 3) is shown on applicant drawings dated 2022. The portion of a drawing LS offered showing the 1983 "Existing Quarry": 1) places the quarry outside the "Approximate Solid Waste Disposal Boundary" and "Proposed Solid (illegible word) Disposal Boundary". 2) does not show a quarry extending into the area identified in 2020 as Cell 6. 3) does not show what use the drawing was intended for, no date drawn, etc. i.e. it cannot be validated. 4) shows a requirement for screening the landfill along Coffin Butte Road and Hwy 99 with about 3 dozen conifers. Regarding the 2002 MOU: 1) it does not mention how the MOU was intended to relate to land use decisions 2) is unclear as to what LUCS are referred to and their impact e.g.: the 1996 LUCS referred to in the MOU has not been found, 3) a LUCS dated 12/18/00 has been found as a free standing document, 4) a 2000 Site Plan (Is the the last DEQ approve in 2000 the MOU refers to?) using a LUCS dated Feb 25 '22 was found i.e. an 8 year gap between LUCS issuance and use in an identified document. 5) the current Operating Permit was issued in 2019 but references a 12/18/00 LUCS i.e. 20 year gap 6) it was written years before a "Cell 6" was defined in a landfill operator's drawing.			

Language Proposed by 2s Change "Clarify" at start of this finding.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 Clarify when formal approval of landfilling Cell 6 (current quarry) was granted. Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7.	5	3	3
Clarify when formal approval of landfilling Cell 6 (current quarry) was granted. Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7. "Cell 6" is: 1) not mentioned in PC-83-7. 2) not show on applicant drawings of the landfill as late as 2011. 3) is shown on applicant drawings dated 2022. The portion of a drawing LS offered showing the 1983	5	2	4

"Existing Quarry": 1) places the quarry outside the "Approximate Solid Waste Disposal Boundary" and "Proposed Solid (illegible word) Disposal Boundary". 2) does not show a quarry extending into the area identified in 2020 as Cell 6. 3) does not show what use the drawing was intended for, no date drawn, etc. i.e. it cannot be validated. 4) shows a requirement for screening the landfill along Coffin Butte Road and Hwy 99 with about 3 dozen conifers. Regarding the 2002 MOU: 1) it does not mention how the MOU was intended to relate to land use decisions 2) is unclear as to what LUCS are referred to and their impact e.g.: the 1996 LUCS referred to in the MOU has not been found, 3) a LUCS dated 12/18/00 has been found as a free standing document, 4) a 2000 Site Plan (Is the the last DEQ approve in 2000 the MOU refers to?) using a LUCS dated Feb 25 '22 was found i.e. an 8 year gap between LUCS issuance and use in an identified document. 5) the current Operating Permit was issued in 2019 but references a 12/18/00 LUCS i.e. 20 year gap 6) it was written years before a "Cell 6" was defined in a landfill operator's drawing.			
Clarify when formal approval of landfilling Cell 6 (current quarry) was granted. Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7. However, no official county land use determination has been made on this point.	5	1	5

LLU F-24	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text	10	0	0

The County's decision on a conditional use permit must be based on the evidence submitted into the record. Evidence must be submitted into the record before the record is closed. The Planning Commission makes the initial decision on a conditional use application to expand the landfill, and the record includes all evidence submitted into the record before the Planning Commission makes its decision. The Planning Commission's decision may be appealed to the Board of Commissioners. The Board considers the record of the decision being appealed (all evidence and testimony submitted to the Planning Commission) and any new evidence or testimony that is submitted into the record at the Board's appeal hearing. The record closes either at the end of the final hearing on the application, or if there has been a request to leave the record open before the end of the final hearing, on the date specified at that hearing.			
	Formal Workgroup Poll		
No Changes Made	10	0	0

LLU F-25A	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text A petition is circulating requesting the Board of Commissioners "OPPPOSE ANY expansion of the Coffin Butte Landfill before Benton County completes a thorough, detailed waste management plan that focuses on future resilience and includes alternatives for decreasing and redistributing materials from the waste steam." One of its sponsors said, "All [it] does is urge you, the Commissioners — if the application comes before you on appeal following a decision by the Planning Commission — to "oppose any expansion request before you have a materials management plan in place to guide you. How can you approve a land-use action that will have a permanent impact on our county and its inhabitants, for generations to come, when you don't know what all the alternatives are?" (Emphasis in original.)	6	3	1
Language Proposed by 3s Not relevant. It is not a work product of the WorkGroup.			
Language Proposed by 2s			

• Should the petition be mentioned considering there have been other comments that support continuation of the landfill, if not expansion. This is an issue of fairness. • The SMMP does not strike down the Solid Waste Management Plan but works shoulder to shoulder with the transition from a linear economy to a circular economy sustained by a material management plan that hopefully in time will increase the longevity of Coffin Butte with minimum expansions. If the Circular economy or in combination with an alternative inter-modal circular economy transfer station to another regional landfill does not complement the demand - supply equilibrium of Coffin Butte, then a minimum expansion of Coffin Butte may be needed to stay the supply equilibrium until the Circular economy can reach goals of sustainability. • Not sure why this would need to be considered a finding - feels like a bit of a stretch.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 ~~A petition is circulating requesting the Board of Commissioners "OPPPOSE ANY expansion of the Coffin Butte Landfill before Benton County completes a thorough, detailed waste management plan that focuses on future resilience and includes alternatives for decreasing and redistributing materials from the waste steam." One of its sponsors said, "All [it] does is urge you, the Commissioners — if the application comes before you on appeal following a decision by the Planning Commission — to "oppose any expansion request before you have a materials management plan in place to guide you. How can you approve a land-use action that will have a permanent impact on our county and its inhabitants, for generations to come, when you don't know what all the alternatives are?" (Emphasis in original.)~~			
Eliminate F-25a, 25b, and 25c	11	0	0

LLU F-25B	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The petition sponsors agree with the County's position that it cannot legally postpone consideration of any landfill expansion pending completion of a Sustainable Materials Management Plan (SMMP). However, *t*he petition	6	3	1

essentially states that a future waste management plan is necessary before the Board can thoroughly evaluate a proposed expansion because that plan may provide evidence that a landfill expansion is not needed, or that it may demonstrate suitable alternatives to a landfill expansion. Opposition to a conditional use permit based on potential findings from a future waste management plan would effectively impose an impermissible de facto moratorium pending the development of that plan. As discussed in Finding LLU F-17, failure by the County to reach a final decision, including all local appeals, within 150 days of a complete application can result in a writ of mandamus in which the circuit court may authorize the land use as proposed.			
Language Proposed by 3s Not relevant. It is not a work product of the WorkGroup.			
Language Proposed by 2s • Should the petition be mentioned considering there have been other comments that support continuation of the landfill, if not expansion. This is an issue of fairness. • Finding 25b seems to be the one to keep and possibly combined with portions of 25a.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 ~~The petition sponsors agree with the County's position that it cannot legally postpone consideration of any landfill expansion pending completion of a Sustainable Materials Management Plan (SMMP). However, the petition essentially states that a future waste management plan is necessary before the Board can thoroughly evaluate a proposed expansion because that plan may provide evidence that a landfill expansion is not needed, or that it may demonstrate suitable alternatives to a landfill expansion. Opposition to a conditional use permit based on potential findings from a future waste management plan would effectively impose an impermissible de facto moratorium pending the development of that plan. As discussed in Finding LLU F-17, failure by the County to reach a final decision, including all local appeals, within 150 days of a complete application can result in a writ of mandamus in which the circuit court may authorize the land use as proposed.~~			
Eliminate F-25a, 25b, and 25c	11	0	0

LLU F-25C	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Petition sponsors have stated that they are asking the Board to conclude that, in the absence of a waste management plan, any proposal to expand the landfill necessarily violates one or more of the *current* discretionary approval criteria. A land use decision on a conditional use permit application must be based on the specifics of that application. To make a determination as to whether a land use application violates one or more conditional use criteria requires the decision-maker to review the application and make written findings as to whether and how the application complies with the criteria. This cannot be done prior to receipt of an application or outside of the land use review process.	6	3	1
Language Proposed by 3s Not relevant. It is not a work product of the WorkGroup.			
Language Proposed by 2s • Should the petition be mentioned considering there have been other comments that support continuation of the landfill, if not expansion. This is an issue of fairness. • clarify land use application • This again feels like we are venturing into waters outside the charge of this scope.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 ~~Petition sponsors have stated that they are asking the Board to conclude that, in the absence of a waste management plan, any proposal to expand the landfill necessarily violates one or more of the *current* discretionary approval criteria. A land use decision on a conditional use permit application must be based on the specifics of that application. To make a determination as to whether a land use application violates one or more conditional use criteria requires the decision-maker to review the application and make written findings as to whether and how the application complies with the criteria. This cannot be done prior to receipt of an application or outside of the land use review process.~~			

Eliminate F-25a, 25b, and 25c	11	0	0

LLU F-25D (CHANGED TO LLU F-25a)	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The current CUP criteria give the Board discretion and, under the existing statute, LUBA and the courts will defer to the Board's interpretation of its criteria so long as the interpretation is "plausible." That discretion, however, is not unlimited and does not extend to applying unadopted criteria or to adding criteria that are not in the code at the time an application is filed. The current CUP criteria do not include – and cannot plausibly be interpreted to include -- any requirement that the applicant demonstrate need or that it must evaluate alternatives to a proposed landfill expansion. Interpreting the existing code criteria to require demonstration of "need" or alternatives is beyond the range of discretion afforded by state statute and would constitute an improper code amendment under the guise of interpretation.	9	0	1
Language Proposed by 3s Not relevant. It is not a work product of the WorkGroup.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	10	0	0

LLU F-25E (CHANGED TO LLU F-25b)	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text	8	0	1

Under both state law and the county code, an application must be evaluated based on the criteria in effect on the date the application is filed. Because the current CUP criteria do not require the applicant to address need or reasonable alternatives to the expansion, even if the evidence existed today, evidence regarding the need for or alternatives to landfill expansion is not relevant to the existing conditional use approval criteria; and therefore the possible evidence that might flow from a future SMMP is not relevant to the Board's evaluation of whether there is substantial evidence in the record as a whole related to compliance with the CUP criteria.			
Language Proposed by 3s Not relevant. It is not a work product of the WorkGroup.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	10	0	0

LLU F-25F (CHANGED TO LLU F-25c)	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text The County could amend BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with specific provisions of an adopted SMMP. However, that criterion would apply only to applications filed after the code was amended to include, as criteria, specific requirements of such a plan. [See also Recommendation LLU R-8.]	8	0	1
Language Proposed by 3s Not relevant. It is not a work product of the WorkGroup.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	10	0	0

LLU F-26	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text (New) Oregon Department of State Lands (DSL) has regulatory authority for all wetlands that meet the definition of "jurisdictional wetlands." Benton County has additional regulatory authority for wetlands the County has identified as "significant" in a wetland inventory adopted pursuant to the Oregon Administrative Rule 660 Division 23 (Statewide Planning Goal 5 procedures). No significant wetlands are identified in the vicinity of Coffin Butte Landfill on the County's adopted inventory. The County has not conducted a comprehensive wetland inventory and analysis of significance since the 1980s. See LLU R-11.	10	0	1
Language Proposed by 3s It can be seen with the naked eye that, for example, there are significant wetlands in the E. E. Wilson Wildlife Area. This finding without [*Note: this is where the comment in SurveyMonkey ends.]*			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 (New) Oregon Department of State Lands (DSL) has regulatory authority for all wetlands that meet the definition of "jurisdictional wetlands." Benton County has additional regulatory authority for wetlands the County has identified as "significant" in a wetland inventory adopted pursuant to the Oregon Administrative Rule 660 Division 23 (Statewide Planning Goal 5 procedures). While wetlands are present in the vicinity of Coffin Butte Landfill, they have not yet been evaluated and determined to be "significant" in accordance with OAR 660.. The County has not conducted a comprehensive wetland inventory and analysis of significance since the 1980s. Until then, the County cannot regulate land uses in these wetlands. See LLU R-11.	11	0	1

LLU RECOMMENDATIONS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

LLU R-1	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should enable public input on all franchise agreements. Specifically regarding the 2022 collection franchise agreement between Benton County and Allied Waste Services of Corvallis ("Republic Services"), a process to allow public input, comment, and feedback on any provisions subject to Section 2 of that agreement could be designed as follows: After the parties have begun discussing what specific terms may be amended pursuant to Section 2, but no more than 60 days prior to any amendment being approved by the Board of Commissioners, the County will publish a notice that it is seeking suggestions from the public for negotiation topics generated from the "concepts from the consensus-seeking process." Any input received would be presented to the Board of Commissioners at a work session, at which time the Board would identify those ideas or suggestions that may be included as negotiation topics. Following the work session and as part of the ongoing negotiations, Benton County Staff will discuss with Republic Services the topics and ideas the Board of Commissioners identified.	8	3	1	21	20	49	39

At such time as Benton County and Republic Services reach a tentative agreement on the renegotiated terms, County staff would bring the proposed franchise agreement changes to the Board meeting, where consideration of the amended franchise agreement would be conducted in a public hearing pursuant to BCC 23.235, which will include an opportunity for the public to present testimony. The Board could approve the agreement as presented or may direct staff to resume negotiations with Republic Services to include specific topics identified by the Board. The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both Benton County and Republic Services. At such time as the terms have been agreed upon, and the Board is satisfied that public input has been adequately included or addressed in the renewed agreement, the franchise agreement will be the subject of a public hearing and, ultimately, decision by the Board of Commissioners at a regular board meeting.							
Language Proposed by 3s What is the significance of naming Republic Services as Allied Waste Services of Corvallis ("Republic Services"), when it is referred to simply as Republic Services in all other contexts.							
Language Proposed by 2s Having public input on all franchise agreements opens up a pandora's box for BC. The issue at hand is the landfill - so keep it specific to that line item							
	Formal Workgroup Polling						
Real-Time Draft Revision 3/23/23 [Accepted changes above – no change to language]	6	6	0				

The County should enable public input on all franchise agreements. Specifically regarding the 2022 collection franchise agreement between Benton County and Allied Waste Services of Corvallis ("Republic Services"), a process to allow public input, comment, and feedback on any provisions subject to Section 2 of that agreement could be designed as follows: After the parties have begun discussing what specific terms may be amended pursuant to Section 2, but no more than 60 days prior to any amendment being approved by the Board of Commissioners, the County will publish a notice that it is seeking suggestions from the public for negotiation topics generated from the "concepts from the consensus-seeking process." Any input received would be presented to the Board of Commissioners at a work session, at which time the Board would identify those ideas or suggestions that may be included as negotiation topics. Following the work session and as part of the ongoing negotiations, Benton County Staff will discuss with Republic Services the topics and ideas the Board of Commissioners identified. At such time as Benton County and Republic Services reach a tentative agreement on the renegotiated terms, County staff would bring the proposed franchise agreement changes to the Board meeting, where consideration of the amended franchise agreement would be conducted in a public hearing pursuant to BCC 23.235, which will include an opportunity for the public to present testimony. The Board could approve the agreement as presented or may direct staff to resume negotiations with Republic Services to include specific topics identified by the Board. The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both Benton County and Republic Services. At such							

time as the terms have been agreed upon, and the Board is satisfied that public input has been adequately included or addressed in the renewed agreement, the franchise agreement will be the subject of a public hearing and, ultimately, decision by the Board of Commissioners at a regular board meeting.							

LLU R-2	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should provide to the public a description of the purpose of the statutory completeness review process, and the scope of the information the county planning official considers at the completeness stage. That description should clearly explain how the administrative "completeness" process fits into the review of a land use application. While the county should not discourage public involvement at all stages of the review process, the public should be informed that the statutory completeness is a preliminary step that does not include any review of whether an application does or can satisfy the approval criteria; and that the public review and hearing process that follows after the application is complete provides the public an opportunity to provide evidence and arguments to the decision makers on the merits of the application. The information should clearly inform the public that any evidence or testimony submitted at the completeness stage is not part of the "record" that the decision makers will review, and that information would have to be re-submitted during the public hearing process in order for the decision makers to review it.	9	2	1	23	19	48	41

Language Proposed by 3s Lawyer talk. What is the statutory completeness review process. How can I vote on something I know nothing about?							
Language Proposed by 2s • How and where this information will be described and communicated needs to be added. • For Community Outreach and Education use CEO subcommittee's recommendations.							
	Formal Workgroup Polling						
Real-Time Draft Revisions 3/23/23 [No changes to the existing language] The County should provide to the public a description of the purpose of the statutory completeness review process, and the scope of the information the county planning official considers at the completeness stage. That description should clearly explain how the administrative "completeness" process fits into the review of a land use application. While the county should not discourage public involvement at all stages of the review process, the public should be informed that the statutory completeness is a preliminary step that does not include any review of whether an application does or can satisfy the approval criteria; and that the public review and hearing process that follows after the application is complete provides the public an opportunity to provide evidence and arguments to the decision makers on the merits of the application. The information should clearly inform the public that any evidence or testimony submitted at the completeness stage is not part of the "record" that the decision makers will review, and that	7	3	1				

information would have to be re-submitted during the public hearing process in order for the decision makers to review it.							

LLU R-3	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text [NEW] Benton County should engage with the Oregon Department of Environmental Quality at the pre-application stage to understand relative permitting responsibilities and processes, with the goal of a more coordinated and informed review of both the land use application (by Benton County) and, if the County land use application is approved, the subsequent landfill-related permitting (by DEQ).	12	0	0	None	None	None	None
	Formal Workgroup Polling						
No Changes Made	12	0	0				

LLU R-4	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text BCC 77.310 states that "The applicant for a conditional use permit shall provide a narrative which describes: * * * Other information as required by the Planning Official." [BCC 77.310(1)(e)] The workgroup	11	0	1	25	18	43	42

could make recommendations regarding what "other information" would be helpful in a narrative. However, any committee recommendations would have to be limited to information related to the applicable criteria and could not expand that criteria. "Additional information" required by the Planning Official does not become part of the applicable criteria. BCC 77.310 states only what the applicant's narrative shall include; it does not identify criteria for SWAC's review of a CUP application. This absence contributed to the subcommittee's recommendation in LLU R-6.							
Language Proposed by 3s Again, lawyer talk. Why is not attempt made to advise me, a Benton County resident and taxpayer what the implications of this might be?							
Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revisions 3/23/23 With regard to other information needed to make an application complete, BCC 77.310 states that "The applicant for a conditional use permit shall provide a narrative which describes: * * * Other information as required by the Planning Official." [BCC 77.310(1)(e)] The workgroup could make recommendations regarding what "other information" would be helpful in a narrative. However, any committee recommendations would have to be limited to information related to the applicable criteria and could not expand that criteria. "Additional information" required by the Planning Official does not become part of the applicable criteria but may contribute to the completeness of the application. BCC 77.310 states only what the applicant's narrative	10	2	0				

shall include; it does not identify criteria for SWAC's review of a CUP application. This absence contributed to the subcommittee's recommendation in LLU R-6.							

LLU R-5	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text BCC 77.310(1) lists the information required for a conditional use application in the landfill site zone and permits the planning official to request that the applicant's narrative include "additional information." However, the development code does not specify how or when that information is to be requested. In the past, the Planning Official has used the statutory completeness review process to request additional information. However, in addition to the Planning Official's review of the information after the application has been submitted, the Board could amend the code to require that the Planning Official conduct a "preapplication conference" with the applicant to discuss the information that is required. It could also require a "neighborhood meeting" before the application is filed that requires the applicant to present its proposal to the public and allow the applicant to obtain more information about the proposal. Public comment during a pre-application neighborhood meeting, as with other public comment submitted before the application is complete and notification is sent, is not part of the formal record of the land use review and cannot be considered by decision-makers. The record includes only public	11	0	0	21	21	40	47

comment submitted after formal notification has been sent to affected parties stating that the comment period is open.							
	Formal Workgroup Polling						
No Changes Made	11	0	0				

LLU R-6	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations regarding the Site Development Plan and Narrative submitted on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. Consistent with SWAC's bylaws and Chapter 23 of the County Code, which require SWAC to "assist the Board of Commissioners (Board) in Planning and implementing solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance", the Board of Commissioners should more clearly define SWAC's role by articulating the scope, manner and timing of SWAC's review. Interpreting the existing County Code is within the Board's purview, but amending that code effects a more permanent solution. As an initial step, the Board could issue an official interpretation of SWAC's role pursuant to Chapter 23. Then, as a subsequent step, the Board could initiate amendments to Chapter 23 and/or Chapter 77, which would then proceed through a public	9	2	1	23	20	50	42

hearings process. (If/when SWAC's overall role shifts to sustainable materials management, instances of the term "solid waste management" above should be replaced with "sustainable materials management.")							
Language Proposed by 3s I can surmise that this is an attempt to stifle substantive public comment and I am opposed to this recommendation.							
Language Proposed by 2s Republic Services does not want to be in the position of giving direction to the County on issues relating to its code(s).							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations regarding the Site Development Plan and Narrative submitted on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. Consistent with SWAC's bylaws and Chapter 23 of the County Code, which require SWAC to "assist the Board of Commissioners (Board) in Planning and implementing solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance", the Board of Commissioners should provide nonbinding guidelines for SWAC's role by articulating the scope, manner and timing of SWAC's review. Interpreting the existing County Code is within the Board's purview, but amending that code effects a more permanent solution. As an initial step, the Board could issue an official interpretation of SWAC's role pursuant to Chapter 23. Then, as a subsequent step, the Board could initiate amendments to	7	4	1				

Chapter 23 and/or Chapter 77, which would then proceed through a public hearings process. (If/when SWAC's overall role shifts to sustainable materials management, instances of the term "solid waste management" above should be replaced with "sustainable materials management.")							

LLU R-7	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Amendments to the Development Code may be needed to create a clear and legally consistent process for SWAC's involvement in reviewing a CUP. Pursuant to the Development Code as written, the only criteria that a CUP decision can be based upon are those of BCC 53.215, and the Planning Commission is the decision-making body. Yet, the code states an ambiguous role for SWAC in that process and seems to imply that other considerations beyond those of BCC 53.215 should go into the decision-making process. This needs clarification.	8	2	1	22	21	51	38
Language Proposed by 3s Again, I can surmise that this is an attempt to stifle substantive public comment and I am opposed to this recommendation.							
Language Proposed by 2s • Republic Services does not want to be in the position of giving direction to the County on issues relating to its development code.							

• Note: Republic Services does not want to be in the position of giving direction to the County on issues relating to its development code.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 Amendments to the Development Code may be needed to create a clear and legally consistent process for SWAC's involvement in reviewing a CUP. Pursuant to the Development Code as written, the only criteria that a CUP decision can be based upon are those of BCC 53.215, and the Planning Commission is the decision-making body. Yet, the code states an ambiguous role for SWAC in that process and seems to imply that other considerations beyond those of BCC 53.215 should go into the decision-making process. This needs clarification.	7	4	1				

LLU R-8	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text In addition to the two criteria listed in BCC 53.215(1) and (2), BCC 53.215(3) requires the decision maker to consider whether the "proposed use complies with any additional criteria which may be required for the specific use by this code." Currently Chapter 77 (Landfill Site zone) does not include any additional criteria that must be considered in the review of a conditional use application for the expansion of a landfill in the landfill zone. If there are additional	9	1	1	23	20	49	38

criteria that the Board of Commissioners determines are necessary for the review of a conditional use application in the landfill zone, the Board would have to amend Chapter 77 to specify those additional approval criteria. The Board could also require that compliance with the site plan and reclamation plan (currently required by Chapter 77 to be submitted with the application) be adopted as conditions of approval of any approved conditional use permit.							
Language Proposed by 3s Again, no effort made to inform regarding the implications. I, as a Benton County resident but not a member of the legal community, am not intimately acquainted with either BCC 53.215(1) or (2), BCC 53.215(3).							
Language Proposed by 2s Note: Republic Services does not want to be in the position of giving direction to the County on issues relating to its development code.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 In addition to the two criteria listed in BCC 53.215(1) and (2), BCC 53.215(3) requires the decision maker to consider whether the "proposed use complies with any additional criteria which may be required for the specific use by this code." Currently Chapter 77 (Landfill Site zone) does not include any additional criteria that must be considered in the review of a conditional use application for the expansion of a landfill in the landfill zone. If there are additional criteria that the Board of Commissioners determines are necessary for the review of a conditional use application in the landfill zone, the Board would have to amend Chapter 77 to specify those additional	9	2	1				

approval criteria. The Board could also require that compliance with the site plan and reclamation plan (currently required by Chapter 77 to be submitted with the application) be adopted as conditions of approval of any approved conditional use permit.							

LLU R-9	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text When the County adopts its SMMP, it should amend BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with specific provisions of an adopted SMMP.	9	1	1	27	17	56	33
Language Proposed by 3s Again, what does this mean in layperson language?							
Language Proposed by 2s The County should evaluate specific recommendations of the SMMP, once adopted, and consider amending BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with specific provisions of an adopted SMMP.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	11	0	0				

LLU R-10	Informal Workgroup Polling	Initial Public Polling as of 3/23/23	Cumulative Public Polling as of 3/31/23

	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text BCC 77.405 states, "*Copies of materials submitted to the Oregon Department of Environmental Quality as a part of any permit process shall be submitted to the Planning Official. If at any time the Planning Official determines that permit application materials or conditions of DEQ permit are judged to merit public review, a Public Hearing before the Planning Commission shall be scheduled.*" This provision is unclear. (The provision might have been codified before adoption of the current state agency coordination requirements, which now require a land use compatibility statement (LUCS) as part of any application for a state permit in which local land use is implicated.) The subcommittee interprets this section as requiring a review if the use originally approved has been or will be modified due to the DEQ permit. The Planning Official could make such a determination using a formal "Interpretation" pursuant to BCC 51.205(1). Recommend a code amendment to clarify this provision. For example, a code amendment could require that when DEQ issues a landfill permit, the Planning Official shall review the permit and conditions of approval and, if discrepancies with the County's land use approval are noted, determine whether this constitutes a "modification of a conditional use permit" (BCC 53.225) and, if so, require the applicant to submit application for such modification. A workgroup recommendation on how public review of DEQ permit requirements could most benefit the public would also be helpful.	9	2	0	24	19	51	35
Language Proposed by 3s							
Language Proposed by 2s							

• DEQ has a separate public participation process that would not happen until after a county land use decision is made. • it's not clear if the subcommittee is recommending a code amendment. " A code amendment is recommended". Are you recommending a public review of DEQ permit requirements? How would that be carried out and why?							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	9	2	0				

LLU R-11	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text [NEW] Compliance with Oregon Department of State Lands regulations and permitting requirements for any impacts to wetlands should be a condition of approval of any land use approval at the landfill.	8	0	3	None	None	None	None
Language Proposed by 3s • Does this mean that we are acknowledging that there are wetlands in the landfill area? It is patently obvious that wetlands comprise a large percentage of the E. E. Wilson Natural Area. • This is a brand new finding and we haven't had a chance to discuss or understand it. • Polling as a 3 because this is a new finding we haven't had time to discuss or vet. Would like to hear more about impacts and ramifications at the workgroup meeting.							

Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	12	0	0				

LLU R-12	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text In issuing land use decisions, Benton County decision-makers should: a. Draft clear findings and be certain to incorporate into the conditions of approval the items that are intended to be binding. b. State conditions of approval in clear and explicit terms and ensure that what is expected of the applicant in order to comply is clearly stated in the text of the conditions.	9	1	1	26	16	56	31
Language Proposed by 3s Why was the recommendation to state matters in clear and explicit terms not applied to the LLU Recommendations themselves?							
Language Proposed by 2s Communicate decision with public							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	11	0	0				

LLU R-13	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Benton County should evaluate its existing system regarding compliance monitoring and enforcement to determine if there are sufficient mechanisms in place to ensure compliance with conditions of approval that the County imposes on land use approvals and, if not, recommend improvements. Elements of such an evaluation could include: a. What enforcement mechanisms exist within the County Code? b. Is there a mandamus option or a private right of action option? c. What is missing? d. What provisions and procedures do other counties have, particularly counties that host a privately operated landfill? e. The future cost of such a system, the benefits, and the consequences of not improving the current practices and procedures.	10	0	1	27	17	60	33
Language Proposed by 3s I give up, what is a legal "mandamus" option?							
Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	10	1	0				

CUP FINDINGS

CUP F-1	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text The Subcommittee's Full Report is an in-depth review of selected historical land use documents. County Staff, Republic, Workgroup and public members participating on the Subcommittee provided comments, opinions and evaluations of the historical record. Each condition was vetted in depth. Consensus was reached by public members of the Subcommittee on most topics. Consensus was not reached with County Staff and Republic. Information from DEQ is needed to potentially reach consensus on many Conditions of Approval. All inputs have been retained to assist the public in understanding the historical documents and how they were viewed by the Subcommittee. Where needed, information obtained by firsthand experiences on BCTT's Landfill and Neighborhood Tours was used to verify the compliance status of visible Conditions of Approval.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-2	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Benton County has not and does not actively monitor compliance with many Conditions of Approval, nor does it proactively act to enforce compliance.	9	1	1
Language Proposed by 3s Benton County has not monitored compliance with XXX (Name a specific CUP) Land Use Conditions of Approval for the Coffin Butte Landfill. Benton County is not actively monitoring compliance with XXX (Name a specific			

CUP) Land Use Conditions of Approval for the Coffin Butte Landfill. Benton County is currently taking no action to enforce compliance with XXX Land Use Conditions of Approval for the Coffin Butte Landfill.			
Language Proposed by 2s Is this strictly pertaining to the landfill or in all cases / projects that have conditions of approval across the board - clarifying this would be helpful			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 Benton County has not and does not actively monitor compliance with many Conditions of Approval, nor does it proactively act to enforce compliance. See Table 5 in Appendix C4 of the CUP subcommittee report.	11	0	0

CUP F-3	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text Benton County relies on complaints to initiate action to enforce Conditions of Approval.	9	0	1
Language Proposed by 3s Benton County relies on complaints as a way to prioritize the initiation of actions to enforce Conditions of Approval for the Coffin Butte Landfill.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	11	0	0

CUP F-4	Informal Workgroup Polling **1**	**2**	**3**

Draft 6 Text All County materials reviewed reflect historical information and/or decisions from public processes (e.g., meetings, hearings, advertisement notices, etc.) based on public input and approval by appropriately authorized public planning boards.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-5	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text For over 50 years, Conditional Use Approvals have been the basis for the public's understanding of many aspects of the landfill, including but not limited to: hours of operation, management of noise, screening of the site from view, how the site should look, and how the site can be used after the landfill is closed.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-6	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text No record was found of an official Benton County decision to increase the number of counties sending wastes to Coffin Butte Landfill prior to the Supreme Court's 1998 ruling. However, the 1983 land use decision expressly repealed the comprehensive plan provisions that were adopted after the 1974 decision that limit the number of	10	1	0

counties that could waste to landfill. According to the staff report, the effect of this change was to remove such limitation.			
Language Proposed by 3s			
Language Proposed by 2s No record was found of an official Benton County decision to increase the number of counties sending wastes to Coffin Butte Landfill prior to the Supreme Court's 1998 ruling which removed authority for government jurisdictions to restrict acceptance of waste from other jurisdictions. However, the 1983 land use decision expressly repealed the comprehensive plan provisions that were adopted after the 1974 decision that limit the number of counties that could waste to landfill. According to the staff report, the effect of this change was to remove such limitation.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	10	1	0

CUP F-7	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text Conditions of Approval 4 and 6 in CP-74-01 require reclamation of the landfill to meet criteria relating to visual appearance, screening from abutting county road, and use for grazing or another farm-type operation or other permitted use as approved by the Planning Commission and Board of County Commissioners. Reclamation was also addressed in PC-83-07.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-8	Informal Workgroup Polling

	1	2	3
Draft 6 Text The required DEQ reports are submitted by the Applicant and maintained by the County for the public record. A full review of these County required submittals (e.g. monitoring records) was not conducted due to time constraints.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-9	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Compliance with Conditions of Approval often involves a direction from the County that the Applicant should obtain permits from other entities such as, but not limited to, state agencies.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-10	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Benton County did not and does not have a readily accessible, transparent complaint tracking system known to the public in place to receive and record land use complaints for documentation, investigation, and resolution.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-10.5	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Benton County should ensure that its land use decisions clearly capture and make binding the intent of the decision-makers; and should communicate with the public the outcome of such decisions in understandable language. In addition, the County should inform the public – particularly those members living within 5 miles of the landfill - when changes outside of a public land use process affect how the landfill operates or is regulated	6	4	1
Language Proposed by 3s I am OK with this but it should be a "recommendation", not a finding.			
Language Proposed by 2s • Brand new finding. Haven't had time to discuss or vet. • This reads like a Recommendation, not a Finding. • This seems like a recommendation • The county should also rely on the CEO subcommittee's report for recommendations regarding how to communicate to community members.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 Convert to a recommendation	11	0	0

CUP F-11	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In assessing the status of compliance with past land use documents, there are numerous instances where supporting evidence may not be or is not available in County records.	11	0	0

	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-12	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text Benton County does not review reports and other submitted materials as required per conditions of approval. Examples include: copies of water quality and air quality permits, emergency plans, permit submittals, financial assurance statements, etc., and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality or other governmental agencies.	10	0	1
Language Proposed by 3s XXX (Name a specific CUP) Land Use Permits which require XXX (name specific reports or plans) documents to be reviewed by Benton County to support effective monitoring, were not reviewed on a scheduled basis.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 Benton County does not review reports and other submitted materials as required per conditions of approval. Examples include: copies of water quality and air quality permits, emergency plans, permit submittals, financial assurance statements, etc., and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality or other governmental agencies. See Table 5 in Appendix C4 of the CUP subcommittee report.	11	0	0

CUP F-13	Informal Workgroup Polling

	1	2	3
Draft 6 Text Benton County has issued land use Conditions of Approval before the Applicant was granted necessary operating permits from multiple State agencies. The County advised the Applicant that those permits were required but did not check that those required permits were procured by the Applicant, except for DEQ permits.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-14	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text As of 1974 the Coffin Butte landfill was identified as a regional landfill site for wastes from ten areas in three counties. Expanding beyond this limited geographic area was to require re-review by the Planning Commission. Starting in 1998, legal precedents are believed to have superseded the 1974 requirements allowing for the expansion of the service area beyond the original three counties. Since 2013, the Coffin Butte Landfill has served 39 counties. Also, since 2013, Coffin Butte Landfill has accepted waste from seven out-of-state counties (2 from CA, 5 from WA). Only one out-of-state county (in WA) was served in 2021, which represented 1.88 Tons (0.00018% of total). For supporting information see Comments for CP-74-01 Condition 1 in Table 2 Assessments of Land Use Conditions and Legal Land Use Subcommittee analysis.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-14.5	Informal Workgroup Polling		
	1	**2**	**3**

Draft 6 Text (NEW) County land use decisions have been written in a way that makes it difficult to understand the County's commitment to public expectations and enforceability of Conditions of Approval. Building on information presented by the Legal issues and Landfill Capacity Subcommittees, examples of these are:· • A 1983 County decision where all but one of the publicly agreed to requirements for the visual appearance and ultimate use of the landfill may be unenforceable. • A 1983 Benton County Amendment to the Comprehensive Plan. • A 1992 United States Supreme Court ruling (Fort Gratiot Sanitary Landfill, Inc. v. Michigan Dept. of Natural Resources, 504 U.S. 353, 112 S.Ct. 2019 (1992) limiting the County's power to regulate where wastes come from, wastes from as many as 39 counties in three states (OR, WA, ID) are allowed to be brought to Coffin Butte. These wastes have made up over 90 percent of the material coming to Coffin Butte in the last 5 years. The Workgroup's CUP Subcommittee and Legal Subcommittee have analyzed past land use documents and have reached different conclusions as to their effect. This has resulted in a sense that the "rules of the game" have changed without notification or that what was authorized to occur at the landfill has altered without a public review process. This has undermined public trust.	9	0	2
Language Proposed by 3s • The last two sentences are opinion. We are prepared to vote "1" with the removal of the following text: This has resulted in a sense that the "rules of the game" have changed without notification or that what was authorized to occur at the landfill has altered without a public review process. This has undermined public trust. • We are prepared to vote "1" with the removal of the following text: This has resulted in a sense that the "rules of the game" have changed without notification or that what was authorized to occur at the landfill has altered without a public review process. This has undermined public trust.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 County land use decisions have been written in a way that makes it difficult to understand the County's commitment to public expectations and enforceability of Conditions of Approval. Building on information presented by the Legal issues and Landfill Capacity Subcommittees, examples of these are:·			

• A 1983 County decision where all but one of the publicly agreed to requirements for the visual appearance and ultimate use of the landfill may be unenforceable. • A 1983 Benton County Amendment to the Comprehensive Plan. • A 1992 United States Supreme Court ruling (Fort Gratiot SanitaryLandfill, Inc. v. Michigan Dept. of Natural Resources, 504 U.S. 353, 112 S.Ct. 2019 (1992) limiting the County's power to regulate where wastes come from, wastes from as many as 39 counties in three states (OR, WA, ID) are allowed to be brought to Coffin Butte. These wastes have made up over 90 percent of the material coming to Coffin Butte in the last 5 years. The Workgroup's CUP Subcommittee and Legal Subcommittee have analyzed past land use documents and have reached different conclusions as to their effect. This has resulted in changes without notifications of what was authorized to occur at the landfill without a public notification process to ensure public trust.			
County land use decisions have been written in a way that makes it difficult to understand the County's commitment to public expectations and enforceability of Conditions of Approval. Building on information presented by the Legal issues and Landfill Capacity Subcommittees, examples of these are:· • A 1983 County decision where all but one of the publicly agreed to requirements for the visual appearance and ultimate use of the landfill may be unenforceable. • A 1983 Benton County Amendment to the Comprehensive Plan. • A 1992 United States Supreme Court ruling (Fort Gratiot Sanitary Landfill, Inc. v. Michigan Dept. of Natural Resources, 504 U.S. 353, 112 S.Ct. 2019 (1992) limiting the County's power to regulate where wastes come from, wastes from as many as 39 counties in three states (OR, WA, ID) are allowed to be brought to Coffin Butte. These wastes have made up over 90 percent of the material coming to Coffin Butte in the last 5 years. The Workgroup's CUP Subcommittee and Legal Subcommittee have analyzed past land use documents and have reached different conclusions as to their effect. This has resulted in changes to what was authorized to occur at the landfill without notification or a public review process that would ensure public trust.	11	0	0

CUP F-15	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text County approval documents and Applicant submittals for PC 83-07/L-83-07 describe reclamation of the site once it stops receiving wastes. Requirements include what the appearance of the site is to be, terracing, allowable	10	1	0

steepness of slopes, screening, use for grazing, consistency with agricultural and forest land use, etc.. The Subcommittee did not reach a consensus on whether the County decisions and Applicant submittals associated with PC 83-07/L-83-07 are enforceable and require compliance. The public members believe they are enforceable. The County and Republic members believe they are not enforceable. Information on the County documents and Applicant submittals are in Comments for PC 83-07/L-83-07 Conditions 1 and 3 in Table 2 Assessments of Land Use Conditions. The viewpoints of the Public Members can be found here. The position of the Legal Subcommittee is found at here.			
Language Proposed by 3s			
Language Proposed by 2s Maybe mention page number of Table 2 or even link it to make it easier for community members to quickly access.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	10	1	0

CUP F-16	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text DEQ's requirements for a Worst–Case Closure and Post-Closure Care Plan and financial assurances do not require Valley Landfills to comply with County's reclamation conditions of approval or public expectations.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-17	Informal Workgroup Polling **1**	**2**	**3**

Draft 6 Text Currently, it is not clear to the public what appropriate reclamation will look like for the ultimate disposition of the landfill.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-18	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text The Subcommittee did not reach a consensus on the applicability and the authority of the 2002 Memorandum of Understanding and how it may affect Conditions of Approval in pre-2002 decisions. About ten land use matters decisions – over half of the decisions - and fifty-three Conditions of Approval are potentially impacted.	9	0	2
Language Proposed by 3s • We could poll a "2" with removal of the last sentence. (already addressed by legal subcommittee.) • Could potentially move to a "2" with revised language. Strike last sentence and note that the legal subcommittee has addressed this.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 The Subcommittee did not reach a consensus on the applicability and the authority of the 2002 Memorandum of Understanding and how it may affect Conditions of Approval in pre-2002 decisions. The resolution of this issue potentially impacts ten land-use matters, which is over half of the decisions, containing fifty-three Conditions of Approval.	11	0	0

CUP F-19	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Generally, DEQ has jurisdiction over many environmental impacts, and the County has jurisdiction over the land use impacts. The line between “environmental impact” and “land use” is not always clear. and may lead to conflicting perceptions of what is to be done. For example, as a remedy for groundwater contamination at the site, DEQ requires the purchase of land to limit the public’s exposure to contaminated water (Record of Decision from the DEQ Cleanup Program), which may or may not adversely impact neighboring County approved land uses. In another situation, the County publicly agreed to limitations on the appearance and uses of the closed landfill (PC 83-07/L-83-07), but these are not reflected in Republic’s current DEQ-required site closure plans. The current Republic plan is the basis of DEQ’s required Financial Assurance filing that would fund the landfill’s closure if Republic could not do so.	10	0	2
Language Proposed by 3s • We could poll a "2" or potentially a "1" if we removed everything starting with "for example." • We could poll a "2" or potentially a "1" if we removed everything starting with "for example."			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 Generally, DEQ has jurisdiction over many environmental impacts, and the County has jurisdiction over the land use impacts. The line between “environmental impact” and “land use” is not always clear. and may lead to conflicting perceptions of what is to be done. For example, as a remedy for groundwater contamination at the site, DEQ requires the purchase of land to limit the public’s exposure to contaminated water (Record of Decision from the DEQ Cleanup Program), which may or may not adversely impact neighboring County approved land uses. In another situation, the County publicly agreed to limitations on the appearance and uses of the closed landfill (PC 83-07/L-83-07), but these are not reflected in Republic’s current DEQ-required site closure plans. Republic prepares annual plans to verify there is sufficient financial assurance per DEQ requirements.	10	1	0

CUP F-20	Informal Workgroup Polling		
	1	2	3
Draft 6 Text Leachate from the landfill site is currently trucked to public wastewater treatment plants in Corvallis and Salem which discharge to the Willamette River. The last five years have ranged from 25.6 to 31.8 million gallons per year, with an average of 28.5. Last year the amount was 29.1 million gallons. The tanker truck capacity is 7000 gallons, which means 6 to 13 trips per day with an average of ten.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-21	Informal Workgroup Polling		
	1	2	3
Draft 6 Text The acquisition of buffer land by landfill-related entities is a condition of DEQ's Record of Decision from the DEQ Cleanup Program for the landfill. Landfill-related entities have acquired such buffer lands over the years that are currently zoned Rural Residential, Forest Conservation, Exclusive Farm Use. This situation was not evaluated by this subcommittee for consistency with Vision 2040 which went into effect in 2019.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-22	Informal Workgroup Polling		
	1	2	3
Draft 6 Text	11	0	0

Documentation for a required submittal of a plan for emergency water supplies to the Power Generation facility was not found in the land use records.			
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP F-23	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Odor issues have not been addressed in any of the land use Conditions of Approval.	9	2	0
Language Proposed by 3s			
Language Proposed by 2s • Remove "issues" • Remove "issues," which pre-supposes/implies there have been problems.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	9	2	0

CUP F-24	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text In reviewing historical files it was not clearly specified what conditions were to be completed before final approval of the application and which conditions are applied to the on-going use of the land.	11	0	0
	Formal Workgroup Polling		

No Changes Made	11	0	0

CUP F-25	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text (NEW) A Land Use Compatibility Statement (LUCS) with a faxed date of Feb 25 '92 along with instructions on how to fill it out and what the intended use of the LUCS is was found as a supporting document in a 2000 Updated Site Development Plan report. The current 2019 dated Operating permit is based on a 2000 dated LUCS.	11	0	1
Language Proposed by 3s New. Haven't had time to vet or discuss.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	7	3	0

CUP F-26	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text (NEW) There are Valley Landfill, Inc. Closure Plan Reports / Financial Assurance documents dating from the mid 1990's identifying areas of the landfill that are closed to meet DEQ requirements. Financial Assurance amounts were reduced to reflect the closure.	10	0	2
Language Proposed by 3s • We haven't had time to completely vet this new finding, but it lacks critical context: The annual closure fund update is based on the currently constructed area of the landfill that is not closed. So, if an area is closed it can be removed from the closure portion of the fund. But we still must maintain the post closure			

care portion. As we construct new cells to the landfill, we are required to add funds for their closure. Thus, the overall fund has increased, not decreased as implied in this finding. • We haven't had time to completely vet this new finding, but it lacks critical context: The annual closure fund update is based on the currently constructed area of the landfill that remains to be closed. So, if an area is closed it can be removed from the closure portion of the fund. But we still must maintain the post closure care portion. As we construct new cells to the landfill, we are required to add funds for their closure. Thus, the overall fund has increased, not decreased as implied in this finding.			
Language Proposed by 2s			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 There are Valley Landfill, Inc. Closure Plan Reports / Financial Assurance documents dating from the mid 1990's identifying areas of the landfill that are closed to meet DEQ requirements. Financial Assurance amounts were reduced to reflect the closure. The landfill owner utilized existing financial assurance to meet DEQ closure requirements in the 1990s. For explanation of financial assurance see LLU F-3B.	9	2	0

CUP F-27	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text (NEW) There is a record of citizen odor complaints in a March 29, 2005 DSAC meeting minutes. Detailed information (e.g. date, time, weather conditions) on odors was reportedly presented to DSAC. Two odor control methods mentioned: 1) Keep the power generation equipment running or keep the flare lit (i.e. burn the vapors), 2) "We are using soil cover and closing the landfill at night." September 16, 2008. Landfill representative told County to refer complainants to the landfill organization because the landfill is obligated to report them to DEQ.	9	1	1
Language Proposed by 3s Relevance? This is an 18 year old odor complaint.			

Language Proposed by 2s Why is there a reference to an 18 year old odor complaint added to this document at the last minute?			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	9	2	0

CUP F-28	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text (NEW) Sources of Wastes: A 2001 tonnage report does not list any wastes as coming from out of state. Reports from subsequent years do e.g. 2002 lists ~12,000 tons under "Private Vehicles" (as separate from Commercial). 2003 @ ~37,000; 2004 @ ~34,000 tons; 2005 @ ~18,000; 2006 @ ~16,000	9	2	0
Language Proposed by 3s			
Language Proposed by 2s Why do we need to know this?			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	9	2	0

CUP F-29	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text (NEW) A "Special Waste Management Plan (Draft) 10/03 file date" identifies wastes other than household material that can be brought to Coffin Butte.	8	1	2
Language Proposed by 3s			

• this is significantly out of date. We have a special waste section in our operations plan that's been updated several times since 2003. The most recent was submitted to DEQ in 2020. • this is significantly out of date. We have a special waste section in our operations plan that's been updated several times since 2003. The most recent was submitted to DEQ in 2020.			
Language Proposed by 2s Why do we need to know this, what is it related to?			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	8	3	0

CUP F-30	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text (NEW) No records for DEQ's air emissions (Title V) or surface water (NPDES) programs were available for review.	9	1	2
Language Proposed by 3s • Title V reports are submitted to the county in our quarterly submittals. • Title V reports are submitted to the county in our quarterly submittals.			
Language Proposed by 2s the air quality permit and annual reports are available on the DEQ website. The stormwater NPDES permits and monitoring reports were provided to the Benton County FTP site and through public records requests.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 Remove this Finding	11	0	0

CUP F-31	Informal Workgroup Polling

	1	2	3
Draft 6 Text (NEW) A number of County records were made available for review as of November 2022. However, files for PC-94-10[1] and PC-94-11[2] listed for CUP review in the October CUP planning document were not available.[1] PC-94-10 Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site[2] PC-94-11 A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan.	9	2	0
Language Proposed by 3s			
Language Proposed by 2s Delete PC-94-10 NEW) A number of County records were made available for review as of November 2022. However, files for PC-94-11[1] listed for CUP review in the October CUP planning document were not available. [1] PC-94-11 A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	9	2	0

CUP F-32	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text (NEW Hosting a privately owned landfill in the County involves a complex interplay of land use decisions, environmental regulations, legal precedent, and community perceptions.	11	0	0
	Formal Workgroup Polling		
No Changes Made	11	0	0

CUP RECOMMENDATIONS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

CUP R-1	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Maintain the CUP Appendix along with the supporting County and DEQ files as an integral part of the Final Workgroup Report.	11	0	0	33	12	69	25
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CUP R-2	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Make the Appendix and supporting comprehensive library of files related to the Coffin Butte landfill electronically and continuously available to the public to increase accessibility and reduce the need for public records requests.	11	0	0	26	19	64	32

	Formal Workgroup Polling						
No Changes Made	11	0	0				

CUP R-3	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Actively monitor and enforce prior land-use decision Conditions of Approval for the landfill or any other land use decision.	7	4	0	29	16	63	31
Language Proposed by 3s							
Language Proposed by 2s • Actively monitor and enforce prior land-use Conditions of Approval for all land use decisions. • Actively monitor and enforce prior land-use decision Conditions of Approval for any land use decision. • Actively monitor and enforce currently active land-use decision Conditions of Approval for the landfill or any other land use decision. • Does this mean actively enforcing past CUP agreements now? I don't disagree, just the legal committee said we can't do that right?							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - ***No Changes Made***.	7	4	0				

CUP R-4	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Establish and widely advertise a reporting process for receiving, tracking, and resolving complaints, such as odor, noise, hours of operation, not following conditions of approval. This administrative process should include an appeals process. Ensure there is a mechanism for providing reports regarding the nature, number and resolution of complaints to be provided to the Board of Commissioners (Board) in the normal course of its business.	11	0	0	29	16	63	32
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CUP R-5	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Ensure that all documents involved in a land use application and all documentation required to be submitted by a Condition of Approval are acquired and placed in the County records for that	11	0	0	28	17	64	30

land use application and posted electronically and continuously available to the public.							
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CUP R-6	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Create a system that tracks receipt of reports that are submitted as required per Conditions of Approval. For example, copies of water quality and air quality permits, emergency plans, permit submittals, financial assurance statements, and data produced from associated monitoring programs, etc.	10	1	0	29	16	65	30
Language Proposed by 3s							
Language Proposed by 2s and make these easily accessible to the residents of the community							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	10	1	0				

CUP R-7	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Determine if the Site Plan and Narrative included in the applicant submittals for PC-83-07/L-83-07 are regulatory conditions the landfill is required to follow.	9	0	2	28	16	59	31
Language Proposed by 3s • The Legal subcommittee has determined that these are NOT regulatory conditions. This recommendation should be removed. • The Legal subcommittee has determined that these are NOT regulatory conditions. This recommendation should be removed. • Add as a new CUP Finding: In 1983 the County created community expectations for how the landfill would look in decisions documented in PC83-07. Appearance issues including steepness of the landfill slopes, terracing, screening, and returning the land to grazing or other farm-like uses were addressed and committed to by the County and landfill operator. The way the County chose to implement these commitments is questionable given legal hindsight. Whether they be enforceable "conditions of approval" or "findings" in the PC83-07 record remains in dispute. The BCTT Workgroup is not a court of law. The differing interpretations over a possible process or wording error of the 83-07 decision, that causes this issue to arise, should not be the primary concern. Of greater importance for the County's relationship with its residents is							

the Planning Commission and Board of Commissioners decisions to adopt the offered designs and reclamation plans to meet public expectations. These expectations were made clear in the records of PC83-07. At a minimum, the debate over PC83-07's intended vs. actual conditions of approval or findings draws attention to the fragile "good neighbor" relationship between the County, landfill owner/operator and the public established through the 83-07 land use hearing process. Acknowledging these discrepancies with prior commitments should form a basis for the County, Republic, DEQ and the public to come to reasonable expectations for the appearance and long-term use and closure of the landfill facility.							
Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revisions 3/23/23 Determine if the Site Plan and Narrative included in the applicant submittals for PC-83-07/L-83-07 are regulatory conditions the landfill is required to follow. Please see LLU F-22 for a contrary view.	6	5	0				
Real-Time Draft Revisions 4/3/23 Add as new Recommendation CUP R-7a: In 1983 the County created community expectations for how the landfill would look in decisions documented in PC83-07. Appearance issues including steepness of the landfill slopes, terracing, screening, and returning the land to grazing or other farm-like uses were addressed and committed to by the County and landfill operator. The way the County chose to implement these commitments is questionable given legal hindsight. Whether they be enforceable "conditions of	7	2	2				

approval" or "findings" in the PC83-07 record remains in dispute. The BCTT Workgroup is not a court of law. The differing interpretations over a possible process or wording error of the 83-07 decision, that causes this issue to arise, should not be the primary concern. Of greater importance for the County's relationship with its residents is the Planning Commission and Board of Commissioners decisions to adopt the offered designs and reclamation plans to meet public expectations. These expectations were made clear in the records of PC83-07. At a minimum, the debate over PC83-07's intended vs. actual conditions of approval or findings draws attention to the fragile "good neighbor" relationship between the County, landfill owner/operator and the public established through the 83-07 land use hearing process. Acknowledging these discrepancies with prior commitments should form a basis for the County, landfill owner/operator, DEQ and the public to come to reasonable expectations for the appearance and long-term use and closure of the landfill facility.							

CUP R-8	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Clarify and communicate to the public what appropriate reclamation will look like to appropriately manage community expectations for the ultimate disposition of the landfill. For example, the county should explain to the public, with DEQ's and	12	0	0	27	17	60	34

Republic's assistance, DEQ's minimum reclamation requirements in the current Worst–Case Closure and Post-Closure Care Plan.							
	Formal Workgroup Polling						
No Changes Made	12	0	0				

CUP R-9	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Determine how or if the County's reclamation conditions of approval can be incorporated into DEQ's requirements for Valley Landfill's Worst–Case Closure and Post-Closure Care Plan for the landfill.	11	1	0	25	19	58	34
Language Proposed by 3s							
Language Proposed by 2s the terminology may benefit from clarification. Worst case scenarios are different than closure and post closure plans.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	11	1	0				

CUP R-10	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Determine the authority of the 2002 Memorandum of Understanding (MOU) as it relates to pre-2002 Conditions of Approval and broadly communicate the applicability of the 2002 MOU to the public to help manage community expectations.	9	2	0	25	20	56	34
Language Proposed by 3s							
Language Proposed by 2s ??							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	9	2	0				

CUP R-11	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Clarify the intersecting roles between the County and DEQ in future CUP actions, recognizing the line between "environmental" and "land use" impacts may not be clear and establish a process of reconciliation.	11	0	0	28	16	63	29

Language Proposed by 3s							
Language Proposed by 2s							
Real-Time Draft Revisions							

CUP R-12	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Establish a reporting program for compliance confirmation for facilities contributing to environmental burdens on the County, such as a landfill, industrial-scale composting, or direct dischargers to water bodies within the County, etc.	9	1	1	28	16	62	31
Language Proposed by 3s We can poll a "1" on this if "burdens" is changed to "impacts"							
Language Proposed by 2s Change "burdens" to "impacts"							
	Formal Workgroup Polling						
Real-Time Draft Revisions 3/23/23 Establish a reporting program for compliance confirmation for facilities contributing to environmental impacts on the County, such as a landfill, industrial-scale composting, or direct dischargers to water bodies within the County, etc.	11	0	0				

CUP R-13	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Consider the impact of leachate from the landfill site on traffic safety, road maintenance, public wastewater treatment plants (Corvallis, Salem), and the Willamette River (water quality, sediments, wildlife, etc.) in future assessments of the impact of landfilling in Benton County.	11	0	0	27	16	61	31
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CUP R-14	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Evaluate whether acquiring buffer land by landfill-related entities is consistent with Vision 2040 including the impact on housing, forestry, and agricultural land uses. Acquiring buffer land is an action specified in DEQ's Record of Decision from the DEQ Cleanup Program for the landfill. "Property purchases as buffer around the	8	1	2	23	21	51	42

landfill." is identified as one of the remedies for groundwater contamination.							
Language Proposed by 3s • The County doesn't have authority to regulate transactions between private landowners. Remove recommendation • The County doesn't have authority to regulate transactions between private landowners. This recommendation should be removed.							
Language Proposed by 2s Replace "Vision 2040" with "2040 Initiative".							
	Formal Workgroup Polling						
Real-Time Draft Revisions 4/3/23 Evaluate whether acquiring buffer land by landfill-related entities impacts 2040 Initiative including the impact on housing, forestry, and agricultural land uses. In addition, identifying options to disclose to the community who adjacent land owners are.	9	1	2				
Real-Time Draft Revisions 4/3/23 Evaluate whether acquiring buffer land by landfill-related entities is consistent with 2040 Initiative including the impact on housing, forestry, and agricultural land uses. Acquiring buffer land is an action specified in DEQ's Record of Decision from the DEQ Cleanup Program for the landfill. "Property purchases as buffer around the landfill." Is identified as one of the remedies for groundwater contamination.	8	2	2				

CUP R-15	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Require submittal of a plan for emergency water supplies for fire protection to the Power Generation facility per S-97-58.	11	0	0	29	16	63	30
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CUP R-16	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Develop a comprehensive emergency preparedness/response plan with neighboring counties, cities and fire districts given the experiences from the nationally reported 1999 landfill fire.	11	0	0	28	17	63	32
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CUP R-17	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text To address public concerns about odor, engage in a dialogue with the community to promptly develop and implement an odor reporting and mitigation plan that is consistent with the community's needs and DEQ requirements and County health and nuisance regulations.	10	1	0	29	16	63	31
Language Proposed by 3s							
Language Proposed by 2s Especially target community members that live close to landfill. (Soap Creek VNEQS)							
	Formal Workgroup Polling						
Real-Time Draft Revisions 4/3/23 - No Changes Made	10	1	0				

CUP R-18	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	11	0	0	27	17	59	31

Update the Benton County Code and land use application documents to reflect the conditions of approval that are to be completed before final approval of an application and which conditions are applied to the on-going use of the land. This would improve understanding of the differing conditions of approval for the applicant, public, and decision-making bodies.							
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CUP R-19	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text (NEW) Do not use the existence of a LUCS as evidence or proof of compliance with DEQ requirements until additional information is available from DEQ on how to interpret their use of a LUCS.	8	1	3	None	None	None	None
Language Proposed by 3s • New finding. Need to discuss. • We haven't had time to vet this finding. • I feel like we need more information about this. I could support it with more information.							
Language Proposed by 2s DEQ has provided information already on what a LUCS is used for. A LUCS should not be used as evidence of compliance with DEQ							

requirements. Per Oregon Administrative Code, OAR 340-018, a LUCS is a signed document provided by a local government that verifies that the entity applying for a DEQ permit is located in an area zoned appropriately for the proposed use by the local government.							
	Formal Workgroup Polling						
Real-Time Draft Revisions 3/23/23 . New CUP F-19.5: With regard to the 2002 MOU, DEQ has provided information already on what a LUCS is used for. A LUCS should not be used as evidence of compliance with DEQ requirements. Per Oregon Administrative Code, OAR 340-018, a LUCS is a signed document provided by a local government that verifies that the entity applying for a DEQ permit is located in an area zoned appropriately for the proposed use by the local government.	9	2	0				

CUP R-20	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text (NEW) Review historical and current closure related documentation to determine their impact on the ultimate closure of the landfill site.	9	1	0	None	None	None	None
Language Proposed by 3s							

Language Proposed by 2s ??							
	Formal Workgroup Polling						
Real-Time Draft Revisions 4/3/23 - No Changes Made	9	1	0				

CUP R-21	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text (NEW) Continue working with DEQ to access their files and make the information readily available on the County website.	10	1	0	None	None	None	None
Language Proposed by 3s							
Language Proposed by 2s DEQ has provided information already on what a LUCS is used for. A LUCS should not be used as evidence of compliance with DEQ requirements. Per Oregon Administrative Code, OAR 340-018, a LUCS is a signed document provided by a local government that verifies that the entity applying for a DEQ permit is located in an area zoned appropriately for the proposed use by the local government.							
	Formal Workgroup Polling						
Real-Time Draft Revisions 4/3/23 - No Changes Made	10	1	0				

CUP R-22	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text (NEW) Conduct additional searches of County records and other depositories of County correspondence such as DEQ records to uncover documents that may impact the evaluation of future land use matters. Make existing files for PC-94-10 and PC-94-11 available to the public.	9	2	0	None	None	None	None
Language Proposed by 3s							
Language Proposed by 2s NEW) Conduct additional searches of County records and other depositories of County correspondence such as DEQ records to uncover documents that may impact the evaluation of future land use matters. Make existing files for PC-94-11 available to the public.							
	Formal Workgroup Polling						
Real-Time Draft Revisions 4/3/23 - No Changes Made	9	2	0				

CUP R-23	Informal Workgroup Polling	Initial Public Polling as of 3/23/23	Cumulative Public Polling as of 3/31/23

	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text (NEW) Future users review all then-available source files for evaluating land use decisions and not rely solely on Appendix A.2. documentation.	8	2	1	None	None	None	None
Language Proposed by 3s I need more information to support this							
Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revisions 3/23/23 Future users are encouraged review all then-available source files for evaluating land use decisions and not rely solely on Appendix A.2. documentation.	11	0	0				

CUP R-24	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	2	3	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text (NEW) Retain a specialized professional team of outside resources to act in the County's behalf in all aspects of upcoming expansions of the landfill. This team should be structured to require only guidance from County staff. The team resources should not be dependent on County staff for administrative tasks or clerical	8	0	3	None	None	None	None

support. A Public Member of BCTT knowledgeable in the issues should participate in the selection of outside resources.							
Language Proposed by 3s • There are multiple "new" recommendations in this section of the report, none of which were discussed or vetted before being submitted for inclusion. • Would like to discuss further at the meeting as this is a new finding and we need more information about its intent. • Interesting but need more information. Isn't this what the Planning Commission and SWAC are for? Could this be an Advisory Committee combined with the ACs in the SMMP? Sounds expensive and if was only volunteers it would be hard to find people possibly due to not having any support staff.							
Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revisions 3/23/23 Retain a specialized professional team of outside resources to act in the County's behalf in all aspects of upcoming expansions of the landfill. This team should be structured to require only guidance from County staff. The team resources should not be dependent on County staff for administrative tasks or clerical support. Public Members of BCTT knowledgeable in the issues should participate in the selection of outside resources.	9	3	0				

CEO FINDINGS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

CEO F-1	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Insure language accessibility for at least the County's most used languages. (English, Spanish, Mandarin, and Cantonese).	10	1	0
Language Proposed by 3s			
Language Proposed by 2s Replace "Insure" with "Ensure".			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - ***No Changes Made***	10	1	0

CEO F-2	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text Use methods that help target underserved populations, particularly youth and low-income demographics. d. This can be achieved through more SMS communication and ensuring all websites and surveys are mobile-friendly. e. Increase social media communication and expand to more platforms. (Reddit, TikTok, Sub-Reddit, etc.) f. Utilize social media advertising.	11	0	0

	Formal Workgroup Polling		
No Changes Made	11	0	0

CEO F-3	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text Use outreach methods that do not require people to be pre-signed up or self-selected. This includes, but is not limited to, flyers in public spaces, paid advertising on social media, in newspapers, and on the radio, informational mailers, and other resources.)	10	1	0
Language Proposed by 3s			
Language Proposed by 2s Note the closed parentheses			
	Formal Workgroup Polling		
Real-Time Draft Revisions 4/3/23 Use outreach methods that do not require people to be pre-signed up or self-selected. This includes, but is not limited to, flyers in public spaces, paid advertising on social media, in newspapers, and on the radio, informational mailers, and other resources.	10	1	0

CEO F-4	Informal Workgroup Polling **1**	**2**	**3**
Draft 6 Text Create user-friendly access to public input documents and testimonies during the process to ensure Benton County, Planning Commission, SWAC, and others.	10	1	0
Language Proposed by 3s			

Language Proposed by 2s Create user-friendly access to public input documents and testimonies during the public input process led by Benton County, Planning Commission, SWAC, and others.			
	Formal Workgroup Polling		
Real-Time Draft Revisions 4/3/23 - No Changes Made	10	1	0

CEO F-5	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text (NEW) It is important for CUP applicants to have a pre-application meeting with community members to further foster collaboration and open communication.	9	2	0
Language Proposed by 3s			
Language Proposed by 2s New finding.			
	Formal Workgroup Polling		
Real-Time Draft Revision 4/3/23 - No Changes Made	9	2	0

CEO F-6 [was not included in poll]	Informal Workgroup Polling		
	1	**2**	**3**
Draft 6 Text (NEW) Community input on environmental health and safety concerns in the area around the landfill is helps assess criteria for a CUP. In the last CUP process, community members were concerned about odor, noise, air quality and other environmental health issues that may affect the use of the surrounding property and			

character of the area[73]. Concerns & Complaints on the Benton County website provides links and phone numbers to report odor and air quality concerns about the landfill to the County, DEQ and Republic Services. There is not a link for noise or light complaints. The follow up and public access to this data is unclear.			
Language Proposed by 3s			
Language Proposed by 2s			
	No Formal Workgroup Polling Done		
Real-Time Draft Revision 4/3/23 - No Changes Made			

[73]Benton County. (2021). Planning commission findings. https://www.co.benton.or.us/pc

CEO RECOMMENDATIONS

The first Workgroup Polling numbers are from the informal poll. Subsequent polling was completed at the Workgroup meetings and are formal polling numbers.

CEO R-1	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County Development Department and County Public Information Officer are responsible for conducting communication and outreach.	7	4	0	33	12	66	26
Language Proposed by 3s							
Language Proposed by 2s • Add: "on future land use application filings." • Add: "on future land use application filings." • add: "for future land use applications." • The County Development Department and County Public Information Officer are responsible for conducting communication and outreach related to CUP and similar decision making processes.							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 - No Changes Made	7	4	0				

CEO R-2	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The Board of Commissioners (Board) should consider changes to these notification recommendations based on the potential impact of other CUP applications.	9	0	1	29	15	58	32
Language Proposed by 3s I don't understand this recommendation.							
Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revision 3/23/23 - No Changes Made	12	0	0				

CEO R-3	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications for the BCTT Survey for public input on the Workgroup Report should include an email blast, website post, and displays or presentations where people already spend time (i.e., Library, community events). Notifications should include a 10-Mile radius from the landfill and should go out ideally a month before the survey closes.	11	0	0	27	17	58	35

	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-4	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications for the BCTT Report completion should include an email blast to the Interested Parties List, Organic Subscribers, those who spoke at the meetings, the Soap Creek Neighbors Group, and other landfill neighbors. Notifications should also include a possible postcard to the entire county with a link to go to and/or scan to get on a list to be informed of further updates and/or have an open house event/public informational meeting. It should be on a weekend during the day so that most people can attend, and the link and email list should be readily available. A 10-mile radius from the landfill is proposed, and notifications should be sent 72 hours after the report is finished.	11	0	0	25	19	56	37
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-5	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications for Board Hearings on the report should include a postcard, an email blast, a newspaper notification, and social media posts and advertisements. The postcards should be sent to everyone in a 10- or 15-Mile radius of the landfill, and notifications should be sent 24 hours after the board hearing is scheduled.	11	0	0	24	20	55	36
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-6	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text The County should notify the public when Republic Services first notifies the County that they plan to file a CUP application. This starts off any pre-filing public involvement. Notifications should include a postcard, email blast, newspaper notification, and social media posts and advertisements. Postcards should be sent to everyone within a 10- or 15-mile radius of the landfill, and notifications need to begin 24 hours after the County is notified.	9	2	0	25	20	56	38

Language Proposed by 3s							
Language Proposed by 2s • This should be at the county's discretion. • The County "at its discretion" should notify...							
	Formal Workgroup Polling						
Real-Time Draft Revision 3/23/23 - No Changes Made	9	2	0				

CEO R-7	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications for CUP filings, which includes the application review process, should consist of a postcard, email blast, newspaper notification, and social media posts and advertisements. Postcards should be sent to everyone within a 10- or 15-Mile radius of the landfill, and notifications need to begin 24 hours after the initiation of a CUP filing. During the "completeness" process, the Planning Official will consider whether the applicant's documents and information are sufficient for purposes of review of the application. Determining that an application is complete does not mean the information satisfies the approval criteria.	11	0	0	24	21	54	38
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-8	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notification when County determines the application is complete will include a postcard, email blast, newspaper notification, and social media posts and advertisements. They should be sent to the entire county and occur 24 hours after completion.	11	0	0	22	22	53	36
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-9	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications for SWAC Meetings should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent one to two weeks before the meeting.	11	0	0	27	18	64	31
	Formal Workgroup Polling						

No Changes Made	11	0	0				

CEO R-10	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications of the SWAC Recommendation should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent out 24 hours after the recommendation.	11	0	0	25	20	59	36
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-11	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications for Planning Commission Meetings should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent no later than two weeks before the meeting.	11	0	0	25	19	59	32

	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-12	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications of the Planning Commission's decision on the application should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent out 24 hours after the recommendation.	11	0	0	25	19	59	34
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-13	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications of when the Board is hearing the CUP application for approval will include a postcard, email blast, newspaper	11	0	0	22	22	55	38

notification, and social media posts and advertisements. They should be sent to everyone within a 10- or 15-Mile radius of the CUP site and occur 24 hours after scheduled.							
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-14	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text Notifications of the Board's decision on the application will include an email blast, website banner, newspaper notification, and social media posts. The notifications should be sent out 24 hours after the decision.	11	0	0	27	18	61	33
	Formal Workgroup Polling						
No Changes Made	11	0	0				

CEO R-15	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text	9	1	1	None	None	None	None

(NEW) Applicants of CUPs should have a pre-application meeting with communities affected by the CUP. These pre-application meetings should inspire transparency between the applicant and community members. Communication of these pre-application meetings should include an email blast, website post, and postings on the county's various social media outlets.							
Language Proposed by 3s Would like to discuss further at the meeting.							
Language Proposed by 2s Again, new finding.							
	Formal Workgroup Polling						
Real-Time Draft Revision 3/23/23 Applicants of CUPs should have a pre-application meeting with notification to the communities affected by the CUP as directed by the County.	12	0	0				

CEO R-16 [Not included in poll]	Informal Workgroup Polling			Initial Public Polling as of 3/23/23		Cumulative Public Polling as of 3/31/23	
	1	**2**	**3**	Generally Support	Generally Oppose	Generally Support	Generally Oppose
Draft 6 Text (NEW) CEO R- Neighborhood concerns about the landfill need to be collected, tracked, and resolved in an organized reporting and appeals process as cross referenced in CUP R-4 and CUP R-17. The data and actions taken should be accessible by the public. An updated area of the website with a streamlined reporting process	7	5	0	None	None	None	None

for odor, noise, air quality and other environmental health concern reporting is needed. Ideally a community member could click on the area of concern and check off boxes quickly to make a report. Phone numbers and emails should also be available for those who can more easily access these methods of communication. A link to the reporting area of the website on social media accounts would also be needed.							
Language Proposed by 3s							
Language Proposed by 2s							
	Formal Workgroup Polling						
Real-Time Draft Revision 4/3/23 Neighborhood concerns about the landfill need to be collected, tracked, and resolved in an organized reporting and appeals process as cross referenced in CUP R-4 and CUP R-17. The data and actions taken should be accessible by the public. An updated area of the website with a streamlined reporting process for odor, noise, air quality and other environmental health concern reporting is needed.	5	5	2				
Real-Time Draft Revision 4/3/23 Neighborhood concerns about the landfill need to be collected, tracked, and resolved in an organized reporting and appeals process as cross referenced in CUP R-4 and CUP R-17. The data and actions taken should be accessible by the public. An updated area of the website with a streamlined reporting process for odor, noise, air quality and other environmental health concern reporting is needed. For example, a community member could click on the area of concern and check off boxes quickly to make a report. Phone	9	3	0				

numbers and emails should also be available for those who can more easily access these methods of communication. A link to the reporting area of the website on social media accounts would also be needed.							



Appendix B2: Final Polling Numbers by Member – Grouped by F&R

The polling numbers by member were recorded by hand during Meeting #10 and Meeting #11, and converted to the digital format below. The scanned version of the handwritten polling numbers by member can be found HERE.

Meeting 10 Substantive Polls Raw Data

Poll #1: CUP R-7

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp		X				X	All
3) Elizabeth Irish		X				X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran	X				X	X	All
10) Ryan McAlister					X	X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**6**	**6**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #2: CUP R-12

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister					X	X	All

11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #3: CUP R-19

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**10**	**2**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #4: CUP R-23

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All

14) Catherine Biscoe	X					X	All
Polling Totals:	**12**	**0**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #5: CUP R-24

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**9**	**3**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #6: CEO R-2

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**12**	**0**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #7: CEO R-15

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**12**	**0**	**0**	**0**	**2**		
RESULT: Consensus							

Poll # 8: LLU R-1

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp		X				X	All
3) Elizabeth Irish		X				X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister		X				X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**6**	**6**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #9: LSCI R-6

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge

1) Chuck Gilbert	X					X	All
2) Marge Popp		X				X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**7**	**5**	**0**	**0**	**2**		
RESULT: **Consensus**							

Poll #10: LSCL R-7

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**9**	**3**	**0**	**0**	**2**		
RESULT: **Consensus**							

Poll #11: LLU R-2

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp		X				X	All
3) Elizabeth Irish	X					X	All

4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe			X			X	All
Polling Totals:	**8**	**3**	**1**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 8 and 2s = 3 | 3s = 1**							

Poll #12: LLU R-4

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp		X				X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe			X			X	All
Polling Totals:	**9**	**2**	**1**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 9 and 2s = 2 | 3s = 1**							

Poll #13: LLU R-4 [second time]

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp		X				X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All

5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**10**	**2**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #14: The next meeting should have two 30-minute public comment periods.

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert			X			X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish			X			X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel			X			X	All
8) Kathryn Duvall			X			X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister			X			X	All
11) Mary Parmigiani			X			X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby			X			X	All
14) Catherine Biscoe			X			X	All
Polling Totals:	**1**	**0**	**11**	**0**	**2**		
RESULT: No Consensus							
Majority-Minority Result: 1s = 1 and 2s = 0 | 3s = 11							

Poll #15: The next meeting should have one 30-minute public comment period.

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert		X				X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish		X				X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C

7) John Deuel		X				X	All
8) Kathryn Duvall				X		X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**3**	**7**	**1**	**1**	**2**		
RESULT: No Consensus							
Majority-Minority Result: 1s = 3 and 2s = 7 | 3s = 1							

Poll #16: The next meeting should have one 30-minute public comment period.

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall				X		X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani			X			X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**9**	**1**	**1**	**0**	**2**		
RESULT: No Consensus – But b/c it has the most support, this will be the selected option.							
Majority-Minority Result: 1s = 1 and 2s = 0 | 3s = 11							

Poll #17: We should re-open the public poll for roughly a week.

WORKGROUP Member	1	2	3	Abstain	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp		X				X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All

8) Kathryn Duvall	X					X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**8**	**4**	**0**	**0**	**2**		
RESULT: Consensus							

Meeting 11: Process Polls Raw Data

Poll #1`: LLU R-6

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**7**	**4**	**1**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 7 and 2s = 4 | 3s = 1**							

Poll #2: LLU R-7

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All

9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**7**	**4**	**1**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 7 and 2s = 4 | 3s = 1**							

Poll #3: LLU R-8

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**9**	**2**	**1**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s =9 and 2s = 2 | 3s = 1**							

Poll #4: LLU R-9

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All

13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**1**	**2**		
RESULT: Consensus							

Poll #5: LLU R-11

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**12**	**0**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #6: LLU R-12

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**1**	**2**		
RESULT: Consensus							

Poll #7: LLU R-13

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	10	**1**	**0**	**1**	**2**		
RESULT: **Consensus**							

Poll #8: CEO R-16: (Version as-is) (NEW) CEO R- Neighborhood concerns about the landfill need to be collected, tracked, and resolved in an organized reporting and appeals process as cross referenced in CUP R-4 and CUP R-17. The data and actions taken should be accessible by the public. An updated area of the website with a streamlined reporting process for odor, noise, air quality and other environmental health concern reporting is needed. Ideally a community member could click on the area of concern and check off boxes quickly to make a report. Phone numbers and emails should also be available for those who can more easily access these methods of communication. A link to the reporting area of the website on social media accounts would also be needed.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers		X				X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel		X				X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister		X				X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**7**	**5**	**0**	**0**	**2**		
RESULT: **Consensus**							

Poll #9: CEO R-16: (Revision 1) Neighborhood concerns about the landfill need to be collected, tracked, and resolved in an organized reporting and appeals process as cross referenced in CUP R-4 and CUP R-17. The data and actions taken should be accessible by the public. An updated area of the website with a streamlined reporting process for odor, noise, air quality and other environmental health concern reporting is needed.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert		X				X	All
2) Marge Popp		X				X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers		X				X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera			X			X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe			X			X	All
Polling Totals:	**5**	**5**	**2**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 5 and 2s = 5 | 3s = 2**							

Poll #10: CEO R-16 (Revision 2) Neighborhood concerns about the landfill need to be collected, tracked, and resolved in an organized reporting and appeals process as cross referenced in CUP R-4 and CUP R-17. The data and actions taken should be accessible by the public. An updated area of the website with a streamlined reporting process for odor, noise, air quality and other environmental health concern reporting is needed. For example, a community member could click on the area of concern and check off boxes quickly to make a report. Phone numbers and emails should also be available for those who can more easily access these methods of communication. A link to the reporting area of the website on social media accounts would also be needed.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel		X				X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All

14) Catherine Biscoe	X					X	All
Polling Totals:	**9**	**3**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #11: CUP R-14 (Version as-is, with "2040 Initiative".) Evaluate whether acquiring buffer land by landfill-related entities is consistent with 2040 Initiative including the impact on housing, forestry, and agricultural land uses. Acquiring buffer land is an action specified in DEQ's Record of Decision from the DEQ Cleanup Program for the landfill. "Property purchases as buffer around the landfill." Is identified as one of the remedies for groundwater contamination.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert		X				X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**8**	**2**	**2**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 8 and 2s = 2 | 3s = 2**							

Poll #12: CUP R-14 (Revision 1) Evaluate whether acquiring buffer land by landfill-related entities impacts 2040 Initiative including the impact on housing, forestry, and agricultural land uses. In addition, identifying options to disclose to the community who adjacent land owners are.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera			X			X	All
13) Louisa Shelby		X				X	All

14) Catherine Biscoe			X			X	All
Polling Totals:	**9**	**1**	**2**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 9 and 2s = 1 | 3s = 2**							

Poll #13: LSCL F-16 (Revision 1) The addition of Cell 6 added approximately 13,400,000 cubic yards of airspace. The Landfill total capacity increased by approximately 9,000,000 cubic yards in 2003 with the addition of the West and East triangle areas for a total of approximately 35,500,000 cubic yards. Since 2004, reported remaining airspace has decreased gradually, while total permitted airspace has remained remaining somewhat constant. As of end 2021 approximately 44% of permitted capacity remained unused. [See also LSCL F-37]

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**12**	**0**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #14: LSCL F-13 (Revision 1) One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the Oregon DEQ estimated that Coffin Butte Landfill's controls (engine/generators with backup flare) collected 57% (https://downloads.regulations.gov/EPA-R10-OAR-2019-0640-0011/content.pdf).

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert			X			X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish			X			X	All
4) Andrew Struthers		X				X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel			X			X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister		X				X	All

11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**4**	**3**	**5**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 4 and 2s = 3 | 3s = 5**							

Poll #15: LSCL F-13 (Revision 2) Republic Services provided data to the Oregon DEQ for inclusion in EPA's 2021 Greenhouse Gas report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent. (Reference: https://ghgdata.epa.gov/ghgp/service/html/2021?id=1007054&et=undefined)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera		X				X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**8**	**3**	**0**	**1**	**2**		
RESULT: Consensus							

Poll #16: LSCL F-13 (Revision 3) One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the Oregon DEQ estimated that Coffin Butte Landfill's controls (engine/generators with backup flare) collected 57% (https://downloads.regulations.gov/EPA-R10-OAR-2019-0640-0011/content.pdf). Republic Services provided data to Oregon DEQ for inclusion in EPA's 2021 Greenhouse Gas report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent. (Reference: https://ghgdata.epa.gov/ghgp/service/html/2021?id=1007054&et=undefined)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert			X			X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish			X			X	All
4) Andrew Struthers		X				X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All

9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**6**	**1**	**4**	**0**	**2**		
RESULT: No Consensus **Majority-Minority Result: 1s = 6 and 2s = 1 | 3s = 4**							

Poll #17: LSCL F-13 (Revision 4) One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the Oregon DEQ estimated that Coffin Butte Landfill's controls (engine/generators with backup flare) collected 57% (https://downloads.regulations.gov/EPA-R10-OAR-2019-0640-0011/content.pdf). Republic Services provided data to Oregon DEQ for inclusion in EPA's 2021 Greenhouse Gas report that estimated the Landfill's gas collection system had an efficiency of 91.2 percent. (Reference: https://ghgdata.epa.gov/ghgp/service/html/2021?id=1007054&et=undefined)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**1**	**0**	**0**	**2**		
RESULT: Consensus							

Poll #18: LSCL F-40

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers	X					X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All

9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby					X	X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #19: LSCL F-42 (Version as-is) The landfill has developed visually over time in accordance with site development plans. Coffin Butte Landfill has changed visually since it's designation as a regional landfill in 1974, growing in both height and size, and visual appearance. However, the overall landfill acreage has not changed significantly since 1983; it has filled in more of its footprint.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera			X			X	All
13) Louisa Shelby					X	X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**7**	**1**	**2**	**0**	**4**		
RESULT: No Consensus **Majority-Minority Result: 1s = 7 and 2s = 1 | 3s = 2**							

Poll #20: LSCL F-42 (Revision 1) The landfill has developed visually over time in accordance with site development plans. Coffin Butte Landfill has changed visually since it's designation as a landfill in 1974, growing in both height and size, and visual appearance. However, the overall landfill acreage has not changed significantly since 1983; it has filled in more of its footprint.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All

9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**8**	**1**	**2**	**0**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 8 and 2s = 1 | 3s = 2**							

Poll #21: LLU F-9A (Revision 1) Add to the end, "This is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it."

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #22: LLU F-9B (Revision 1) Add to the end, "This is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it."

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All

11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #23: LLU F-15 (Revision 1) Notes Regarding the 2002 MOU: 1) it does not mention how the MOU was intended to relate to land use decisions 2) it is unclear as to what LUCS are referred to and their impact e.g.: the 1996 LUCS referred to in the MOU has not been found, 3) a LUCS dated 12/18/00 has been found as a free standing document, 4) a 2000 Site Plan (Is the the last DEQ approve in 2000 the MOU refers to?) using a LUCS dated Feb 25 '22 was found i.e. an 8 year gap between LUCS issuance and use in an identified document. 4) the current Operating Permit was issued in 2019 but references a 12/18/00 LUCS i.e. 20 year gap

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert			X			X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish			X			X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel		X				X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister		X				X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**2**	**4**	**4**	**1**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 2 and 2s = 4 | 3s = 4**							

Poll #24: LSCL F-15 (Version as-is) How does the 2002 Memorandum of Understanding (MOU) fit into the Workgroup considerations? The 2002 MOU clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements.

• The MOU does not address whether the County's determination of "compliance with local requirements" includes compliance with all conditions of past land use approvals.

• The MOU indicates that, as of 11/5/2002, there were no known land use ordinance violations involving the landfill. The MOU does not describe the extent to which Benton County investigated the compliance status of any conditions of past land use approvals in preparing the MOU.

• The MOU did not negate or supersede conditions of past land use approvals.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp				X		X	All

3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera			X			X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe			X			X	All
Polling Totals:	**8**	**0**	**2**	**1**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 8 and 2s = 0 | 3s = 2**							

Poll #25: LLU F-22 (Version as-is)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera			X			X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe			X			X	All
Polling Totals:	**7**	**1**	**3**	**0**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 7 and 2s = 1 | 3s = 3**							

Poll #26: LLU F-22A (New Finding)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert			X			X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish			X			X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C

7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister		X				X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**5**	**2**	**4**	**0**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 5 and 2s = 2 | 3s = 4**							

Poll #27: LLU F-23 (Version as-is)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel		X				X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera			X			X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe			X			X	All
Polling Totals:	**5**	**3**	**3**	**0**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 5 and 2s = 3 | 3s = 3**							

Poll #28: LLU F-23 (Revision 1) Initial language in LLU F-23, with addition of: ""Cell 6" is: 1) not mentioned in PC-83-7. 2) not show on applicant drawings of the landfill as late as 2011. 3) is shown on applicant drawings dated 2022. The portion of a drawing LS offered showing the 1983 "Existing Quarry": 1) places the quarry outside the "Approximate Solid Waste Disposal Boundary" and "Proposed Solid (illegible word) Disposal Boundary". 2) does not show a quarry extending into the area identified in 2020 as Cell 6. 3) does not show what use the drawing was intended for, no date drawn, etc. i.e. it cannot be validated. 4) shows a requirement for screening the landfill along Coffin Butte Road and Hwy 99 with about 3 dozen conifers. Regarding the 2002 MOU: 1) it does not mention how the MOU was intended to relate to land use decisions 2) is unclear as to what LUCS are referred to and their impact e.g.: the 1996 LUCS referred to in the MOU has not been found, 3) a LUCS dated 12/18/00 has been found as a free standing document, 4) a 2000 Site Plan (Is the the last DEQ approve in 2000 the MOU refers to?) using a LUCS dated Feb 25 '22 was found i.e. an 8 year gap between LUCS issuance and use in an identified document. 5) the current Operating Permit was issued in 2019 but references a 12/18/00 LUCS i.e. 20 year gap 6) it was written years before a "Cell 6" was defined in a landfill operator's drawing.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert			X			X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish			X			X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel		X				X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister		X				X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**5**	**2**	**4**	**0**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 5 and 2s = 2 | 3s = 4**							

Poll #29: LLU F-23 (Version 2) Initial language in LLU F-23, with addition of, "However, no official county land use determination has been made on this point."

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp			X			X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel		X				X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera			X			X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe			X			X	All
Polling Totals:	**5**	**1**	**5**	**0**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 5 and 2s = 1 | 3s = 5**							

Poll #30: LLU F-25 A, B, C. Vote to eliminate findings LLU F-25 A, B, C.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All

3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #31: LLU F-25 D (Note: Changed to LLU F-25A)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**10**	**0**	**0**	**1**	**3**		
RESULT: Consensus							

Poll #32: LLU F-25 E, F (Note: Changed to LLU F-25 B, C.)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All

9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**10**	**0**	**0**	**1**	**3**		
RESULT: Consensus							

Poll #33: LLU F-26 (Revision 1) Oregon Department of State Lands (DSL) has regulatory authority for all wetlands that meet the definition of "jurisdictional wetlands." Benton County has additional regulatory authority for wetlands the County has identified as "significant" in a wetland inventory adopted pursuant to the Oregon Administrative Rule 660 Division 23 (Statewide Planning Goal 5 procedures). While wetlands are present in the vicinity of Coffin Butte Landfill, they have not yet been evaluated and determined to be "significant" in accordance with OAR 660.. The County has not conducted a comprehensive wetland inventory and analysis of significance since the 1980s. Until then, the County cannot regulate land uses in these wetlands. See LLU R-11.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #34: CUP F-2

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All

9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #35: CUP F-3

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #36: CUP F-10.5 Vote to convert to a recommendation. (Note: Moved to after CUP R-18.)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All

Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							
Ex-Officio Totals:							

Poll #37: CUP F-12 (Revision 1) Benton County does not review reports and other submitted materials as required per conditions of approval. Examples include: copies of water quality and air quality permits, emergency plans, permit submittals, financial assurance statements, etc., and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality or other governmental agencies. See Table 5 in Appendix C4 of the CUP subcommittee report.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #38: CUP F-14.5 (Revision 1) Last sentences changed to, "The Workgroup's CUP Subcommittee and Legal Subcommittee have analyzed past land use documents and have reached different conclusions as to their effect. This has resulted in changes to what was authorized to occur at the landfill without notification or a public review process that would ensure public trust."

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All

14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #39: CUP F-18 (Revision 1) The Subcommittee did not reach a consensus on the applicability and the authority of the 2002 Memorandum of Understanding and how it may affect Conditions of Approval in pre-2002 decisions. The resolution of this issue potentially impacts ten land-use matters, which is over half of the decisions, containing fifty-three Conditions of Approval.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #40: CUP F-25

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp				X		X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani		X				X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**7**	**3**	**0**	**1**	**3**		
RESULT: Consensus							

Poll #41: CUP F-26 (Revision 1) There are Valley Landfill, Inc. Closure Plan Reports / Financial Assurance documents dating from the mid 1990's identifying areas of the landfill that are closed to meet DEQ requirements. Financial Assurance amounts were reduced to reflect the closure. The landfill owner utilized existing financial assurance to meet DEQ closure requirements in the 1990s. For explanation of financial assurance see LLU F-3B.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**9**	**2**	**0**	**0**	**3**		
RESULT: Consensus							
Ex-Officio Totals:							

Poll #42: CUP F-19 (Revision 1) Generally, DEQ has jurisdiction over many environmental impacts, and the County has jurisdiction over the land use impacts. The line between "environmental impact" and "land use" is not always clear. and may lead to conflicting perceptions of what is to be done. For example, as a remedy for groundwater contamination at the site, DEQ requires the purchase of land to limit the public's exposure to contaminated water (Record of Decision from the DEQ Cleanup Program), which may or may not adversely impact neighboring County approved land uses. In another situation, the County publicly agreed to limitations on the appearance and uses of the closed landfill (PC 83-07/L-83-07), but these are not reflected in Republic's current DEQ-required site closure plans. Republic prepares annual plans to verify there is sufficient financial assurance per DEQ requirements.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All

12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**10**	**1**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #43: CUP F-27

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**9**	**2**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #41: CUP F-29

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough		X				X	All but C
6) Shawn Edmonds/Julie Jackson		X				X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**8**	**3**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #42: CUP F-30 Vote to eliminate item.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #43: CUP R-7a Add as new Recommendation CUP R-7a

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough			X			X	All but C
6) Shawn Edmonds/Julie Jackson			X			X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister		X				X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**7**	**2**	**2**	**0**	**3**		
RESULT: No Consensus **Majority-Minority Result: 1s = 7 and 2s = 2 | 3s = 2**							

Poll #44: Procedural Question: "Any member present who wants to change any informal polling from a 1 to a 2 or 3 based on the discussion today?

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All

3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #45: Procedural Question: Vote to confirm all remaining informal polling to permanent polling (due to lack of time).

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #46: Procedural question: In any findings and recommendations where someone voted a 2 in informal polling, would you vote to maintain a 2 in formal polling? (Due to lack of remaining time at meeting to discuss 2's.)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C

6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: **Consensus**							

Poll #47: Vote to confirm new material. History Document: (Option 3) Household well contamination and subsequent shut-down.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: **Consensus**							

Poll #48: Vote to confirm new material. History Document: Transfer in responsibility of solid waste from Health Department to Community Development Department.

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All

10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #49: Vote to confirm new material. History Document: Email exchange between Vance Croney and Julie Jackson. Add footnotes that link to the full email exchange and Vance Croney's recent email. (Option 1)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All
12) Ed Pitera	X					X	All
13) Louisa Shelby		X				X	All
14) Catherine Biscoe		X				X	All
Polling Totals:	**9**	**2**	**0**	**0**	**3**		
RESULT: Consensus							

Poll #50: Vote to confirm new material. History Document: New addition to text about email exchange between Vance Croney and Julie Jackson. Add language, "In response to a public records request…" (Option 2)

WORKGROUP Member	1	2	3	Present	Not Here	Polling	Charge
1) Chuck Gilbert	X					X	All
2) Marge Popp	X					X	All
3) Elizabeth Irish	X					X	All
4) Andrew Struthers					X	X	All
5) Russ Knocke / Ginger Rough	X					X	All but C
6) Shawn Edmonds/Julie Jackson	X					X	All but C
7) John Deuel	X					X	All
8) Kathryn Duvall					X	X	All
9) Christopher McMorran					X	X	All
10) Ryan McAlister	X					X	All
11) Mary Parmigiani	X					X	All

12) Ed Pitera	X					X	All
13) Louisa Shelby	X					X	All
14) Catherine Biscoe	X					X	All
Polling Totals:	**11**	**0**	**0**	**0**	**3**		
RESULT: Consensus							

Appendix B3: Rev Transcripts for M10 and M11 (Formal Polling Meetings)

All transcriptions provided were done by hand through https://www.rev.com/. They were not machine-generated.

Rev Transcript of BCTT 3-23-23 Meeting

Moderator: Or pop something in the chat that says you can hear us or can. So you won't be able to do that if you can't.

Speaker 1: Okay?

Moderator: Yes. Good

Speaker 1: Message that you can hear. Thank you so much. All right.

Moderator: Good afternoon everyone. It is March 23rd at 1:39 PM This is the final meeting of the work group scheduled today to look at all of the possible options available. I need an agenda. Do you have the agenda?

Speaker 1: I think you have one [inaudible 00:02:35].

Moderator: Thanks so much. All right, so let's review the agenda. It's up on the screen there and let's see if you can make that as big as possible to mine so people can look at it, but we'll do the normal agenda review, approve the meeting minutes from last time. Talk briefly about the public polling results. Then we'll have a public comment period, and then we'll start going over the informal polling that went out and was rolled up and we'll hit the threes first from that and then go on to any new issues. There will be a dinner break at 4:30 to 5:00. The board commissioners will be present to thank the work group and members of Republican participants. There'll be another extended comment period at 5:30, and then from 6:00 until we're done, we'll explore the findings and recommendations for someone [inaudible 00:03:51]. Look at the executive summary of history last call, and then the normal next steps for the meeting, which are also consistent with the work plan, which is the next agenda item, which I'll just cover now.

Between 3/27 and 3/31, there will be a process evaluation that's sent out and it'll be returned on 3/31 along with the member statements. The member statements include opportunities for members who have previously been on the work group or have previously been on a subcommittee to send in a member statement. Final report, the Word version will be next Tuesday, April 3, the report open house on the 4th. The copy table version will be published on the 11th and then a robust public comment feedback period on the whole report directed to the commissioner will start on April 11 and run through 5/23. That will be a simpler survey than getting your input on the findings and recommendations. All right, any subtractions to draft meeting nine minutes? Any member of the work group have any corrections or additions they'd like to make to those draft meeting minutes?

Hearing and seeing none they're deemed approved. With regard to the public survey, basically we had in rough numbers, 107 people answered some or all of the survey, 57% identified as coming from Corvallis, and the next highest number was other and followed by that Adair with 6% and Almuth with 7%, and OSU campus was six so that was the response. We collected some demographic data about how folks learned about the survey and primarily social media posts was

the biggest category there plus word of mouth at 27% social media and 31% word of mouth. Surveys asked about what preferred method of communication from the county and county emails was 55% followed by social media at 30, mailers 24, county website 20.

Then we went through each of the core recommendations, and as you will see, there is a split on these recommendations as to the answer to the question generally support or generally opposed. Because of the time there wasn't sufficient opportunity to run a running average, but just by looking at it as to all of the recommendations, there is roughly about 60% of folks generally support each of those recommendations and they went anywhere from 20 to 30, 35% generally oppose the recommendations and that's pretty consistent across all of the recommendations and findings. Members of the work group you have those survey findings there in front of you and they're there for your information. You should also have there in front of you the narrative comments that people provided and they're broken down by each of the five categories available to you. Any questions or comments from the work group members on the public polling with regard to the recommendations? Catherine?

Catherine: Yes. I'm wondering if on, so on the first page we talked about in the community or area of Benton County, do you live since the 12% other category is our second-largest category? Can you just give some examples of what other means for this case?

Moderator: Is Shannon around or staff? Did you sort that to see where the folks from other came?

Speaker 2: I don't think we have that information. Yeah. Sorry.

Moderator: Sorry Catherine.

Catherine: That's all right.

Moderator: Anything else on that?

Ed?

Speaker 3: Just some feedback this morning from folks. I, myself got the postcard yesterday and many people wanted to participate but they just could not do it so there was a timeliness question and we probably just need to think about that when we do the outreach part of the recommendations that whatever was set up for this time for this launch was much too short for people to receive something, digest it and take action.

Moderator: Greg, what did Corey have to say about that because I know some people got the postcards on Tuesday, which again doesn't mean that was sufficient time. I'm just trying to understand. As I recall, something happened with the printer or something that got...

Speaker 4: I don't know the details, have any more details, but yes, there was an issue with the [inaudible 00:09:57].

Speaker 5: We used a third party to mail those out. Their machine broke, which set them back a couple of days. I believe that they were put in the mail on Friday and landed in boxes beginning on Saturday. I don't know when USPS got them, and again, the notice provides dates for the remainder of the process and all of the opportunities to participate so obviously the first one was this public comment process. The next one will be for the open house on the 4th and then the larger

extended comment period to or directly is from April 11th through May 26th so all of those were listed on the card if you received them.
Yeah, we received Word. I think they were supposed to be mailed on Tuesday or Wednesday. We received word at the end of the day on Thursday that the machine had broken, the printing machine had broken. Obviously that was not acceptable so we said they need to go out tomorrow period. Fortunately they were able to get them out on Friday. That's what I know.

Moderator: All right, thank you for those updates. Let's move to public comment period. As is judiciary we first go to folks in the audience and then we'll go to people on Zoom. Just by show of hands how many people would like to testify, so I can give general sense of the numbers, 1, 2, 3. Three there and if you could raise your hand on the screen, you can stop sharing the imagery so I can see the screen better and it looks like we have 1, 2, 3, 4, 5, 6.
Okay, so let's start with the people in the audience. Doug Pollock was up first, so Doug, please. There's a seat right, right there. Perfect. Please introduce yourself and you have up to three minutes.

Doug: Thank you. Thank you very much. My name is Doug Pollock. I'm a neighbor of the Enso Creek Valley in Corvallis. This is an interesting process for me because I don't pay a lot of attention to what's going on. I gave a lot of input in the first couple year and a half of this controversy in depth emails and didn't get much response over and over and over again so I hear there was a survey, I guess maybe I saw an email a few days ago about it. I'm not sure. I hear your voting on a final report, which I guess has been through six revisions. All of this is just complete stuff that is not on my radar.
Most people in the community have a whole life with a whole lot of other things so I would urge people, especially commissioners, to not confuse this process with the normal process of public input and governance. SWAC DSAC should have been meeting this entire time to take away their responsibilities and have it go to this committee. These kinds of committees take on a life of their own and that's not to diminish your efforts, your volunteer hours, your efforts, but it's very different from the public interest and it's very different from the standard public process and it can be very intimidating for people. It's an exception to their normal routine. They don't normally even know about these things. They don't come to meetings like this. the fact that you got a hundred and some people on your survey is to me it's like there's thousands of people who would care about this if they really understood what's going on and how to give input. I think many of the neighbors feel like we've already given enormous amounts of input that really wasn't appreciated or accepted and I just want to give one example. First I was going to say I was biking by the landfill last night at 8:30 at night as I've done hundreds of times before. I smelled the smell coming off the dump on Highway 99, a strong smell and I thought about getting home and sending another report to DVQ to complain about it, but my last report about six weeks ago, I specifically asked for follow-up from DVQ as I've done in previous occasions, I've gotten nothing. As far as I'm concerned, there's no accountability on the part of DVQ. I would like to know if there was air monitoring ever done to know what chemicals are going in my body when I routinely breathe, start coming off the landfill.

I'd also like to point my letter to the editor on Tuesday. It was published at the exact time. I'm not sure how to submit that, but I just bring to attention to the public, the PFAS chemicals, which are almost certainly in the effluent from the landfill and are being essentially dumped in the [inaudible 00:14:40] River to the downstream drinking water communities. The issue I wanted to share most with you today is when I first got involved in this in July of 2019, a neighbor alerted me about this expansion of landfill. There was a little public notice I eventually found, and it said that Coffin Butte would be vacated not the road, it said Coffin Butte. It also said that the road would be rerouted and you read this notice and you go, oh, it's no big deal. They're closing part of the landfill. They're going to reroute the road.

I think that's part of the problem here. As many neighbors, if they were even aware of that notice, had no idea what was going on so my subsequent communication with the county staff, I just received a whole lot of pushback. They would not publish an amended notice to let people know that that was factually incorrect and that's kind of been the process I've experienced all along is my emails don't get answered. I brought this to the attention of commissioners way back, never get any answers. It's just been incredibly frustrating because these processes just seem designed to exclude the average citizen. I know I've exceeded my time, but thank you for your service and thanks for considering my input.

Moderator: Thank you, sir. Next up, whoever raised their hand second, come on down.

Speaker 1: Are you going Kevin?

Kevin: My name is Kevin Kanaha. I wholeheartedly want to thank all of the BCTT Work Group volunteers. My comments today are not directed at any of you, but I will be asking for your consideration

During the prior CUP within my comments to the planning commission, I stated the expansion cannot only be about the money. Unfortunately, it become more and more obvious it is only about the money. As I raised before why wasn't any due diligence completed prior to our commissioner signing the 2020 landfill franchise agreement. The 2020 landfill franchise agreement, it's big business. Big business that warranted one, a professional cost benefit analysis of hosting a regional landfill, a professional independent environmental impact study covering environmental impacts to date and the future environmental impacts of hosting a regional landfill. BCTT suggests this in the future. Third, the Sustainable Materials Management Plan, which BCTT also suggests in the future. In the future does not provide answers now. Please work group where appropriate please consider this during polling. After the prior CUP was withdrawn, I individually invited each of our commissioners to participate in public outreach with a small group. I felt we needed their help in opposing any landfill expansion. I can tell you all we received is pushback. Our Benton County commissioners, Benton County staff and Republic Services all want an expansion. Benton County doesn't need an expansion.

Don't the residents of Benton County deserve due diligence in the decision making process? I would argue we do. How can this process of considering expansion not include due diligence? It appears Benton County commissioners are only concerned about the money and due diligence may get in the way of

their discretionary cash flow. We're a group. We're appropriate. Please consider all of this in your polling. Please. Commissioners, Benton County residents deserve better. Do the due diligence before moving forward. Thank you.

Moderator: Thank you, sir. Next up [inaudible 00:19:42].

Becky: My name is Becky Merja. I'm a Benton County resident. I want to start by thanking all the volunteers for your time and efforts and seeing this process through to this extent and I want to share my concerns.

In an email dated February 24, 2023, I contacted Nichols, Emprivati and the commissioners. Mr. Nichols, I have serious concerns about the integrity and transparency of BCTT process. These concerns have been increasing with each citizen volunteer that is removed or resigns from the work group leaving intact Republic Services representation. My concerns were elevated another notch during your staff report at the Benton County Commissioner meeting February 21st when you stated that some really good conversations have been happening, many of those behind the scenes. I would like to know what you meant by that because it appears to deviate from the promise of an open public process and one table rule. At BCTT work group meeting February 23rd near the end of the meeting, Mr. Emprivati also mentioned the possibility of quick phone calls to resolve any remaining conflict. The polling process is suspect. How many of these behind the scenes conversations are to influence consensus on an issue that has and will forever impact this county and any community downstream? The future of Benton County is in the crosshairs and Republic Services has their finger on the trigger, signed me very concerned tax paying citizen.

I did not receive a response to that email. On February 12, 2023, I submitted a request for public records regarding communications surrounding the 2020 franchise and here's some information that you didn't get even though it was known to some of the people in this room. We now know that Benton County staff, County Council, and at least a couple of the current county commissioners have been in discussion with Republic Services since early 2019 about a plan to expand the landfill over and across Coffin Butte Road.

This plan has been in the works for at least five years. Public records also revealed that a number of the things that the BCTT work group was tasked with finding out were already extensively documented by county staff. Things like landfill capacity. February, 2019, a memo between county council and outside council for the county identifies good faith agreement to work on future landfill expansion/purchase additional property as one of the county's goals in contract negotiations with Republic. That brings us to today. Our community was promised an open, transparent process when all the while county staff Republic Services have been driving a calculated process designed to steer the outcome towards expansion. The work group members that were removed were the only members who opposed the expansion previously and the only one that was an actual landfill neighbor. I'm very disappointed in this process and I'm calling BS on it. Thank you.

Moderator: Thank you. Any other member of the public would like to speak?

Nancy: You guys. My name is Nancy Wickham. I used to be on the work group. I wasn't going to say anything, but on the occasion of the consideration of LU21047, the previous landfill expansion proposal that was proposed in July of 2021, one of

the local opponents of that who spoke at the planning commission meeting name was Cat Newsheller. We got news two days ago that Cat had died after a long battle with cancer. There was a lot of cancer in the neighborhood around the landfill and that was one of the issues that the Planning Commission identified as being a question that they would like to have answered before there was a decision on whether to increase the size of the landfill.
Landfills are not safe. That's becoming more and more clear. They don't ever discover new chemicals that are good chemicals. There are only worse chemicals and some of those chemicals are now being spread on our agricultural lands. There was even a recent CNN article about how people who live near landfills should have their blood tested for PFAS. Landfills are specifically called out as a danger for people who live nearby and no amount of money is going to bring Cat back and this is a question that really needs to be answered. It was if I had remained on the work group, I would've tried to bring it to the attention of the members. I was not in retrospect so it's really great to not be on the work group before because you guys worked really hard so thank you for that, but keep in mind that real people's lives may be at risk and this is an unanswered question. Thank you very much.

Moderator: Thank you very much. [inaudible 00:26:10] the public commissioner?

Nancy Wise: Hello, Nancy Wise, Benton County Commissioner. I just felt compelled to state that the commissioners were invited by the neighbors, a group of neighbors to come speak with them. All three of us commissioners did take them up on that offer. I did meet with the group for over three hours on one evening and I felt like it was a good conversation. I learned a lot and they had done a good job job of preparing extensive information and PowerPoints and I know that Commissioners Malone and Commissioners [inaudible 00:26:51] also met with them and viewed that material. Thank you.

Moderator: Thank you. Last call from anyone in the audience. All right, let's go to Zoom. Here is the order that you appear on my screen. Ken, Camille, Faye, Mark, Debbie, Kate, Catherine so you'll each have your three minutes. Ken, take it away.

Ken: Yes. Thank you very much. I would like to share my screen. Is that possible?

Moderator: It is on my... Try it and see if not [inaudible 00:27:37] coming up to make sure that can happen.

Ken: Okay.

Moderator: We see it.

Ken: Do you see the screen? Very good. Do you still see the screen?

Moderator: Yes, we can.

Ken: Okay, great. Thank you. Okay. Hello work group. My name is Ken Eckland and I'm a Benton County resident and chair of its Solid Waste Advisory Council. I'm here to call you to question why you are being asked to approve recommendations R6 and R7 from the Legal and Land Use subcommittee, which in essence are asking you to recommend to the Board of Commissioners that they should self-limit public input about the landfill from the Solid Waste Advisory Council.
Very quickly, let me just summarize SWAC's role trash is a dirty business. The public would like to be protected from it and they want their level of protection to rise at the speed of science. If there's a new better way to handle trash, then why aren't we doing it? But the county and the landfill don't move at the speed

of science. They move at the speed of legislation. SWAC was created basically to navigate the tension between those two speeds. That's why SWAC currently has no limits placed upon it because it's supposed to bring developments that concern the public to the county's attention because this kind of ground up feedback is where legislation begins in the first place.

Now here are R6 and R7. I've highlighted the actions they recommend, which are "the Board of Commissioners should more clearly define SWAC's role" and SWAC's involvement in reviewing a conditional use permit needs clarification. Work group members, I'm asking you to question the assumptions here, which are A, that SWAC's role is not clearly defined and that B, it's role, therefore needs definition. The subcommittee's own findings show otherwise, which is that SWAC assists the Board of Commissioners in implementing solid waste management and that the scope of its recommendations is not limited. There's no ambiguity here. There's no reason brought forward that this openness would be a problem. There's no example. SWAC's recommendation about the last conditional use permit was about a page and a half long. Does SWAC really have a filter problem?

Let's look at an earlier draft of these recommendations. This is from draft three and look, back then it was you, the work group who were recommending specific areas of consideration to SWAC. Note that back then you were not imposing limitations, but you've since been cut out of the process. Now you're being asked to approve a recommendation that the Board of Commissioners impose limitations on what SWAC can say to the board. You are being asked to endorse the creation of an echo chamber. I don't expect to have convinced you about the echo chamber bit in less than three minutes, but I hope you'll question what has happened R6 and R7, and what lies underneath this very unassuming legalese.

I hope that you will question why it is that you, the work group, are being asked to recommend an action to the Board of Commissioners that they can freely take for themselves. Are you being asked to give the Board of Commissioners some political cover for restricting what they hear from the public? If you have questions about that, I would urge you not to approve. Don't sign your name to them if you are not sure. Thanks for your time and attention. I should make it clear that I'm talking to you as an individual, not for the Solid Waste Advisory Council. The council's ambassadors in the work group are Marge Pop and Chuck Gilbert. Thank you.

Moderator: Thank you and when you have time, can you stop sharing?

Ken: I'm trying.

Moderator: Yeah, take your time.

Ken: There we go.

Moderator: Thanks so much. Camille Hall, you're up.

PART 1 OF 10 ENDS [00:32:04]

Moderator: Camille Hall, you're up. Ms. Hall?

Camille: Yes, I'm here.

Moderator: Perfect.

Camille: Okay, here we go. As a concerned resident of Benton County that travels up Highway 99 regularly. I'm concerned about the rapid increase of landfill since Riverbend Landfill closed in McMinnville and I've been following the BCTT since

its beginning. And by the way, thank you all I know the hundreds of hours you've spent. What I have learned during this process is that the county gave up its legal leverage to negotiate with Republic Services when it signed that 10 year landfill franchise lease in 2020. We are all in this together, the public, Republic Services, and the county to figure out how to keep the landfill from encroaching on farmland, from driving away neighbors who bought their property when Coffin Butte was smaller, significantly smaller and slated for closure in about the year 2000.

So I was a little alarmed when I read the story in the Gazette Times this morning that there was a legal liability over the petition, which I as a Benton County resident have helped circulate. And let me read you the wording in the petition it says we need a plan, not a bigger landfill. By signing this position, we're telling the commissioners to oppose any expansion of Coffin Butte landfill before Benton County completes a thorough detailed waste management plan that focuses on future resilience and includes alternatives for decreasing and redistributing materials from the waste stream.

So there is no legal ramification for the county to have a position that opposes landfill expansion. They have legal restrictions regarding approval of a conditional use permit, but we as concerned residents want to hear the county be responsible for what goes into the dump and work hard with Republic Services through whatever leverage they can afford at this point, to pull things out of the waste stream, to increase the recycling markets, to do the things that we've taken time and effort to spell out in the solid waste materials Plan RFP that's due to be released. But anyway, thank you all. Work hard. We've got to stop this juggernaut, there's more to trash management than expanding the landfill. Thank you.

Moderator: Thank you very much. Next up.

Faye: Okay, can you hear me?

Moderator: Yes we can.

Faye: Okay. Fay Yoshihara, north Benton County resident. I want to acknowledge and thank the volunteers for their commitment and the tremendous hours put into the BCTT over the past nine months. I would like to comment on two topics, the community survey and PFAS. I'm glad 107 people, much smarter and more persistent than me, made it through the survey. I attempted to wade my way through the 80 plus questions in your survey, which was filled on a very short timeline. It went against everything I know about survey design and execution having worked in this field. In the end, I decided not to even respond because I did not consider this an honest attempt at community engagement. I know you framed it as "please answer the sections of greatest interests", but I could not even decide which to try to answer without a substantial time commitment.

Secondly, I'm concerned that issues around PFAS are not addressed in the report. Leachate is included in CUPR 13, but only its impact on water, not soil. In addition to PFAS-laced leachate making its way into the Willamette River, potentially PFAS-laced bio solids are being applied as a soil amendment at the Soap Creek branch, including where cattle currently graze and on the Carson homestead. This is where the Leticia Carson Legacy Project hopes to someday have an organic farm celebrating Leticia's legacy as a Oregon Black pioneer.

These are two amongst many concerns I have about the BTCC work group process and report. Whose responsibility is it to ensure impacted people's voices are heard? The process has become so inside baseball that I can't understand it despite having tried to follow the proceedings. Community engagement is when you meet people where they are, not where you are. I ask you to please consider the impacts on the many people who are unable to engage in your process as you pull on this report and its recommendations. Thank you.

Moderator: Thank you very much. So the order is Mark, Debbie, Katie. Mark, take it away.

Mark: Great. Thank you very much for your attention. Mark Henkels, a longtime resident of Benton County. I work in Monmouth, so I drive up 99 across Adair Village, up 99 regularly. I've always thought of the news but I never really was that educated about the landfill until I got involved with writing the history of the landfill as part of the Benton County talks trash process. So I wanted to provide, while I am able to submit things as a member statement, I feel like those are just going to become another part of the huge pile of paper. So I wanted to give a little bit of oral testimony to my perspective and concerns regarding this process. One thing I want to start by saying is as we wrote the history which was largely drafted by Marge Pop, myself, with a lot of input from Ginger who is really a great help in many ways.

One of the things that is really clear is while Republic's representative was as reasonable as you could ever expect, reaching consensus meant that we did not include things that we feel the public ought to know about. We did take very seriously the drive for consensus, but in the end when I look back on it, I realize consensus really means veto power. For specific areas I want to highlight that we would perhaps have done better if we had submitted a separate report rather than the consensus report of history we did.

Five points. One, history of fires and fire risk. We feel were significantly downplayed. It's hard to do justice to some of that stuff, but conversations with people that were fire officials locally, it's pretty clear that there's a greater danger there than was first apparent or that we included in the history.

Secondly, the significance for public services corporate decision making in increasing annual deposits that the landfill should have been developed more. In since it's the increased use of the land creates deposits in the landfill that are forcing the county to accept the south expansion, which created a greater incentive for Republic to negotiate for southward expansion and to incentivize it for the county board.

I really expanded on the physical transformation of the area as lands on its trucks and lights have really transformed the Coffin Butte area from an almost bucolic area that I once knew 30 years ago to really a full-fledged industrial zone. I go there different times a day, always the big trucks moving, litter sometimes from the trucks. But just the most important thing is as I drove down from Salem just yesterday, you can see that landfill from very far away over on Independence Road, which is not highway 99, but two miles to the east.

Two other broader concerns I want to race, one is while the immediate previous decision was not perhaps conducted properly and the public, and perhaps some officials, were not well-informed of the process or the basic information concerning the expansion negotiations and the proposal that was withdrawn last

year for expansion. Many of those who were involved did understand the nature of the issues and I think you can view this process as essentia redo of a decision that perhaps was valid to begin with. And finally, my last point, in the bigger picture, this process seems to ignore the core values of Benton County 2040 Thriving Communities initiative. There should be direct consideration of whether the expansion of landfill helps create the Benton County that we envision for 2040 and that has not come up anywhere. We don't have a committee regarding environment or quality of life. We have ones on economics and things like that. Thank you

Millie: Debbie Palmer?

Debbie: Can you hear me?

Moderator: Yes, now we can. Thank you.

Debbie: Okay. My name is Debbie Palmer. I am a Benton County resident and I have been following this work group and it's proceeding from the very beginning. First off, how many people are glad this process is almost over? Raise your hand. Okay, so my comments today are regarding the final document being prepared from all the work group and subcommittee members hard work.

The first comment has to do with history portion in the diagram on page 13 or rather on page 13 of draft five. I see it's now on page 20 of draft six, the blurb about the 2021 CUP neglects to mention its most controversial aspect. Right now it just says that Republic sought approval to place waste south of Coffin Butte Road, completely omitted is the fact that in order to do so, they also sought to close Coffin Butte road and cover it with garbage too. This was a huge issue and leaving that point out is a distortion of the historical record and a disservice the people reading this document in the future.

My second comment is actually a question. That question is, why is so much space in this document taken up with documenting the process of coming up with this document? Wouldn't it be far more useful for it to focus on the results of all that work, the history, the findings, the recommendations, and the appendices supporting the findings and recommendations? The process is not useful information except as a reference. The process is not what the document is supposed to be about. Other than a simple introduction, why not put all those details about the process at the very end in another appendix? It just seems to me that in its present state, this document is working pretty hard to try to justify itself that that is its priority rather than the actual results. This document is costing the county over $236,000. I sure hope in the end it is worth it. Thank you.

Moderator: Thank you very much. Katie Harris, you're up next.

Katie: Good afternoon. Thank you for your time and thank you very much to all the volunteers who've dedicated hundreds, if not thousands of hours to this process. I am Kate Harris.

Perhaps could we get everything else muted? I'm getting a feedback.

Moderator: So folks, it looks like Greg, you have your... Yeah, it says you're unmuted here on this screen. I think that's all we have Ms. Harris.

Katie: I'm Kate Harris, a North Benton County resident as a former Air Force pilot and evaluator with a civil engineering degree and a master's of public administration, a community board member and Adair Village rental property owner and a mother of three young children, I've spent years taking input from those under

my responsibility to ensure health, safety, and quality of life. Many times each year, and particularly in the winter months, we are affected at our house and while the children are attending school in Adair Village by an oppressive stench, not what is coming from the PRC but one that affects our daily living and activities coming from the landfill. It causes headaches, eye irritation, and throat burning, which limits our outdoor activities and often makes me concerned for the safety of the children at the school transiting between classroom buildings, during outdoor recess, and during sports practice.

In addition, the landfill leachate deposited daily at the Corvallis Wastewater treatment plant, which passes through the Municipal treatment System without additional treatment. The abnormal panel of toxins is released into the Willamette River mere miles prior to Adair Village's drinking water intake source. The Adair Village water treatment plant operates well within its required duties to treat river water prior to consumption. My grave concern is that many of the toxins deposited into the source water are not accounted for, treated, or even tested for at this point.

Both the air quality and water quality bring me concern for the safety of the tenants under our responsibility, my own children and their classmates and teachers, and the growing population of Adair Village. It is the charge of county government to ensure the health and safety of the Benton County residents to whom they are responsible and to ensure current and future livability of Benton County. I implore you as the Trash Talks work group to do everything in your power to ensure we account for all potential current and future impacts of our resident landfill prior to contemplating any future expansion.

Have you seen and studied results of local air quality tests? Residual environmental toxin tests? And have proof that the drinking water of Adair village does not contain PCB, PFAS, and other chemical toxins not normally tested for in municipal water sources? If not, we need to ensure that the entirety of the sustainable materials management plan is completed prior to any expansion approval to ensure the safety of all Benton County residents. Thank you again for all of your time and efforts. We appreciate the immense efforts that have gone into this process.

Moderator: Next up is Joe Crockett or Croquette. I apologize.

Joe: Okay, so I guess you can hear me?

Moderator: Yes sir.

Joe: No video though. So interestingly, if you were to take one day's accumulation of trash at the landfill, which is what, 10 hours of dropping trash? And you compress it into a 60 second time period, you would have six seconds of time where trash was coming from Benton County. The remainder 54 seconds, and if you want we can sit through this, the remainder 54 seconds is coming from outside of Benton County and that's amazing.

What's interesting too about that is that six seconds is costing Benton County so much headache and so much time, but we're getting so little benefit from it. And so the fear factors of oh, we're going to close the dump and it's going to cost you a fortune. The reality is they are making so much money on everybody else and very little on Benton County and why are we spending so much time is because Benton County is making a whole bunch of money from that six seconds of trash.

Anyway, it's just a perspective that I think is interesting to kind of think about is that so much of all of this headache that is going to live in Benton County forever and ever and ever is really only a small fraction of what Benton County is actually creating.

Thank you.

Moderator: Thank you sir. Thank you very much. Last call for public comment on Zoom. Last call from the audience. We might, of course we will have another public comment period, but last call for this moment in time. Catherine Stearns please.

Catherine: Okay, thank you. I'm not going to put video on because it tends to interrupt the technology. Anyways. My name is Catherine Stearns. I'm a North Benton County resident and I want to second just about everything everybody else has said prior to my speaking. I am opposed to the county moving forward on any expansion of the landfill at any level until there is an authentic citizen approved plan to manage solid waste. An authentic citizenry approved plan would include all the stakeholders, especially the neighbors who remain at risk for water, air, and ground pollution. For me, the county's motto "at your service" has come to me as "at Republic's Service" and not the citizens of the county. With all the perils risk and damages already identified and submitted over the past 18 months, how can you in good conscience proceed to consider anything less than a comprehensive and substantive future oriented plan?

This plan needs to include specifics on how the county will finally hold Republic services accountable for the damages that are ongoing. Instead of spending $80,000 on a process facilitator, why aren't we getting the state-of-the-art and world-class, 21st century strategies for all the municipalities using the landfill? Other communities with landfills are facing or have faced these same dilemmas. It seems to me the county staff are more diligent in preserving the funding stream than responsibly responding to the very real concerns of the citizens who pay their taxes. If the latest identification of PFAS being dumped into the Willamette River isn't enough to change your direction, then I invite you to go down to the water treatment outflow and take a long drink day after day just as those downstream have to. I'm not a scientist or a specialist, I'm a human being who wants the smarts of scientists and specialists to be integrated into any plan. This is all part of the changes needed to impact our climate concerns and seven generations henceforth. Thank you.

Moderator: Thank you very much. Last call. Anyone audience? Anyone on the computer? All right, this closes the first of the two public comment periods. Thank you very much. Next up on our agenda is to review tonight's polling plan. And Martin, if you could put up the 123 polling refresher.

All right, so this is direct out of the charter. It is the process that we have been using from the get go and just as I said, a refresher, I'm going to outline the key component parts and if you could scroll it up so that we're right here please.

So make sure you have your green cards in front of you with the number one on them, that means you fully support the proposed statement, the proposal as dated. You will vote a yellow card, which has the two on it, it indicates you agree with the proposal as stated, but prefer to have it modified in some matter to give it a one. Nonetheless, you'll support it even if your modifications aren't supported by the rest of the group because the proposal is worthy of general

support. When you vote a three indicates a refusal to support. So any person on any proposal where a three is voted, that will kill a consensus. So any one person can stop a consensus of that particular finding or recommendation by voting a three. If that's the case, we go into majority/minority voting.
So let's say there's a proposal and there's 14 polling members of the work group. Let's say three of them vote to three. We will try to see what we can do to reconcile those differences. But if at the end of the day it is eleven to three, with five people voting the one and six persons voting the two, it'll show that it was a majority/minority decision. The five ones will be noted, the six twos, and the X number of people that voted three. So the actual report itself will always show how many people voted one and how many people voted two and how many people in the three. Your individual votes will be in the appendix for each of these documents. But the rolled up version in the findings and recommendations by the report will be there. So people who are reading it know instantly how robust, if at all, a particular polling was. So that's that process. Let's now go, Greg, how many total findings and recommendations did we have?

Greg: Good question. I don't have that on my fingertips but I can find it.

Moderator: So while he is doing that, let me give you sort of an overview. So the place mat sized piece of paper that you have in front of you, this contains, if you look on the left-hand side is particular in the same order in the report. So SMMP finding number one, this shows on the first, oops.
Well I'm a little confused here, Greg. My document has ex-official members voting. I need polling.

Greg: There are two documents. One is...

Moderator: Okay, so there are apparently two documents. So what I need then is for you to please give me, those are all the ones that have threes on. I believe Millie we took up from that was put in front of us. From this one? Okay, we're good to go. Thank you very much. So in a nutshell, the document in front of you has all the

Millie: They don't have this one because we tried to print it and it sort of broke the printer and so we had to stop in order to print the agendas and other materials for you. So you don't have this massive document.

Moderator: So what one do you have?

Millie: I have the ex-official one,

Moderator: Yeah the ex-official one, which is helpful information, but not what I need to do this correctly in your favor. So we'll pivot here in a rally somehow. Catherine, you have your 10th up.

other catherine: I do. I just want to make a comment. Just in the course of, since we started this meeting, and I hope I'm not speaking out of line, but I am feeling very uncomfortable about the process of which we are being asked to embark on in this moment. We've received a tremendous amount of information to review just two days ago with a limited amount of time to do so. I would expect director, having served on a city council and planning commissions, that normally we would see five days, sometimes seven days worth of time to review. I'm concerned about how rushed this feels. And again, I'm only speaking for myself, but we are making major decisions here and how we move forward these findings and recommendations.

I'm just going to share that I feel a little uncomfortable about that. I will also share that unless it's in the other document, I only have the ex-official members, but I was unable to get through all of the polling in advance of this meeting just because of life and work constraints because of that shared timeline. I got through a large segment of it, but not all of it. But also, unless again, it's in the other document and not this ex-official version, I don't see the amount of hours that I put even into that monkey survey. I don't see that that was submitted and nor do I see any of my other fellow colleagues. I know we're missing some of the polling information and the responses back from those folks as well. So it's me just very concerned, and again, I'm just going to say it for the record that is processed goes wildly rushed and I'm concerned about when we rush processes as important as this, as it will relate to the future of Benton County. I just wanted to state that.

Moderator: Catherine.

Catherine: Yeah, I would agree with what Catherine said. I think it's just a lot to be reviewing, especially considering... I think all the community comment we heard today, I want to take that into consideration when we're looking at these and it feels hard to process all of that, everything that everyone said and take that into consideration for voting for this today.

Moderator: Okay, thank you Marge?

Marge: Yeah, I would second heartedly both comments, prior comments. I would go even a little bit further in that so many of these recommendations are so complex, particularly the ones coming out of the legal group. The ones coming out of the legal group are in lawyer talk. I don't speak that language. There was no attempt made to make any of those recommendations intelligible to someone like myself who has been engaged in another career throughout my life. And other aspects also, as I stated that this at the last meeting, it is been a silo process. Yes, I understand in my subcommittees the two that I am members of, I have a pretty good grasp on how I would feel about thousands, but I already spoke about that. The other subcommittees, I just don't think we've had any proper preparation for us to make the judgements that we're being asked to make.

Moderator: Okay. Yes, Liz?

Liz: I don't agree with any of the previous comments. I think we've all been at this for nine months. We've gone over things repeatedly. I don't think anything on the polling is incredibly different than what we've discussed earlier, other than a couple wording variations. And as far as the legal subcommittee was on that, I'm not an attorney and I was on that subcommittee. We worked very hard to make things as clear as possible. So there was an attempt. So I don't...
Right? I want to be clear.

Marge: Thank you.

Liz: And again, I said this at the last meeting, I think there's a lot of assertions being made to people trying to group things in as evil or bad or left out. But we all are part of the public. We've been here for

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Speaker 6: But we all are part of the public. We've been here for nine months together, we're all human beings. We should talk about each other as if we are human

beings. I know that people call in and tell us how much they appreciate us and then they basically tell us we don't understand what we're doing right after that. And I think you all feel that, right? And I personally would like to wrap this up as with the commissioners, as with everybody else.

I would hope that we can rally, we can adjust on some few word changes that have been done to this draft, draft after draft, after draft. We're not changing everything every time. We're just making some adjustments. I say put our boots on, we roll our sleeves up and we power through this because we're not going to make everybody happy. That's not the world we live in, unfortunately. We were given a task by the board of commissioners to do the best we could to come up with findings and recommendations. And when I review this document and I look over it, I feel confident that you all did the best you could.

Moderator: So I have Chuck and then Louisa and then... Marge, you're up again.

Marge: Yup.

Moderator: And then Marge.

Chuck: I appreciate everybody's comments. It's just a matter of processes here. I am the ex-official members and then I worked late on this last night and I did, unfortunately, start with the number one with the SMP being the lead there. So I put a comment in there, but I'm not sure how our comments go forward here or going to be recalled because under the instructions, if it was a number two, we were supposed to rebut if you would or give ideas for expanding it. I'm not sure how that is going to be played out.

Moderator: So the instruction said if you voted a two or three, put in your alternative language and I have that alternative language. And when we get to a finding or recommendation, first we would be doing the threes. And then you will see that, everyone's comments on the screen and we would work that in real time. So if you could close this screen please. And I just picked SMMP F-1 so people can see what this looks like.

And Greg, I think we need Darren to hear this and so I don't know where... who's turn it is to watch him, but someone could find him and bring him up here. Where is he?

Group: We cannot read that.

I can't read that.

We can't read that.

Moderator: Yeah, appreciate you can't. No worries, about it in the sense that I'll give you the concept. So the way this will show up is SMMP F-1. So they're just in the same order as the report. Then the polling results, who voted one, two, and three. This shows 10 people voted a one, two people, excuse me, one person voted a two and no one voted a three. Because someone pulled a two, they dutifully said, "Here is the language that if accepted by my colleagues here, they would change their vote from a 2 to a 1." So all of that information is going to be on-screen. I will be the first, second and third person to acknowledge that not having it in front of you before that is a challenge, period. Okay, so you can close that screen please. So let me just give you an overview and maybe turn back onto the lights so I can see.

Group: You still have a-

Moderator: -And I know I got to go back tomorrow. Oh, she took her card down.

Speaker 6: Yeah, moment has passed.

Moderator: Moment has passed. So Louisa, did you have anything else?

Louisa: Well, I was going to say I'm a libra, so I agree with everyone.

Moderator: Could you speak up for me please?

Louisa: I agreed with most of what everyone was saying. I was going to say give Sam a chance to explain all this because it seems a little haphazard. We have some issues going on so we don't really have all the information in front of us. And if we're going to discuss the problems, if we have problems, we can always vote a three and say what we feel. I do feel like it's rushed also because there's a lot of information I didn't totally understand, but I'm hoping you're going to then be talking about that in the next six hours, hopefully. So I guess maybe just give the process a chance and see what's happening. But I also agree this is kind of rushed and I don't totally feel comfortable and understand everything like the legal stuff. I could tell it's much better than when I read it months ago, but still didn't totally understand everything which I put in my comments that we're going to talk about, so.

Moderator: All right, so let me just give you a little background surrounding this. So Greg, did you figure out how many we have?

Greg: Total findings and recommendations approximately 220.

Moderator: So of the 220 findings and recommendations that you have in front of you... let me write that down, no one voted a three on the SMMP findings. So we have a consensus on all of the SMMP findings that went forward. There are some twos and there will be a process to refine that. But as far as consensus, no consensus, there is a consensus in all the findings and recommendations for SMMP. On the landfill site life capacity, there are six findings, excuse me, four findings and two recommendations where at least one person voted a three.

So there are four findings and two recommendations where at least one person voted a three. In no case do the threes outweigh the ones and twos. So if you will, there will be a majority, mind if nothing changes as a result of trying to refine the threes and see what they could... So what we can do as a group to get them to a two or one, it would be a majority that is in the 13-1, 12-2 and at I think at worst, 11-3 range where the 11 all voted ones or twos and two or three people voted at four. On the land use, LLU, this is the baby. There are 20, I believe... let me count again, one. There are 20 total items where people voted a three. 10 of them are findings, 10 of them are recommendations.

On the CUP, there are 18 where at least one person voted a three. Of those, six are recommendations and 12 are findings. And on the community education outreach, there are two recommendations where someone voted in one. I will tell you I've been scanning this information just a little bit before you in the timing of it. The extent I could see, there are, of all those... So let me, add it up here, so 20, 30, 40. Of the 46 findings or recommendations where at least one person voted a one. The most common number is one person voting a one, I mean a three. I'm sorry, thank you, voting A three. That's to buy a V8.

And so there is by and large, with some exceptions, there is a robust majority minority for everything. Now that doesn't mean we're done. This process was always designed as we asked you, to see which where you voted a three and see if we can improve it. So Darren, what has been talked about since then, it was

expressed by 1, 2, 3 members that thought it's rushed. They don't have all the information. It is too important a decision to be rushed.
One cons, since we are the public, things haven't changed dramatically. They've just been refinements since it's going on and one person says, "Let's give the process a chance, although I think it's rushed." So I want to get you up to speed. I have no authority to make a call here on what to do or not do, but I want to give you all a chance to talk to Darren directly about this so we have a better sense of where we're at so I didn't inadvertently misquote you or Frazier... Marge.

Marge: I just want to ask. On the calendar it said informal polling.

Moderator: Yes.

Marge: It seems like it was very formal polling because on the basis of that polling now, we are going to give further looks at certain recommendations and findings. So in fact, I think that was a misnomer.

Moderator: Well I respectfully have a different point of view. It's informal in the sense that it's not binding on anyone. I said in last meeting and I can't remember what I said in the survey itself in the moment, that is designed to triage the agenda. And that is exactly what we are doing with this. We are looking at the informal results and saying people's preliminary or informal senses they have concerns about those particular findings and recommendations.
Therefore, we're going to take all of those first and see if we can reconcile them. After we get through the threes there's another list of twos. And then we would look at all of the twos and go over that list. And then when that's done, I will ask the folks, "Now that you've heard all this and do you have any last call... Are there any ones now that you would not vote one on as you did in the informal survey?" And we can poll again. So it is working as it is designed subject to and not to diminish the fact, that I got this stuff and you got this stuff relatively, simultaneously for a variety of reasons that Derek can explain. Louisa.

Louisa: Will there be a chance to have time to read through all the comments from the public since I didn't see that we had this before today?

Moderator: They were sent out last... This is not a justification. I'm not, "So therefore." Yeah, they already got sent out yesterday, late afternoon, early evening as I recall in an email.

Louisa: I Haven't been seeing it on anything.

Speaker 6: That's probably me.

Moderator: Let's assume you got it yesterday at... I'm making this up... six o'clock, doesn't mean he had time to do it. I'm not trying to imply that.

Marge: Okay,

Moderator: So Darren, thoughts the board from the board's perspective what they want to do?

Darren: Well, I'm hearing the comments. I guess I would say, I think the last time we met last Thursday, I felt really good about the progress that everyone made working through the issues and getting those down to, here are the things that we still think need to be included or here are the things we still think to be addressed. We did our best to get those into the report which you now have in front of you in a red line version. My understanding, of the informal polling was to give Sam a sense for where the remaining disagreements are so that today's work could be

addressing those final areas of disagreement and see what it would take to get them into areas of agreement.

You all have been working so hard on these things. I think, you what's in there, that's my sense. I can be totally wrong, but I think you know what's in there. Now it's really the time to see how you feel about that. And at some point we have to deliver that to the board anyway. If you feel like you really do need more time, it's okay. I think part of the reason that we've pushed is because some of you say you've had enough, you're done, you've already gone overtime, you don't want to go further overtime. But I think that's up to you to decide. We don't have an unlimited period of time... At some point we run a budget and we need to move forward in getting to the SMMP, which is the real work. But if you don't feel ready, I guess we have to respect that. Having said that, I don't think there's anything that we haven't seen touched, I felt, for the last seven months, but I could be wrong.

Moderator: So I have Katherine, Chuck and Catherine.

Katherine: So I'll just comment. It looks like [inaudible 01:20:23] you weren't here for the other conversation. Again, I just expressed my concern that the turnaround time. So yes, we've seen previous iterations of some of this information, but one of our public testimony, reference draft three versus draft six and there's a significant change within the language. It would be hard in my opinion, once we've heard all subcommittee, but I think there might be other subcommittees that could say, "I don't know where, while were working on our work, we would've had time to vet comfortably, some of the other recommendations." And I can, to the extent that we recognize the value of the folks that are on these subcommittees respect that work that's been done.

But just a perspective. Can any one of us on a subcommittee speak to some of the disputed discussions or disputed findings and recommendations of another subcommittee that we haven't sat in on that space, and in the approximate 36 hours we've had to review this? I again will just express my concern of we're making what could potentially be, not binding maybe, but very strong recommendations to the commission of which are we fully comfortable making those decisions? And if this was a planning commissioner of city council scenario or some of our other committee scenarios, are we confident that we can make those... fully understanding, the impacts of the recommendations we're making? Because in certain instances here, single word changes can change the meaning of these findings and recommendations.

Moderator: Thank you. Chuck, then Katherine [inaudible 01:21:59]

Chuck: Director, I appreciate the letter of January 13th in the sense that the final word would be ended here, but the wisdom of this group will be given to and forwarded to a professional staff that can carry it further when we get into the technical applications, everything and so forth. So just for us to end here without that relief, it would be some concern. But giving that direction where you'll have that, if you would want to speak on that?

Darren: Well it's really up to you if you feel ready or not ready. I can't say that you are or aren't. I guess to Kathy's point though, I think you've had this for a couple of weeks and you've weighed in last week a little bit. We refined it and now so you're seeing the version, the red line version of those refinements.

I don't think anything has substantively changed. You've actually been sort of honing it for the last couple of weeks. That doesn't mean that I think you're ready. My sense is you've had some opportunities to look at this. I'm hopeful that there aren't surprises in there. Any of the editing that's happened in the last week has been for either clarity or just readability, frankly. But it hasn't been substantive except for the things that you all put into the report last Thursday when you met.

So I'm hopeful that... actually not a lot to changed. But if you feel differently, we have to hear that and that's okay. I know you're getting close to the end of the process and starting to feel that pressure and that's totally understandable.

Moderator: Wait a second, I want to get the queue in order and I want to just clarify that. We had draft six, we worked draft six last week. We refined a lot of the issues and those changes were made. However, what is also true is several subcommittees added additional or new findings and recommendations since then. And they are noted in the report as all caps, 'NEW'. And I believe our track changed in a different color. They almost always are at the end of the particular section with few exceptions that they'll say, I'm making this up like 14, 14.5 and then 15, which means 14.5 was added in. So the queue is Katherine with a K, Marge, Katherine with the C.

Catherine: I don't know that I have a strong opinion about whether we extend for the sake of our own information today. But one of my big concerns is that... My perception of the whole reason why we're doing this process was an indirect goal was to rebuild some trust with the community. And I don't know that I, like a lot of other people in Benton County... I got the mailer yesterday when I came home from work and I know that's not anyone's fault.

I'm not trying to point fingers, but I think it doesn't send a great message to community members if we're saying we want to want to build trust and give people's input and then we give them essentially no time to fill out the survey. And I honestly feel like there's still huge gaps between the community members and where we are. A.

Nd I know we're, we're not all going to reach consensus and for some people this is an issue that touches them much closer than it does for some of us in the room because they live close to the landfill. But I'm really worried that that is taking a step backwards if we don't allow more time for community members to weigh in at this point before we make this final decision.

Moderator: Okay, Marge.

Marge: Well I think getting back to what Darren was saying, "You had time." Well the time I had... I mean first of all, I'm a resident. I am not having an eight-hour-a-day job or 12 hour-a-day job on this. And so as a human being who has something of another life besides this work group, over the last months I have been working on understanding the nature of the recommendations that the subcommittees that I serve on should be making. And that has been a full-time job for me to understand these issues as best I can and try to make the recommendation just on SMMP and history and community outreach. That's been a full-time job for me.

So now we come together and now I see what the legal group has done, the CUP. I just don't have the capacity to do the level of research and the level of

thought, to place the level of thought that I would like to have done in order to make a judgment on these things. I just don't have that capacity in a week or so. However, what I also don't think is that extending it for two days is going to help. An alternative that occurs to me is that we somehow say where we are at this point because we've done a lot of good stuff. I mean we have compiled a lot of information that we did not have before. And that we characterize what we've done as that, and not as, "Oh we have done this thing now. We're all in consensus with them. We all agree now." No we don't.

And I don't think the process did what it said it was going to do. I don't think it did what I hoped it would do, but it did something and it did something. Was it worth $250,000, I don't know. But it got us a little bit further down the road to understand... at least a lot of us, to understanding some of these issues.

Darren: Marge, would it take for you to feel like you're ready?

Marge: The level of effort that's required to really understand many of these recommendations... I mean you can say, "Oh that sounds good to me." Well, but then you don't really understand the legal ramifications. Oh, there's one sentence in here. And so now the county goes, "Okay, well this thing good to everybody.", but they didn't really understand. And that's my fear is that we are going to come up with a bunch of recommendations, that there are different levels of understanding among us and I'm not sure that that would be fair.

Moderator: Louisa.

Louisa: So I agree with Catherine. There wasn't enough time for the community to respond to the survey, but what was the purpose of the survey? Was it for us to look to make a decision about our voting or is it something just for the future, what if we did say yes to all the recommendations and they go out there? That doesn't mean for sure the county's going to even do them. I mean, I guess seeing what the plan would be for the people that are concerned, they need to know what would happen moving forward a little bit, might be comforting or something, maybe comfort. Help us feel like we're doing what we're supposed be doing.

Moderator: So let me just give you some, for what's worth, comments in no particular order. The whole Benton County tox trash process with a cross section of people from the community is in fact a public involvement initiative. The use of a task force or work group, a study group for issues that are complicated and contentious, this kind of approach is frequently used to bring people together to explore those issues.

It is not a traditional public involvement campaign, where the primary purpose is to educate people about what is going on and get their opinion as to options that might be available to the group. I believe that the overwhelming number of public comments that we've received in person and over the phone have gone to an issue that is not before this work group. And that issue is, to what extent if and when should we close Coffin Butte and or deny and expansion and all those related issues.

The charter for this particular work group is pristine in its clarity by saying, "That is not the purpose of this work group." That does not demean or diminish the members of the public who have come before us to say, "That is a very important issue to them." I am not trying to diminish that concern of theirs. I'm

simply saying, "It was not before us." So some of the requests, "Why didn't we study this and why we didn't study that?" It's because they were not in the scope of the charge.

Another thing. I will say that the sole purpose of the public survey that went out was to give you, the work group, the sense of what the public, who had a chance to take it, thought about your recommendations. It wasn't a poll or survey designed to tell the commissioners what the public thinks about the whole range of issues. When the full report is done and if it is done on the current timeframe, on the 11th of April, there will be a more traditional public involvement survey that goes out that does not ask to tell us what you all think about these recommendations, but ask more higher level policy ask questions.

I do not believe that survey, even then, is going to ask the questions that some people in the community seem to want answered. "Should we close the landfill? Should we deny the expansion of it?"

Both of those, neither of those, any of that stuff is not likely to be asked in that survey that goes out in April. The county as to all counties in Oregon have a land use process for that with its own outreach and own testimony first before the planning commission and any appeal goes to the board. So there has been a fly by of expectations of what some folks thought we were doing and what we were not doing. And that is in the charter and I think it's been clear from the chart, we are not opining on any expansion or the existence of Coffin Butte. So those are my in-the-moment responses. Yes sir.

Speaker 7: I agree with what you just said. I think that our charge was that. I think a lot of the comments-

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Speaker 8: Our charge was that I think a lot of the comments we're hearing on the testimony and some that were in just the... I've not been able to look at all the public comments. Or in the survey, but some that I've glanced at, I relate to that. However, there were also some good public comments that were relevant directly to some of the points in our recommendations that we could address for that. It might be helpful to revisit the charge of each subcommittee. Because some of these, running through them last night, I'm wondering if some of them are exceeding or going beyond what that charge might be. But I have to be refreshed on the charge.

Moderator: And we can certainly do that. And we have the report up and ready to go. I will say, on the charge and the scope in the charter, several things have evolved over time based on the will of the work group. So for instance, the whole history piece was never part of the initial charge in the robust nature that it is. And it's there and it's good, it's helpful. And I understand Mark's comments, that he didn't think it went far enough in some areas. And that's why we're doing each work group member and subcommittee member can submit their own personal statements that go into the report. And in the executive summary, I'll be tying in the themes from those into that, so the reader can deal with them. But that was outside the scope of initial chart there.

In the past CUP conditions, that evolved over time. And it wasn't in the charge, but it was for the good of the neighbor, the community at large. And good, helpful information. So we did it and we got good information that we otherwise

have. So it's a long way of saying the argument of position to the extent it's that, well, it wasn't in the charge, therefore it shouldn't go anywhere. I really think the question should be reframed to, given where we are now and that we have a finding and recommendation, is it good and solid and worthwhile? And if it is, make it. And if it's not, do it, but do it on the merits as opposed to the policy argument. That's not in the charges. It is in the charge. No, it isn't. Yes, it is. Let's [inaudible 01:38:47] is it for the good of the broader Benton County community? And if it is, God's speed. If it's not, bye-bye.

So, Marge...

Marge: Well I'm not questioning any of what you just said. I'm just saying that I doubt my capability to be able to make a responsible judgment regarding some of these recommendations. And...

Moderator: I hear that.

Marge: I refuse to believe that I'm that much more stupid than everyone else.

Moderator: The thought never crossed my mind, that it's about stupidity.

Marge: So I just wonder if we could do something and instead of making this vote such an incredibly important part of this process. Like the vote is, okay, so now it's set in concrete, now we have that this recommendation is what everyone has agreed that Benton County should do.

Moderator: Liz.

Liz: I don't think any of us were supposed to be experts on landfills or legal language or past CUPs, or, or, or the trillions of things that then that have been put in front of us. That is an expectation none of us should carry because that is not something we can do. What we can do, is we can come together, we can lean on each other, we can work collaboratively, which we have done right? We've talked about it. We've done our best, we've extended the time, we've gone beyond what the commissioner's asked us to do. We've looked even deeper. And I think we've done a damn good job of it, honestly. And I think it's going to cost the county, the taxpayers, us, the very people who are mad that we're doing it a different way than they wanted us to do, more money if we don't finish the process properly.

So I understand the frustration, but I think you are reaching for something you're never going to achieve for this process, which is, I'm a landfill expert. 'Cause none of us are going to be landfill experts. We're going to be Marge, we're going to be Liz, we're going to be Chuck, we're going to be Catherine, and other Katherine. Right? And I think we need to at some point be able to step from this process and go on with our lives. And not extend this for a year, year and a half, two years.

Marge: Oh, in no way do I want, let me be clear. And I agree with exactly what you're saying. We are residents. We are not experts, but here we are being asked to make judgment as though we were.

Liz: No, there has to be. Do the best we can. That's what we're being asked to do. The best we can.

Marge: That is, I'm not sure that that is in the best interest of Benton County residents.

Speaker 8: I have been reassured by this group, especially in the last couple weeks by them coming together with the other subcommittees. Because it's given us insight for balance, although it's still a polling process. But would you give consideration if

one entity is not really clear on that, that they can abstain, as long as not everybody abstains. And you still have a majority.

Moderator: So a couple of thoughts. Well, I'm going to wait til I see other hands or cards. So, Ed.

Ed: We've both spent too much time and we all respect each other's time and the opinions. Could be tried maybe working through some examples of, I'm suggesting maybe put up the CUP thing, which not too many people are involved in. When we go through the process, the threes and twos and ones and maybe point out some other things. We have to just kind of get one model section down, see where the comfort level is with everybody at the end of one trial run. And I don't feel like a landfill expert, that's why I pay all these bills. So the public is here.

That's all I'm suggesting is we just try a model, a test run and see how the process works.

Moderator: So that was what I was going to suggest is that we take on... I don't want to jump the gun there, but I do think we need a ten minute stretch break and relaxation break. So we will be back promptly at 3:30.

Speaker 8: Restroom location.

Moderator: Restrooms are apparently out this door, to the left and then the immediate right down the hall. They're both on the left. They're unisex as I understand.

Speaker 8: And there's more down in the lobby.

Moderator: And more in the lobby. So go forth, relax for a few minutes. And we will stop the recording, or pause or whatever one does.

If you could give us a thumbs up, if you're hearing us, so we know that you're able to at least hear us. Thumbs up from anyone on the screen who can hear us. Thumbs down if you can hear us. Rotating thumbs. Any hints whatsoever?

Marge: Debbie says she can hear.

Moderator: Oh, Debbie, thank you Debbie. She can hear us. Okay. All right. So, what we're going to do, trial run here. Is we are going to look at LLU, which is past land use issues. The first recommendation where someone has polled a three, is LLU R6, LLU R6. And because there is... Well let's start with that one.

Liz: Sam.

Moderator: Yes.

Liz: You said LLU was land use, is that legal? I just want to make sure I'm looking at the right thing.

Moderator: Legal.

Liz: Yeah. Okay.

Moderator: I lied. What I want to do instead is CUP R6. CUP R6. Just seeing if you guys are paying attention.

Marge: Is three going to get any better.

Moderator: And so on this, it actually looks like R7. Okay, next page, CUP R7. CUP R7. Let's get it up on the screen here. This shows that... Uh oh.

Here it is. So this shows that eight people fully supported, they voted a one, they do not want to change it. This shows that two people, two polling members voted a two. Go to the three. That means if there's no movement from what we have now, there would A, not be a consensus. B, it would be a majority minority opinion, eight to two supporting the proposition. But just so you know, let's

assume as a result of this, one of the people that polled one changed their mind and downgraded it to a two. It would still be majority eight to two, but it would show seven people voted one, one person voted two. So in the actual work group report, and this is something that you consider to an extent it's important to you. Each recommendation will in fact show. It's not just going to say, consensus. Or, majority minority. People are going to be able to see how robust the consensus was.

So for instance, there's a big difference I would assume, in reaction the commissioners might have, if the polling was one person voted one. And seven people voted two. And whatever's left over voted three. They're going to go, well this wasn't very robust. Yes, it was a consensus, but we now know there's more to just this narrow conclusion of consensus. That's never been the intent of how we were going to write that up.

So the people that vote... And again you got this maybe as, whoever's driving this, it may be as big as it can be, but to the extent it could even be bigger on the screen for people. That would be great. So, the language proposed by threes, and it basically says legal subcommittees determined that these are not regulatory conditions. This recommendation should be removed. Legal subcommittee, determined these are not regulatory conditions. These should be removed.

This is where I asked the two people that voted three, what would it take in good faith, that if your colleagues agreed with you, you would move your three vote to a two or a one? And we'll open that up to whoever were the two people that voted the three.

Russ: That would be me, Sam.

Moderator: Yes sir.

Russ: And just confirming, again, we're talking about CUP R7, right?

Moderator: Yes.

Russ: Okay. So, my understanding legal committee, CUP subcommittees have differing opinions on this particular recommendation. Legal committee, as I understand it has fairly strong perspective on applicability going back to 83. For us to move from a three to a two, I'd like some sort of affirmative statement, this isn't the precise language, but something that says... I shouldn't say for me to move, I'm presuming you were another three. But that denotes disagreement between CUP subcommittee, legal subcommittees, legal committee has different perspective about applicability for maybe three going forward.

Moderator: All right, so let me try, and this is where we're going to need staff heavy involvement here, because he's looking into the legal stuff, Greg. So tracking this, I'm again not trying to put words in your mouth. The issue is perhaps keep it as it is, but then add a sentence that says, please note legal subcommittee F-X... We'll figure out what the number is. Concludes that they are not regulatory conditions.

Russ: Difference of opinion between two committees, legal subcommittee, yes. Mapping back to whatever number that is. I suggest it more as a preface rather than a, please note at the end. But I think with that, we could go from three to a two.

Moderator: Okay. So Greg, what would be the... And so this is where I need you, staff to be typing in the revisions that we're doing. Where it says realtime draft revision. That's where you would be track changing this proposal. And we'll open up the discussion and do all of this. So put in the preface that LLU F-X concludes that the site plan and narrative are not regulatory conditions. In front of that, go forward. This is just rough conceptual language. We're not fine tuning it.
So then here's the protocol. So you see how this goes. We have a proposal that would move people from a three to a two. Then I look to the ones here and say, does this addition of the sentence in and read there, would that impact your vote from a one to a two or a one to a three? So it's this iterative dance. Catherine, with the C.

Catherine: Yeah, thank you. So as a member of the CUP subcommittee that drafted these recommendations, I just have a couple comments. The 1983 land use decision was instrumental in how we moved forward as a county with [inaudible 01:54:25] landfill as original landfill. It also still has bearing on some of our operational conditions today, as I understand it. And that has been repeated in more than just our subcommittee conversations. My concern about what we are proposing is several.
Number one, the legal subcommittee as well as all the rest of the subcommittees are recommendation bodies. We're making recommendations to the commission. I would say that the CUP subcommittee could wander into the legal land use subcommittee territory and embed this type of... We disagree and we'd like to see this statement instead. But I see that's kind of undermining the process of the 1 2 3, whereas I'd be more inclined to leave that number three in place. Showing that there is a difference of opinion and leave the CUP recommendation as it was written. Because that's the committee that drafted this language.
I was not invited to the legal subcommittee to debate the [inaudible 01:55:24] of understanding, for example. Nor would I presume that it would be my position as a certain subcommittee member to put some sort of a statement in opposition to that member understanding. We put it in places that were relevant to our subcommittee work. So I feel like in part that this proposal to add this language is undermining the work of the subcommittee, to which we did have a few joint meetings, but they were very short noticed. And I don't know that at any of those times all of us were able to attend.
I feel like this is changing the process. I'm more inclined to just say leave the three there. Just making it a majority minority. And again, keeping in mind that the legal land use subcommittee has not been recognized in any place that I'm aware of as the legal authority to make that determination, which is why we put that recommendation in there. Is that someone would either been given that authority, not the experience of law, but the authority by the commission, should be making this determination. And not another subcommittee.

Moderator: We'll refine this process to make it work for this group. So I guess the first thing I want to ask is, is there anyone that would change their vote from a one to a two or three? And I just want you to put your name tents up. You don't need to argue your position. I just want to know if this addition changed anyone. And then we'll go to the reasons why people can vote.

The other thing I will tell you, while it doesn't show here, for the same reasons we talked about in the end, that ultimately there will be a staff report that is sent to the commissioners that does this crosswalk. So it will in fact say somewhere in here, like we did in some of the crosswalk documents we had at the last two meetings that says with regard to the regulatory nature of 8307... The legal subcommittee said, here's their finding. The past CUP said, here's their finding, well in this case, recommendation. So it will be side by side in the ultimate rollout. So that will be noticed, to be clear. So are there by just quick, put up, oh, I'm sorry. Liz.

Liz: That's okay. I just put it up while you were looking at it. I'm pretty sure our LLU F-22 findings is contradicting the CUP finding. Am I wrong on that?

Ed: No, you're right. That's right. You're right.

Russ: Well, so that's the cross reference point. It doesn't necessarily contradict it. This recommendation is saying determined, and the CUP F-22 from a legal, is saying, this subcommittee has concluded. Again to Catherine's point, our subcommittee is not the legal authority making the determination. [inaudible 01:58:40]

Liz: Gotcha. With that, could we then lead those in contradiction for the staff and board commissioners to read that for themselves and then make their decision?

Moderator: So I actually don't think it's a contradiction. These aren't mutually exclusive statements. I mean one is saying it's not regulatory. And the other says, it should be reviewed by someone. I think a challenge with this particular one happens to be, determined by whom? I mean what's the noun here that needs to be added? And I say that because A, it's just important to be clear. Secondly, none of these recommendations or findings are... They're just all recommendations as to finding in recommendations. So these aren't conclusions. A statement in any of these findings and recommendations is that you all thought X, that doesn't resolve the matter. Ed?

Ed: I'm glad you brought up for the legal committee one, because it is the opposite of this. And the legal committee went ahead and made the decision. We're just saying, clarify. But when I read through the legal committee stuff [inaudible 02:00:08] published, there was almost a fly by. And we may have gotten off on the wrong foot in saying, and it was great, your response, great, what you said, something enforceable versus I guess you said you hadn't determined that it wasn't enforceable. You just had determined that it wasn't a condition of approval. Okay, that's a nuance. That's the legalese part of it. And that gets at the heart of what a bunch of us have been concerned about.

Well, as Catherine said that the 83 documents are extremely important in defining the county's vision of what this landfill was going to be. You can say that vision is not valid because they weren't written as a condition of approval. But your comment threw me back to what we use as the source material. And what was given us by the county to review is actually the ordinance document, which just has the operative words, I guess are, findings. And not approvals. So, I'm thinking here, we could go through and say, yeah, you're absolutely right, legal committee. They're not conditions of approval, which is where we were focused at the time when we wrote this. Because that's the way we did the CUP review process. But gee, if you call them findings, then they are enforceable. And that's a whole different direction that you go in.

That instead of saying what people thought, what the landfill was going to look like in 1983 was not possible. It is possible if you view it as a determination. And that gets so much more complex that it's, hey, just don't touch this. Just have it float up to decision makers and have all the appropriate attorneys [inaudible 02:02:45] over it because it's well above our pay grade. You see where I'm getting at?

I mean we might have crafted the recommendation too narrowly, but instead of going back to the recommendation in changing it, which that's too late to do in this process. It may be something that Russ has, it's a point to this what Liz mentioned point, there's another side of this. And there's another finding. And that we should consider these findings in the light of determinations that need to be resolved at a higher level.

Because when we get to the legal side of it, you'll see a three from me because the way it's written, it says the county has determined something. And I'm not sure the county has. I'm sure the legal group has, but I'm not sure the county has. So we're going to have lots of nuances here.

All right. So I think I'm kind of where Russ is. We can put a modification in this, but we need to somehow connect the two of them. I don't know how to do this.

Moderator: Well, I mean the way to do it is what's on the screen here.

LLU F-22 includes that the site plans and narrative are not regulatory conditions. And then the statement from your subcommittee says blank, you should give me, hopefully you're giving us a noun here, determines that the site plan and narrative include da, da, da. Now that would accomplish some things for some people. So I have Louisa, and then Russ.

Louisa: I don't think we should put the legal part first. We should put that at the end. Something like, consider this or something, instead of putting that very first. Because that wasn't what the CUP committee recommended and that's more-

Moderator: I don't think that should be a problem. And it is a little bit of [inaudible 02:05:03]. But just switching it to the end.

Russ: Yeah, that's totally fine. I was just going to suggest, so one, Catherine, zero intent to try to undermine CUP committee work whatsoever. I was responding to the question, how do you move from a three to a two? I think I'm tracking with Ed a little bit. Perhaps it's, consider that CUP legal committees, I'm thinking of this as a preface sentence. Consider that CUP legal committees have differing perspectives, period. And then the recommendation still holds from the CUP committee determine if the site plan, blah, blah, blah.

Moderator: So is that a way that gets us forward? So it is a modification of this. I'm hearing Russ, the red text would say, don't cut it away, Greg, but just put in front of it. Just put please see LLU F-22 for contrary view. Or something like that. Is that what you're trying...

Russ: That's exactly, yeah. That would get us to to a two.

Moderator: So, if your colleagues accepted that, just the first words there, yeah just kind of highlight everything but the last words, Greg, the reverse of what you're doing. So would that change your polling from a three to a what?

Russ: A two.

Moderator: Okay. And that's for, who's the other two? I'm assuming it was Sean.

Sean: Yes, I'm a [inaudible 02:06:52]-

Moderator: And so you would move to a two. Does anyone, any of the people that voted one, now want to change their vote from a one because of the addition of please see LLU F-22, for a contrary view? Anyone want to change their vote from a one? See, now some people did not poll. So I will ask you if you did not poll, what is your poll now? So get your cards one, two, or three. And if you did not, if you're not part of these 10 people that polled. What is your poll now?

Marge: How do we know for sure you got our poll?

Moderator: Well, we got your poll...

Marge: Did you get my [inaudible 02:07:51].

Louisa: Everybody, whether or not you polled before, I don't have that document in front of me. Just make your little number reflect what your vote is right now.

Moderator: That's easier.

PART 4 OF 10 ENDS [02:08:04]

Moderator: Our vote is right now.

Marge: Yes.

Moderator: All right. So we have Catherine. We have Catherine Bisco. A 2, Sean, 2 Russ, 2. Liz 2.

Marge: I'm going to go with 2.

Moderator: Marge, a 2.

Marge: 2. I think they know what they're talking about.

Moderator: Everyone else, everyone else at the voting member. I just want voting members, not ex officio members. If you're ex officio, take down your deal. All right. Right. So we have 1, 2, 3, 4, 5 with Catherine with a C, voting a 2. Everyone else present is voting a 1, which is- We need to call off this for the record. So I'm sorry. Yeah.

Louisa: So I have six 1s. [crosstalk 02:09:19]

Moderator: We have to, sorry, you have to call Chuck, what's your vote? Marge? What's your vote? Tell you the tallies are correct.

Louisa: Okay. Chuck you're a 1.

Chuck: 1. [foreign language 02:09:28]

Louisa: Okay. Marge is a 2. Elizabeth is a 2. Ross is a 2. Sean is a 2. John is 1. Katherine with a K is 1. Mary is a 1. I have N as 1. Louisa as 1. Catherine with a C 2.

Moderator: Okay. So the final result then.

Louisa: Six 1s and five 2s.

Moderator: Okay. And so we have a consensus on a, with six 1s and five 2s. So that's an example of how out of this will work. Let's go on to same category, R12. R12.

Marge: Same category. You mean the...

Louisa: The CUP.

Moderator: Yeah, we're still on the CUP.

Louisa: On the Sub-committee category.

Moderator: So that's on the screen. We have, I will tell you this, I'm not sure how this fits in to our protocols, but just for information, Andrew Struthers is on the East coast in a pre-scheduled conference. He sent me an email last night. He, at that point in the informal poll, so it doesn't count for the formal poll voted. He had no 3s, he had one, 2. And Greg, I sent you an email. Did that get in here? One, 2. And the rest were ones again, it's an informational piece for what you're worth. I not heard for Kris Ryan has a groundbreaking ceremony. He'll be here in a bit. So that's just sort of the state of, I think. All right, so the person here, that one

person that voted a three said they would change their vote if burden is changed to impacts. So who is the spokesperson for that?

Catherine with ...: Guilty.

Moderator: Okay. So tell me what you think the difference is between the term burdens and impacts.

Chuck: Burdens has an obvious connotation. Impacts I think has a different combination impacts in my mind it's even more broad. Has applicability to not just environment. It has applicability to people, it has applicability to community, et cetera.

Moderator: Okay. All right. Catherine with the C.

Catherine with ...: Yeah, I actually think that we made this change. So I didn't evidently make it into this draft. Because I believe Ruston, we talk about that at one point.

Ruston: We did it just in the language. I reviewed it, thank you.

Catherine with ...: Yeah,

Ruston: Still saw it [crosstalk 02:12:39] .

Catherine with ...: Yep. I picked up on it as well. So evidently that change just did not occur. I don't have a personal objection to making that change at all.

Moderator: Does anyone have any objections to changing the word burdens and replacing it with the word impacts? Any objections? So that is the change. We'll need to see your cards again. One, two, or three live as a result of that change. So all members present are voting a 1. So we have a consensus of all 1. R19. Why isn't someone yelled out? Bingo yet. Bingo. Two. We have not enough numbers of been called. All right.

Chuck: Battleship.

Moderator: Yeah, battleship. All right. We have CUP19. This is new. Okay. It says "Do not use the existence of a LUCS as evidence or proof of compliance with DEQ requirements until additional information is available from DEQ on how to interpret their use of a LUCS". Three people voted a three. So the comments were a new finding we need to discuss. We haven't had time to vet this finding and I feel like we need more information about this. I couldn't support it with more information.

Louisa: Sam.

Moderator: Apparently Audrey. Apparently Audrey would like to participate. Oh, oh Audrey. Yes.

Audrey: Thank you. I as an ex officio voted a 2 here because I think the language is not accurate. We did provide information to the legal group that I think probably should have been provided to the CUP group as well. A land use compatibility statement should never be used as evidence of compliance with DEQ requirement. The land use compatibility statement is a document signed by the local government that verifies that the entity applying for a DEQ permit is located in an area zone appropriately for the proposed use by the local government. And that's in our regulations. So using a land use compatibility statement is evidence of compliance with DEQ requirements is not an accurate use of a land use compatibility statement.

Moderator: Okay. So first, what do you have in legal land about that? And then let's get back to this because this is interesting comment here. Does the legal folks have something on this?

Ruston: I don't think we have. Don't that subcommittee has a finding specifically to that point.

Moderator: But you do rely on the LUCS to stand for the proposition that Republic was in compliance as of that date, which then trickles into other issues.

Ruston: Yes. So that is finding... There's LLU F15, regarding the 2002 MOU, doesn't specifically reference the LUCS, but it says that the MOU, the 2002 memorandum of understanding does not address whether the county's determination of compliance with local requirements includes compliance with all conditions of past land use approval. So that's related but not directly to this point. I mean I will say from a staff perspective, I mean we would never use a LUCS as evidence of proof of compliance with the agency's requirements just for information. Also, from a staff perspective, I don't see a problem with that as a recommendation. Yeah, because you shouldn't do that and we wouldn't

Louisa: And there is more to that. It basically says that it can did not determine that that DEQ regulation of a particular environmental parameter is inadequate to protect. Right. It goes in DEQ is such as entity, right? We kind of stay in our lane and DEQ stays in theirs to a certain degree.

Moderator: Yes. Audrey?

Audrey: Am I reading the recommendation inaccurately? Because what I read CUP recommendation 19 to say is that go verify if the LUCS is evidence of proof of compliance with DEQ requirements.

Moderator: So this yeah is a confusing, maybe you can help me here. Because I thought the concern was don't use the LUCS, that it's almost that I, you know, just tell us what on your mind...

Ed: This is the answer that was requested. So that fulfills the needs to get this particular recommendation completed. That's the answer that's needed. That's the right, that would become binding. Okay? Because that's the definition we ask to get the definition of how they use it and they provide it. Where this comes in is the MOU that in on the legal committee there's a number of findings and recommendations that are built about an MOU from 2002. And one of the many supporting arguments they used to say everything's fine is that deluxe is evidence that things were in compliance at a point in time. Well, this just says you can't use that. So it just goes back to the argument when we get to a 3 under the legal side of things that, so we point out the LUCS is not inappropriate. I don't remember, I think I said it more gently. It is the MOU does not prove that. It does not prove that the landfill was in compliance. It's just not relevant at all because it wasn't constructed. What it uses as evidence that your in compliance wasn't intended to be used as evidence that you're in compliance. So really the authority is the DEQ, we don't use it that way. So we shouldn't be.

Moderator: Let's try to reconstruct this. And so Greg-

Marge: Inga.

Greg: Inga is driving this.

Moderator: [crosstalk00:02:20:38] I'm sorry.

Greg: It's all right.

Moderator: I'm doing my best here.

Greg: No worries.

Moderator: Inga, below where it says a polling version, strike that and put potential finding. And then Audrey give us at a pace that she can type the finding that you just articulated.

Audrey: If you have this, it's the comment in this.

Inga: Yeah, the comment's already there.

Moderator: So I'm just suggesting we move it through. Okay. So it's moving it down then to make that a finding.

Ed: And that recommendation that just goes away.

Moderator: Right? She's doing that. I mean LUCS was never evidence of proof of compliance with the DEQ requirement. It's the reverse DEQ needs LUCS to see if they're in local compliance, right?

Ed: That is correct. Understand, this statement on the way it is written, when you look at the legal side of it, it is written that it is evidence of compliance with DEQ.

Moderator: Right?

Ed: The opposite is used.

Moderator: Okay. If it's going away, it's going away. So R19 goes bye-bye. In its place, we have a finding, we'll poll on, this is a joint poll. The proposition is we remove CUP19 and replace it with finding X. We'll figure out where it goes in the sequence. 1, 2, or 3 surrounding that.

Audrey: Can you ask question?

Ed: Yes.

Audrey: So why does it turn into a finding that because it's already a communal thing?

Moderator: We don't need a recommendation to change something. It is the finding basically says this is the law or this is the procedure. And so the companion finding recommendation, if there was to be one, was follow the law, which of course we don't need today.

Audrey: But then there's just a gap to me. So then Ed saying in the past there was a problem with that. So how are we making sure that we don't need to make sure that doesn't ever happen again?

Moderator: No, I'll turn to Ed. Catherine actually has her hand up.

Catherine with ...: So tee up to my comment, which was, it would be helpful I think to add the context. So with regard to the 2002 MOU language regarding LUCS, DEQ has provided that because it really does tie directly to that document, which is being used as a document to suggest compliance of all things up until 2002 for all conditions and Mighty's decisions requirements pre-2002. And the language is, so the finding that we're drafting here is to really point to that language as it kind of being muddy or incorrect even perhaps. So if we can add to this finding not just what Audrey provided in her comments, but with regard to the 2002 MOU narrative or anybody else wants to make amendments to that, but I think it will be helpful to point to the reason why this was even added into the conversation.

Moderator: All right. Audrey, Ed?

Audrey: Were you first?

Ed: No, I think you were.

Audrey: I didn't read the MOU, so I'm not commenting at all on that. I'm just commenting on the ability of what Alan's compatibility statements are.

Moderator: Okay. So just to be clear, so no one's missing this conversation. The best I understand it is therefore a LUCS should not be used to as a statement that they

are in compliance. It is only limited to they are in an area zoned appropriately for the proposed use. Nothing more.

Audrey: I can get you exact legal language if you would like it, but that's the general purpose here.

Moderator: Well, don't we have the exact legal, the language on the screen now because that what's from the comment?

Ruston: I didn't copy it directly from 3 40 18, but that's the intent.

Moderator: Okay, Ed?

Ed: No, that's, she's clarified. You clarified it. That's the whole point.

Moderator: Okay, so it says, new. "See with regard to the 2002 MOU. Dot, dot, dot."

Audrey: Sorry, what?

Moderator: Please poll 1, 2, or 3 surrounding that change. So we have Sean and Russ voting at 2. All other members present are voting a 1. R 23. R 23, same category till I tell you later and or you correct me, whatever comes first.
Here we have 7, 2, and 1. It's a new recommendation. Future users review all then available source files for evaluating land use decisions. We do not solely rely on appendix A2 documentation. Whoever voted a 3 would like more information before to support this. And then we had two people that voted a 2, as is our protocol. We'll vote, we'll take the threes first and go. So whoever voted a three, what more, tell us more about what you need.

Louisa: I'm anything me, but I don't know. I don't remember what I voted.

Moderator: You can say you'd like to talk now. [crosstalk 02:27:33] You can just talk now. Even if it is that you're not a 3 or a 2 or a 9.

Louisa: I probably voted 3 because I know I voted 3s on some of these because I don't know what they were talking about.

Moderator: Okay, so this is corner...

Ed: The intent was to recognize that we didn't do a hundred percent job. We looked at what we could look at. We looked at what was available at that time. There may be other things that crop up as the search goes on is office gets emptied in another box of files show up. So instead of people just saying whatever happened as an appendix A2 is definitive, there's no more information, it's now, think that it's there, but look for anything else that might be available at that point in your time in the future. And use, say use A2 as a base. But look again to make sure you've got everything that could pertaining to the historical situation.

Moderator: Pardon?

Louisa: Whatever it says I guess?

Moderator: John,

John: So I need to understand too, I may have been a 2 or 3 with Louisa. I can't remember. What you're saying that is, then that A2 has a certain amount of information that we've gathered.

Ed: Yes.

John: When a CUP comes up again, you're saying don't just use that, use whatever Newman information is available as well.

Ed: Yes.

Marge: Okay, Good. Okay.

Moderator: So call the poll again on this is CUP rec 23. Please poll 1, 2, or 3. All group members present voting A 1. Have a consensus. R 24.

Catherine with ...: Can I just make-

Moderator: I'm sorry, Catherine, go!

Catherine with ...: -further amendment future users are encouraged to review. Might be helpful if it points a little bit.

Moderator: Yeah, that's a good catch. Future users are encouraged to review. All right. R 24. This one we have three 3s and this basically is a new one also from CUP. And the people that voted 3, "multiple new recommendations, none discussed or vetted... Would like to discuss further at meeting... Interested but need more information... Isn't this what the Planning Commission and SWAC are for? Could this be an advisory committee combined with ACs in the SMMP? Sounds expensive and if was only volunteers it would be hard to find people to not do this."

So let me give you a little background before the context is in. In my assessment. I made a recommendation to the board that, and they have subsequently accepted that, that says, one, the county should seek outside legal advice for the processing of the next republic expansion. CUP. They said yes to that. Second, I recommended that outside planning folk be hired to do the same thing. They have said yes to that.

The only question that had been talked about earlier was, when those people are selected to fill those roles should, for instance, a member of BCTT be on the interview panel for those two positions. That was my understanding of this. The second part of this, there's the first part of it, which is talking about only guidance for county staff. Again, what it's working, you recommend what you want, but that is what is being done already by the board in this regard, at least as it relates to the Landry stuff. The attorney, the county is in a different situation because he has ethical or she has or they have ethical responsibilities to the county under the attorney-client relationship. So Ed, fire away.

Ed: It's what you said that the comment in there about the resources should be independent or not dependent on county staff for administrative task, for iCal support. That's the kind of thing having Inga even, we spend time on weekends in holidays, to do these things. We shouldn't be asking the county staff to be extended to these other duties. Make sure that there's enough people, if there's enough work capacity to get it done without having to overburden in the county staff. That's all that was intended down there. Does that help explain it a little bit?

Marge: No.

Moderator: Okay. Any other questions or comments? Any other 3s speak that vote? 3?. Do you have something on this? Yeah,

Chuck: I think to move from a 3 to a 2 I'd just say rather than making it a singular public member, I'd just say make it plural to reflect diversity of opinion from this group.

Moderator: Okay. Seems like a friendly amendment go from one person to two. So a calling the poll, this will stand, but public members of BCTT will be the substitute there as opposed to that. Please poll 1, 2, or 3. We have all members voting 1. The people that are voting 2 are Russ, Sean, Louisa. There are no 3s. We have a consensus. All right. Those are all the R findings.

Let's take a pause here for a second and hopefully briefly go back to the process piece because it is also dinnertime. It will be in a few minutes. This is living

example of how this refinement process goes. I am suggesting that we continue this process as we have done it. I'll go through all the 3s at the recommendation level and then I'll go through all the 3s at the findings level unless we have to deal with the finding in a recommendation because they're paired up and bundle if you will. And then we'll see where we're at making this up. 7:15 and go forward. Staff. Do we know where dinner is? Is that set up and ready to go?

Greg: They're supposed to be dinner?

Marge: You were cooking weren't you Greg?

Moderator: We could have DoorDash? A group order on DoorDash. [inaudible 02:36:36] Ready?

Marge: Ready.

Moderator: So we'll be back promptly at 4:55. We got 30 minutes. 4:55.

Ed: And personally express their thanks. I appreciation to you. I think Sam and I have been going back and forth as liaisons every couple weeks to talk to the commission, tell them what you're doing, come back here and tell you what the board says. It's really nice to have our board commissioners with us this evening. This is the last meeting of this work group and they'd like to say a few notes of appreciation and then we have a little something for each of you. So Mr. Chair.

Pat Malone: All right, well, thank you. Oh, I'm Pat Malone, county commissioner and board chair this year. I really appreciate all of your efforts to get the work group to this finish line. And sorry about extending the deadline. I remember we said something about, oh, we'll have you home by Christmas. The project was bigger than initially anticipated and took more time and appreciate you folks being flexible and hanging in there and saying, yes, this is important and we will give you some of our precious time. So thank you for that. You've helped to develop much needed information that will serve Benton County well in the future. And you've also showed where we need to do more work. This isn't the complete end, but it's the end of this phase of the work group. And this project shows the importance of volunteers willing to step up and make Benton County a better place to live. So thank you.

Speaker 9: I too would like to give my sincere thanks to all of you for the incredible amount of time, intellectual ideas and contribution, skill you've brought to this process. But most of all, your dedication to putting together a product that will help us as commissioners and our staff as we move forward to make really big decisions about the future of the solid waste management process here. But I think it's going to not only affect Benton County, but it'll affect all of Western Oregon because we know that one thing we've learned in this process is that our Comp and Butte landfill, though we may think of it as ours, frankly is a...

PART 5 OF 10 ENDS [02:40:04]

Speaker 10: Our [inaudible 02:40:00] landfill, though we may think of it as ours, frankly, is a resource for half the state. It is critical to homeowners businesses, other accounting governments, and we need to figure out a better way to manage the resource for the future in a way that respects landowners and neighbors and that also respects all of our needs for waste management moving forward. We need to innovate, we need to do things differently and part of what you all have been doing is really kind of a retrospective look.

I am thrilled that there's a better history of all the decision making that's gone on in the past. Thank you to all of you who helped assemble that. I just can't thank you all enough for working in a way to try to put together some sort of a consensus approach about what we know and what we don't know, and being brave enough to say, okay, I don't agree with that, but here's why. Because that's going to make a huge difference as we as commissioners make decisions moving forward. Most of all, I want to say I'm very excited about taking the next step and putting together the Sustainable Materials Management Plan that you all have helped put together the outline for, because I think that's going to be essential to moving us into the future of waste management, here and across Western Oregon. So, thanks.

Speaker 11: I will say yes, what they said. Thank you all very much for your dedication and for your willingness. It just blows me away and just warms my heart how dedicated our community is, just all of you that are willing to give up such a massive amount of your time and your focus. It's not just the time to sit in the meeting, but it's the mental capacity of all the thinking and trying to make hard decisions. I just cannot tell you thank you enough for all of the time and energy that you have all put in.

As my other commissioners alluded to, this is just kind of the first step in the process and there's a lot more work to be done, but very glad that you all have helped us get the ball moving. Then, I get to be the one to say we have some plaques that we would like to hand out to all of you. At the end of the meeting when you are leaving, there are going to be gift bags that you can pick up on your way out. So, the three of us commissioners will each take a turn saying someone's name, and then our staff will present you with your plaque.

Speaker 12: So Nancy's already asked the question, how many commissioners does it take to hand out a plaque?

Catherine Biscoe.

Speaker 13: Hold your applause. Hold your applause.

Speaker 10: Next one up is John Deuel. We know you didn't do this for a plaque, so thank you.

Speaker 12: But it's a nice plaque.

Speaker 11: Kathryn Duvall.

Kathryn Duvall: Thank you.

Speaker 12: Shawn Edmonds.

Speaker 10: Brian Fuller.

Speaker 13: Can you get this to Brian?

Speaker 14: I'll take it for him.

Speaker 11: Joel Geier.

Speaker 12: Chuck Gilbert.

Chuck Gilbert: Thank you, sir.

Speaker 12: Thank you.

Speaker 10: Elizabeth Irish.

Speaker 11: Andrew Johnson.

Speaker 13: He is not here as well.

Speaker 15: Andrew's not here.

Speaker 12: Russ Knocke. I had help with the pronunciation.

Russ Knocke: You did great. Thank you.
Speaker 10: Brian May.
Speaker 11: Ryan McAlister.
Speaker 12: Christopher McMorran.
Speaker 13: Christopher is not here.
Speaker 12: Even sitting down, I'd be [inaudible 02:44:44].
Speaker 10: Audrey O'Brien.
Speaker 12: You get your own.
Speaker 11: Mary Parmigiani.
Speaker 12: [inaudible 02:45:07]
Speaker 10: Marge Popp.
Speaker 11: Ginger Richardson.
Speaker 11: Shane Sanderson.
Speaker 13: Shane is not here as well.
Speaker 10: Louisa Shelby.
Speaker 11: Andrew Struthers.
Speaker 17: He's also not here.
Speaker 12: [inaudible 02:45:33] Tisdale.
Speaker 13: [inaudible 02:45:33] is not here.
Speaker 10: Nancy Whitcomb. Now we will move to our subcommittee members.
Speaker 12: Bill Roman.
Speaker 18: [inaudible 02:45:59] I'll take it, I'm going to see him on Monday.
Speaker 10: Jeff Condit.
Speaker 10: Ken Eklund.
Speaker 19: Ken's online.
Speaker 13: Ken was online.
Speaker 19: Mark Hinkles.
Speaker 13: Mark Hinkles was with us earlier. Mark, are you still online?
Speaker 10: Jenny Plucker.
Speaker 11: Ian McNabb.
Speaker 12: [inaudible 02:46:44].
Speaker 13: [inaudible 02:46:44] meet the principal.
Speaker 10: Last on the list is Mark Yeager. I think we can now officially have our round of applause.
Speaker 20: [inaudible 02:47:02] remiss if we didn't also turn the applause back to the Board of Commissioners for their leadership. We wouldn't be here this evening if it wasn't for their recognition of this as one of the most important topics in our community and something that we've put off for a long time. It's overdue and really challenging us as a community and giving us the opportunity to address the solid waste in Benton County. So, here here.
Speaker 11: I would like to turn it back around to the staff, they have done an incredible amount of heavy lifting and sort of flying by the seat of your pants and figuring out this process just from scratch.
Speaker 13: So that's why I wear a jacket because [inaudible 02:47:55]. I wanted to just say what Nancy just said. The staff did a great job for this County in this process. I know I probably speak for everybody. They all were representing on the

subcommittees and put in a lot of good effort and were very responsive and [inaudible 02:48:13] to leadership. Thank you.
Thank you all very much, now back to work.

Speaker 21: All right, so let's go to community education and outreach. We have R2. So, recommendation two will get up on the screen.

Speaker 22: Do we have additional testimony or is there no one that has?

Speaker 21: Oh, thank you. The second public comment period. Good catch. Anyone in the room who would like to participate in our second public comment period? Okay. Anyone else in the room? All right, Kevin, come on up and then we will go to the audio, which we have three people. We have Ken Eklund, Joel Geier, Patricia Haggerty, Kristan Mitchell, Joe Robertson, and Pat Hare. Let me get your three minutes teed up and take it away, Kevin.

Kevin: Can we start now?

Speaker 21: Yes, sir.

Kevin: Again, I want to thank wholeheartedly the whole Benton County Trash Talks work group volunteers. There's been a lot of hours, I'm sure you're going to be relieved at the end. I spoke earlier today voicing my concern that for our Benton County Commissioners, an expansion is all about money. The dump income is discretionary funding. It's not like tax dollars that must be spent in designated ways. It's more like an allowance fund. I need to point out that after I spoke earlier today, Commissioner Nancy Wyse seemingly, to clarify my comment about how I individually invited each of the commissioners to participated in public outreach with a small group, I want to make it perfectly clear that each commissioner responded and each individual spent two and a half to three hours listening to our concerns. [inaudible 02:51:17] the group thought that they actually heard our concerns. Turns out it appears they only listened. What do I mean? Well that brings us to here today, many, many months later.

What our commissioners didn't hear was our plea for help. It seems that all the information was too much or we all wouldn't be here today. As I said earlier, none of us has seen any help, only pushback. There was a small dump of [inaudible 02:51:56] you purchased [inaudible 02:51:57] with an expansion. We, this group shared much of the information you've been pouring over for the past several months. Now you're making present recommendations. Couldn't our commissioners have started due diligence months ago? They had the information. I'm sorry to say. I'm seeing this process as a huge time suck for all involved. A big paycheck like maybe 250,000 for Sam's facilitating and little to no progress towards due diligence. Again, a landfill expansion is big business that requires due diligence. I've said it before and I'll continue to repeat.

Before any consideration of a landfill expansion, all of Benton County's residents deserve: One, a professional, independent cost benefit analysis of hosting a regional landfill. Two, a professional independent environmental impact study covering environmental impacts to date and the future environmental impacts of hosting a regional landfill. Yes, BC TT suggests one in the future. Three, a sustainable materials management plan, which BCT suggests in the future. Again, in the future does not provide answers for now. Benton County Commissioners appear to be kicking these three cans down the road.

Due diligence would be in the very best interest of all Benton County residents, not just that small group asking for help commissioners, it's long passed. Do stop kicking the cans, do the necessary due diligence for all of Benton County residents. Thank you.

Speaker 21: Thank you. Last call for any member of the audience physically present? All right, Ken Eklund, you're up.

Ken Eklund: Great. I'm going to share my screen again.

Speaker 21: We can see it.

Ken Eklund: Okay, great. Thank you. Hello again, work group, it's Ken Eklund, county resident. In your last meeting, there was a concerned raise about fearmongering. With that in mind, I have an example that seems to be fearmongering about the landfill that I feel the work group should address in the short time that remains. I'll just note that it's urgent that you act because the window of opportunity to clear this up closes when the work group passes last call. What you're looking at here is texts from the Coffin Butte Landfill website in a section about the proposed expansion. It says straight up that without approval of the CUP, there will be no outlet for the county's waste in the very near future. Is this true?

This text brings up some questions. First, doesn't the franchise agreement bind Republic Services to take Benton County's trash for the next 20 years? Isn't Republic Services obligated to be an outlet? Second, I'm on the landfill size subcommittee. It projected that there is 14 to 16 years of landfill life left. Now when you read very near future, do you think that means years or three to four years?

So third, the way it's presented here, the quarry cannot be available to begin accepting trash when the current cell is full. As a member of the landfill size subcommittee, I can assure you that Republic Services never put forward anything like this in subcommittee. The only question was how much of their quarry could be pre-excavated before the trash started to go in. Why is the landfill website telling the public the opposite? And why is it communicating that Republic is somehow helpless about what they can do with their own land?

Fourth, what service disruptions are these? What service disruptions is Republic anticipating if the landfill expansion is not approved? Why will they occur?

I'd like to ask someone on the work group to bring these questions up to Republic while they're at the table and amenable to presenting their side. So, those questions again, doesn't the franchise agreement bind Republic Services to take Benton County's trash for the next 20 years? Number two, isn't "very near future" misleading to the public when Republic's own actual projected landfill life is 15 years or more. Number three, doesn't Republic Services plan to begin accepting trash in the quarry area when the current cell is full, if a landfill expansion is not available? Then four, what service disruptions is Republic anticipating if the landfill expansion is not approved?

I'll put these questions in the chat, and I know my time is up, but just a reminder that you've all seen the results of this information right here in the work group. Members of the public have come before you fearful that the landfill was going to close in the very near future. I hope that one of you will address this matter, one or more of you will bring it forward on the public's behalf, add a clarifying finding and straighten out the record before the work group is done. Thank you.

Speaker 21: Thank you. Joel Geier's up next.

Joel Geier: Hello, work group members. My name's Joel Geier, resident of North Benton County and landfill neighbor. First of all, I'd like to thank all of you who volunteered to be part of this process for your sincere efforts. And I especially want to thank those of you who took the time to join the neighborhood tour and picnics, so you could find out what's going on and understand our neighborhood, and hopefully you enjoyed the pie. I do hope to have a chance to work with you in the near future when our community will, I hope, finally get to work on an update of the County's Sustainable Materials Management Plan. I remember there was a whole lot of enthusiasm within this group for really exploring our options on how to reduce waste and reliance on landfills. But this process has been not much more narrowly focused on landfills, [inaudible 02:59:05] more worrisome. It appears to be setting the stage for not just one, but multiple expansions.

Did you notice in one of the last recommendations that you voted on just before dinner, it referred to expansions in the plural. How did that "S" get in there and in whose interest is that? Thanks to a recent public records request by a community member who spoke earlier, we now know that some important information that is missing from the history section of the report that you really should have heard about at the start of this process, but you were informed of. She referred to a February 2019 memo between County Council and an outside attorney, which mentions purchase of additional property as one of the county's goals and upcoming negotiations with the public. Following up on that in October 2020, Republic mentioned to County Council they have many more acres that will hold waste, not just the lot south of Coffin Butte Road.

So, they have still more expansions in mind beyond the one we've all been expecting, and the county knows that. This is about setting the stage for landfill expansions on top of landfill expansions. During the neighborhood tour, a couple of us tried to point out how the current landfill is already creating blight. We've talked about how this has led to being properties being bought out and added to allow further sprawl of this massive operation. We like to talk about sustainability here in Benton County, but this is about as far from sustainable as you can get. I can't blame Republic, this is their business model. But our county shouldn't be complicit and neither should you. So, as you continue to vote on these topics, please bear in mind that you're not just being asked to set the table for a single expansion. This is about multiple continuing expansions. Thank you.

Speaker 21: Thank you. Patricia Haggerty?

Patricia, you appear to be muted. Oh, there we go. Thank you.

Patricia Hagger...: I guess my Bluetooth connection was gone. I won't turn on my video because my internet might fade away. I have tried to follow the Trash Talk process as a resident of North County and I have made some email comments. I have one brief comment after listening to the proceedings today, which was I'm really dismayed, and that's putting it mildly, that it was suggested that maybe over a hundred public comments were available to the Trash Talk committee members that were sent last night. With a meeting that was held less than 24 hours later, that doesn't give me any reassurance that any of our comments are really being taken seriously in this process.

It seems like the whole process is designed to just speed along to an end. I'm feeling that a lot is left out if there's not a honest assessment of all the feedback that's already been given as well as an reopening of the survey that many of us did not find out about until the last minute. I realize there are some additional public comment opportunities coming up, but it's hard to believe that at this end of the process that any of our comments are really going to be taken with the sincerity and opportunity for revision that maybe they deserve. Thank you.

Speaker 11: Thank you very much. Kristan Mitchell?

Kristan Mitchel...: Thank you very much and thank you for the opportunity to speak to you today. My name is Kristan Mitchell. I am the executive director and CEO of Oregon Refuse and Recycling Association, which is a trade association with [inaudible 03:03:44] recycling companies in the state of Oregon. [inaudible 03:03:52] I follow the Benton County Talks Trash project at some levels. I applaud the effort that you have made. It is a lot of effort to participate in these conversations and are important in the community [inaudible 03:04:07] and Republic Services as a member in Coffin Butte as well.

[Inaudible 03:04:14] Because that's the role that we play in our communities: to be good neighbors, to be community partners, to participate at the statewide level in the number of the landfill regulatory issues that arise there. In my 31 years at ORRA, Republic Services Coffin Butte has always been the kind of member that I can count on to get good advice back to questions that arise related to environmental concerns in these communities.

So, I applaud you and I applaud them and I know it's been a difficult process. I did read the article on the paper recently where the commissioners were asking that everything goes through these more established work groups snd I think that that's important from a governance standpoint. We need to know and be able to have robust and transparent conversations in this public process so everyone gets the same information to dictate what the best path forward is going to be. I think that that was a good approach from governance with your county commission, I think your process is a difficult one and I appreciate the opportunity to just step forward [inaudible 03:05:27]

Speaker 21: Thank you very much. Joe Robertson.

Joe Robertson: Hey, how you doing? Thanks for giving me the opportunity to speak today. As somebody who calls this place home, I'm happy to see this community process coming to a close. Additionally, what I'm looking forward to next is the county really stepping in and providing some direction. I think that's the voice that's really been missing in this equation. Instead, we've just heard lots from individuals who have made this a referendum on the landfill instead of actually moving us closer to a sustainable future. So, I'm looking forward to the next opportunities to just get involved and provide feedback. Thanks again for the opportunity.

Speaker 21: Thank you very much. Next up is Pat Hare.

Speaker 16: Yes, this is Pat Hare with the City of Adair Village. I was just calling in to talk and remind everyone that this is about a landfill expansion and it's a zone for a landfill. We definitely need to be thinking about our future in the fact of recycling and what we can do better. But at the same time, that's not the question right now. And Republic Services, they have been one of the leaders in

the country in what they do. I also wanted to address some things I've been hearing about property values. I can tell you that the comments about Adair Village property values, we have not seen any drop in property values, that has not been.

Then also in the regards to the leachate, we have our water intake for Corvallis and we have to test our water every day. Our water has not changed in any of the testing since the leachate has gone to Corvallis. I just wanted to say that those two rumors and what the real point of this conversation is about.

I also caution you, you talk about 14-15 years is a long time. It's not a long time to all those employed by Republic Service that live in our county. So, there's employment, not to mention if any costs go up at that landfill, we're going to start seeing that garbage in our backyards. It already happens. I deal with it as a city manager where people just throw their garbage bags in their backyard because they can't afford it. When you can't afford water, you stop paying for trash first. I just hope that the commissioners and the work group look at the bigger picture here on both sides to this. Because Republic Service has been a partner to us for a long time and they have been nothing but great in any instance to work with us and they've done a lot in all of our communities. I appreciate the time and you guys have a tough road ahead. But again, I hope you can focus on the landfill expansion and then we can get to work on looking at new and creative ways. Thank you for your time.

Speaker 21: Thank you very much. Next up is Mardi.

Mardi Bilsland: Hi, my name is Mardi Bilsland and I have lived in Corvallis all my life, for 70 years, and I have seen Coffin Butte go from a place you could swim in to being such a large landfill. We can see it from Independence Highway, now.

I live in Soap Creek Valley. We really enjoy it out here. However, about 20 years ago, over about four miles, we saw a glow in the sky and decided to go investigate what was going on. That glow was a fire in the landfill. When we got down to Coffin Butte Road, we stopped and looked at the landfill and the whole south side was basically on fire. It looked like a giant brain on fire. There was no fire trucks, there was no emergency vehicles, it was just letting it burn. If Coffin Butte Road had been closed or had been filled with trash, that fire would've gone across the road, up the hill, into the trees, and probably continued on through where houses are currently built and livable. I would caution ever the close of Coffin Butte Road for that one reason. I wish I had pictures I could share, but 20 years ago, it wasn't an issue.

The other thing I'd like to address is a questionnaire. I remember when it came out, we looked at it and was very complicated from a legal standpoint. I would have to agree with a couple of the responses today that in answering it, you didn't really understand the layman's view of what those questions were about. I question who the hundred people are that answered the questionnaire. Are they truly all residents of Benton County? Are they employed by Republic Service? Are they people that were going one direction or the other? They wanted to stop it, they wanted it to continue. So I really would take the questionnaire with a grain of salt. I don't at all feel comfortable where that's going.

With a person that lives with asthma, it hasn't gotten any better in the last 10 years living in Soap Creek Valley. Quite often, I have to go inside, the smell is so

bad here. We smell the landfill all the way to Independence Highway, sometimes, when we head towards Albany. We don't know what we are smelling, and if we can smell it, it can't be good. It's hard for anyone who enjoys the outdoors to have to continually be concerned about that. I thank you for your time and I thank everyone for participating in this problem. I hope that it's resolved to everyone's benefit and it won't impact Benton County for hundreds of years, and our children will have to bear the consequences. Thank you.

Speaker 21: Thank you very much. Joe Crockett?

Joe Crockett: Yep. Hello again. Hey, first off, I have to give everyone there a huge congratulations for making it through this far. This is quite the marathon meeting.

PART 6 OF 10 ENDS [03:12:04]

Joe Crockett: ... thus far. This is quite the marathon meeting and you all deserve a pat on the back and thank you. And it's not over yet, so keep it up.

Anyway, the main thing I wanted to point out is that at some point there is not going to be the landfill, right? I mean that is a given fact. The landfill is going to close at some point in the future. And does that mean no one has trash to get rid of anymore? Recently we were in another state and we went by a landfill and we mentioned to our friends it's like, "Oh yeah, we're dealing with the landfill in our place."

"So how much does it cost for you to put your trash in the landfill here, the transfer station?" And they said, "Oh, nothing. It's part of our tax base." And so this idea that somehow, when the landfill closes, people are going to be having to throw trash out on the street, is a joke. Because, all across the country, everybody has trash service and they don't all have a landfill in their backyard. So the whole concept that, okay, if we get rid of the landfill, it's going to be so expensive, we're going to be throwing our trash into the street. Is that what happens in the rest of the United States? No. They take their trash out and it gets picked up, it goes to a transfer station and it goes into a landfill. There's going to be landfills and there's going to be transfer stations.

And one more comment. This morning, I drove to Salem this morning, and I was shocked at how many huge trucks, I would say 75, I'm guessing, but 75% of those trucks were all delivering trash to the landfill. So everybody else is doing what we're going to have to do in the future no matter what. We are going to be taking our trash to a transfer station and it's going to be sent somewhere else. That's the reality of trash in America. And I don't think that, how much does Newport pay to have their trash? Is it like hundreds of dollars a month? Like I said, our friends don't pay anything. It's part of their tax base.

Anyway, hang in there. I hope you make it a few more hours. Thank you very much for your efforts.

Moderator: Thank you very much. Last call for public comment. Last call. Thank you all very much.

The next topic up here, as I mentioned, the game plan is to deal with the recommendations first. And we are in community education and outreach. Finding R2 has eight people voting one on the survey, the informal poll, and one person voting three. It says, "The Board of Commissioners (Board) should consider changes to these notification recommendations based on the potential

impact of other CUP applications." We had one person voting the three and suggested that each year they did not understand this recommendation.
So, if the person who voted three can ask for clarification or tell us what they believe it says, and then if that's accurate, we're good to go. And if it's not, we'll provide more context. Anyone in the room want more information on this? All right, let's call the poll. So you vote one, two, or three, but informally as to this recommendation as written. All members present are voting A1. So that carries with the consensus.
Final is F15, recommendation 15. And for whatever reason I am not seeing. Ah, here it is on the back.

Louisa: R15.

Moderator: R15. Got it. All right. This is new. Applications CUPs should have a pre-application meeting. This is an eight, one, and one. Person that voted, polled a three rather, would like to discuss it at the meeting and a new finding. So, take it away. If you voted a three or two, what would you like to discuss?

Liz: So Sam, I think that was me, but this is more just clarification. I believe that this may have been addressed previously. I just want to confirm, it would be the county executing this type of communication campaign and it would be the county paying for said campaign?

Moderator: Greg. Oh, or Garrett?

Garrett: I don't know what the recommendation was.

Moderator: It's on the screen there.

Liz: It's postcards when there's a pre-application meeting. So it's more just clarifying, I think, not just for any application in the future, who's going to be responsible for doing.

Garrett: I don't know what the intent of the proponent was. Currently, there's two ways to have a preapplication conference. There's kind of an informal consultation free of charge or we have a more formal process that involves some note-taking and kind of formalizing that. And that fee typically lands on the applicant. So I don't know what the proponents are thinking but I see problems.

Louisa: Having been on that committee. I heard them, us, say that the county would be responsible for doing that.

Garrett: So I think from our perspective we're good either way. I just recommend clarifying that because the county could run it into a situation in the future where there is a dispute with an applicant.

Moderator: Liz,

Louisa: Are we talking about all because or specifically Republic Services?

Moderator: This would be applying to all CUPs.

Louisa: So we want the county to spend money on a campaign for every CUP that comes across the desk for the entire? That doesn't seem feasible.

Moderator: We have the two subcommittee members that were working on this and I didn't see who raised their hand first. So take it away. Either Mary or Louisa. Well,

Louisa: This was written in response to a legal subcommittee.

Mary: Yeah, it was written in response to something that came up last meeting. And I think that, well, I mean wrote this. So I think that I was discussing an informal meeting just to get people that were affected by the CUP more comfortable and to kind of bridge the gap between applicant.

Liz: But maybe we need to reference the,

Louisa: Could you guys speak up a little bit? We can't hear over here?

Liz: Sure. Maybe it was in response to a legal committee recommendation. And so maybe we should reference that recommendation in there and that would be more clear on that.

Moderator: So my sense of this is there is talk in the legal subcommittee about having some pre-application meetings and those are already in your code are they not?

Garrett: They're not required by the code except in certain circumstances and a conditional use permit is not one of those circumstances.

Moderator: So they're not required. Can the county, is the county's position that they can require one of an applicant?

Greg: It varies. I mean, yes, there's some discretion. The county in certain circumstances can require or suggest at the same time an applicant can ask for. But it's a conversation. It's not a mandatory pre-app.

Garrett: So if that discretion applies here, then teachers do comma as directed by county.

Moderator: So the real question, what I think I'm hearing is the real question. Who pays for this sort of thing? So let's call it straight out. Is there an application fee to file a CUP and what expansion and what does that include by way of services?

Garrett: So there's a fee for a conditional use permit that pays for the processing of the application, presentation of the planning commission and preparation of the staff report. That's for the permit. I think we're talking about a pre-application conference, which is a separate process outside of the application that typically comes with a modest fee that pays for a little bit of staff time and the preparation of some notes to memorialize the meeting. It's usually an inter-agency kind of a conversation that the applicant, the county, and any effected agencies. It's not the same as a public meeting or neighborhood meeting. So if that was the will of the subcommittee, I think we may want to use a different term to describe what it is that you want to accomplish.

Moderator: What Mary?

Mary: Yeah, I think I know this one, I think that we were describing a process where African legal community members have that privilege. What was the legal, I don't know, recommendation, I don't know which,

Garrett: LLUR-five.

Moderator: And while people are looking at that, my recollection of the conversation was, look at, there should be a pre-application meeting and you should notify the public about it for purposes of transparency. That was the major thrust of that because last week when this pre-app meeting came up, there was a realization that there wasn't a notification recommendation for that pre-op meeting. So it was plugged and played into that slot. Is that fair, Mary?

Garrett: Yeah.

Mary: Yes.

Garrett: So I think that's all. Well good. All I'm suggesting is comma, this is a discretionary thing for the county. You're going to do postcards, everybody in the county or are you going to do it in a quadrant or whatever? Just maybe it's comma at direction of the county.

Mary: I didn't talk about it. We had decided already.

Moderator: So if you're forming a language, I need you to speak up a little bit to make sure that A, I can hear it. And equally if not more importantly, the members on the Zoom can hear it and everyone else in the room. So where specifically would you put your comma?

Garrett: Therein, after, I mean you've got a sentence that's talking about all the different communications methods.

Moderator: It's as directed by the county.

Garrett: Correct. Because the county may decide one day they don't want do a website, they want to do something different. I think that's all well and good. It's just somebody needs to make a call.

John: Because you're just saying the type of communication. Yeah,

Garrett: Responsible for everything. Type it how you're going to communicate what you're going to do, what you're going to do.

John: But you're not questioning the need to do it though?

Garrett: Support the intent wholeheartedly. I'm just saying I can envision a scenario where this could be a problem without somebody saying this is how it's going to be.

Moderator: Okay, Liz?

Liz: Yeah, it's mentioned in the LLUR dash five by the as needed neighborhood meeting could require a neighborhood meeting before application is filed. So it's in that, that recommendation as well.

Moderator: Okay,

Garrett: Sam, that takes me from a three to a one.

Moderator: Okay. If we add the terms as directed by the county or as it is.

Garrett: Correct?

Moderator: I gave you two options.

Garrett: You did say four. I have three. So the or would be a two as directed by the county would be a one.

Moderator: Okay. Yes, John?

John: I would put another word in there as,

Moderator: Please,

John: As directed by the county or sounds like the county now can decide whether there should be that pre-application meeting or not. I think the subcommittee is saying, and I'm hearing from the community that they definitely need that connection with the process or with what's going on. And so I would say that maybe add the words the method of which is at the discretion of the county.

Moderator: Okay, so the first sentence, first sentence accomplishes that recommendation applicants of CUP should have a pre-application meeting with notifications, communities affected by the CUP. So it's really the last portion there. Yes. Louisa, what do you have?

Louisa: I don't think, I mean, what we were trying to say was, cause L five says we should have the pre-application meeting. We're just saying the community should be notified. So sorry, I'm not sure that says that clearly. So as long as it's something that's saying, I mean, I think that's good to say what county, and as we recommended by the county.

Garrett: You don't want to have somebody putting a flyer up in the Starbucks bathroom and say, well, we notified people. Right? Do you want to go, there needs to be some direction from the county. This is what we think you should do.

Mary: Well, okay, two things. I don't know that we need to be that prescriptive. The county already has methods for how they do this communication. I don't know that we need to put it in there. I also don't think this document's long enough without having it in two places. I think it should either be in community engagement or in the LLU archive. I think we could condense it. I don't think we need to have it twice.

Moderator: So the subtle distinction, which is that the recommendation to have it is in the legal. This really I think can be shortened to say that it should have, the application, see application of CUP, should pre-app application be with notification to the community as directed by the county. And I think that does it. And you have, does that work? Okay, so this is now edited to just be what's on the screen there in real time. If you could pull one, two, or three, that would be great.

All members of the workroom present are voting one. Okay. All right. Let's go to the landfill size and capacity. There's two recommendations there. Landfill size and capacity are six and seven, are six and seven. I'm not seeing six and seven here. Let's see. Are you guys seeing a six and seven here on my chart? I have,

John: Page 11, or nine here.

Moderator: Here. Is it nine?

John: Are we on legal?

Moderator: We are on landfill capacity. So L S C L. It should be according to this cheat sheet, an R six, which I have not seen. And it says an R seven, which I am not seeing on this document, so,

Garrett: I think we may have missed it.

Moderator: So if you could call up, what is, are there any recommendations on site life capacity that... We have a person voting a three.

John: Yeah.

Louisa: Yes.

John: What number is it?

Mary: So six has five people at one, one at two, and two at three, and seven has seven at one, zero at two, and one at three.

Moderator: So the problem is I don't have those printed out in front of me as it looks like the paper got jammed or something and some of these were missed.

Louisa: Up there that ooh, we shouldn't have sent that.

Garrett: Sam, if you want to go on to something else, one of us will work on getting those generated.

Moderator: Okay, there's that, all right. Now we're going to go to legal and land use. We will go to legal and land use and this will be a journey. Just so you know, their number is 1, 2, 4, 6, 7, 8, 9, 11, and 12. But everyone agreed with the font choice. Everyone voted one on the font choice, but the rest. So recommendation number one, which would be there. So there are two comments. The person that voted to three said, what is the significance of naming Republic Services as Allied Waste Services of Corvallis, para in quote, "Republic Services" when it is referred to simply as Republic Services in all other contexts. So Greg, you were

the staff's person on L L U. Was this the first time this was named? And as a result you were just doing a naming convention to call it Republic Services or?

Greg: It was, as I recall, this is using the language from the franchise agreement in which the franchise agreement is between Benson County and "Allied Waste Services of Corvallis," in parenthesis, for public services.

Moderator: Okay. The person voted three. Does that help answer the question? Yes, Marge?

Marge: Oh, I voted three.

Moderator: Yeah, please.

Marge: And I did want to know, but I still don't understand why in this case, as it made it, and that, why [inaudible 03:33:40] I guess you don't need it.

Greg: I don't know.

Moderator: Well, I mean what we should have, I mean, again, thinking out loud, this shouldn't be controversial. Someone signed the agreement and the names of whoever signed the agreement should be what appears in this deal. And so John,

John: Yeah, well I think the Republic Services probably shouldn't even be singled out if it's all franchise agreements. Maybe that could be a footnote. But I mean, I know that's the intent of this, our function here, and that's the franchise agreement most of concern here. But that would just,

Moderator: So the only possible distinction is in the charter it does talk about addressing the franchise agreement with Republic and the county. There is a reference to it there. This is the one, and this is in fact the one that is up for renewals being what is the current status you're in negotiating with Corvallis. Now that's completed. Then you go into a re-opener for lack of a better term with Benton County. And it's including what happened there. Plus takeaways from B-C-T-T.

John: That's fairly accurate, right, Julie? Yes.

Moderator: Okay. So that's what that is. So it should be made in reference to there, and is that, if that's the legal name that appears in the document, then that's what it should say.

Liz: And which recommendation is that? Which recommendation is,

Mary: LLUR one.

Liz: R one. okay.

Moderator: Yes.

Liz: The non-voting member has a suggested recommendation.

Julie: Why don't you add, the county should enable public input on all franchise agreements with Republic. Get rid of all the rest of it down to where the recommendations are. Any input received would be presented to the board. So you could get rid of the quotes completely. If the idea is to have the public involved in franchise agreements and discussions before Republican and county.

John: Well, I'll just respond to that and remind everybody that at the last meeting we talked about the intent of this is applicable to all future franchise agreements for the county. And so Sam graciously came up with the first sentence to be able to reinforce that intent and then the language bridges to the applicability based on the charter to the arrangement that we have.

Moderator: All right. So if we've nailed the name of the company that I believe takes care of them personally, does that take care of your concern, Marge? Yes?

Marge: Yes.

Moderator: Okay. Thank you. And then the person that voted it to said, having the public input on franchise agreements opens up a Pandora's box for Benton County. The Issue at hand is the landfill. So keep it specific to that line item. So the person who voted two, would you like to say anything? Yes, sir.

Speaker 23: Yeah, as I was reading this, I mean, it feels like if we're trying to draw a big box and say every single franchise agreement or every county process going forward, the burden on the county is going to be substantial. The issue at hand appears is the agreement with Republics. So why not just keep it that way?

Moderator: Okay. And there were two other people that voted two.

John: Yeah, I was one only because love to not be mentioned, that gave me two to one.

Moderator: Great. Thank you for sharing. A time and place where when we're option generating. No option is a bad one. All right. Well, I think we've done as much as we can with this. The first sentence, Connie should enable public input on all franchise agreements was because, overarching, there was an agreement early on that we wouldn't single out. However, in this particular case, that franchise agreement is specifically called out in the charter. So unless there's a motion for a change, I'm going to call the final poll on RRLLUR one as written.

John: As written.

Moderator: As written. So please vote one, two, or three as you have it on the screen. And this includes the track changes that are posed in there.

Liz: Tim, can I just make a brief remark.

Moderator: Please?

Liz: Which is that I am uncomfortable voting one on this or any of the other legal recommendations because I'm not sure I understand them and I don't want six months from now for people to say to me, but you agreed with this and I will just say that. And if you could maybe count differently, that would be fine. Otherwise, I have spoken my piece on it. I do have specific objections on a couple of Other ones.

Moderator: Okay. But,

Liz: That's my general objection.

Moderator: And I appreciate that. But on this one, are you voting a one, two, or three?

Liz: Okay. So if I have to vote, I will under protest, vote a one.

Moderator: Okay, you could vote a two. That would,

Liz: Oh, all right.

Moderator: That would more closely represent what I heard.

Liz: It would more closely represent my views.

Moderator: Thank you. Okay, so the people that are voting two, Marge, Liz, Russ, Sean, Ryan, Mary. Every other voting members are voting one. Six. So we have six voting two. And then how many one. So would that be then?

Julie: Also six.

Moderator: Six round of twos. How many ones would it be then?

Julie: Six.

Moderator: I thought we had 14 here.

Julie: Yeah, but two people are gone.

Moderator: Two people are gone. Okay. Six to six. There you have it. All right, let's move on to our friend R two.

Liz: Which LL?
Moderator: All these are LLU.
Liz: Can We go back to,
Moderator: If you're ready, did you get those two ready?
John: Landfill setting? Yeah. They're done.
Moderator: Okay, let's go back.
John: They're in there. They're just at the beginning instead of at the end.
Moderator: Okay. So just please call them up on the screen. And what we're calling up is L S C L R six and seven.
Liz: LLULSCLR six and seven.
Mary: Capacity. Page 11 existing.
Moderator: What capacity, L S C L, landfill size, capacity, longevity, R six. The proposal says the county should clarify when formal approval of cell six as a disposable area was granted. Two people voted three, saying it should be removed. The issue has already been addressed by the legal subcommittee and person who voted to suggest and communicate this with the county. Okay. As to the two, I think by definition, whatever the county does, by clarifying it will be communicated to the county. I'm sorry, I need to see the top of the screen for a second. So to me, the issue has already been addressed by the legal subcommittee. This sounds similar to the conversation we may have had earlier, where the legal subcommittee has concluded that's the case, but does the landfill site capacity like disagree?
John: Yes.
Moderator: With that finding?
John: Yes.
Moderator: Okay. Who, who's speaking on behalf of that committee?
Liz: Well,
Chuck: On the landfill, so,
Speaker 24: I mean, Chuck and I are on that committee. Do I go first?
Chuck: Well, I'm confused here because it says cell six as a disposal area. The county has a land use action. And if I understand it, O dot DQ.

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Ed: Standard, Pull got EQ permits to disposable sites. So why would this be an action of Benton County when it is an action of DQ under their permit process? That's what I'm confused about.
Moderator: Ginger?
Ginger: Yes. So this was one that Ian McNabb and I pushed back on noting that the legal subcommittee had already concluded, based on two documents in finding 22 when the quarry was at-
Ed: 23.
Ginger: 23, sorry, when the quarry was actually approved as a disposal area. But the other members of the subcommittee wanted this finding in there and or this recommendation in there. And Ian and I were unsuccessful in getting it removed.
Moderator: Okay.
Ginger: So, if you refer to LLU finding 23, that is where the legal subcommittee weighed in on the approval of Cell Six, which is the quarry at the disposal area. There was also, I believe, a county memo related to this LLU finding 23, as well.

Moderator: Okay. So I think this is another circumstance where we should consider doing the same treatment we did to the last one, which is adding a sentence after the word "granted" that LLU F23, you said?

Ginger: L in finding 23. Yes.

Moderator: Addresses this issue or what's the saying? What is the parallel language which we used last time and make that parallel?

Ed: Replace C, I think we did last time.

Moderator: So we didn't go with your damn well better C, than F?

Ed: No holding. No tow outs? Just, yeah.

Moderator: I don't think we should say-

Ginger: I don't think alternate is appropriate.

Moderator: Yeah. ACIT... For...

Mark: Conflicting.

Moderator: For conflicting finding.

Ginger: Yeah.

Mark: For finding.

Moderator: All right. Anything more than anyone would like to say on that before I call? Yes. Katherine with a K and then, Luisa.

Katherine: I think just to clear the point of clarity, maybe then an LLU F 23, the first sentence either should be taken out or changed. Because this reads like a recommendation than a finding.

John: Yeah.

Katherine: Just the verb. The verb "clarify".

Moderator: Mm-hmm.

Ginger: It's almost-

Moderator: So what's your specific suggestion?

John: Didn't you want to say something?

Speaker 25: So to clarify, much of the LLU's report is in the form of question and answer. So this was the question that was put to the committee was please clarify when formal approval was granted.

Katherine: Oh, okay.

Speaker 25: But that's, that's just background. Choose to change the wording that so it works for you that's worded that way.

Katherine: Maybe just regarding approval, formal approval of... Yeah, I don't know. Just maybe changing it a little bit.

Ginger: I would agree with changing, and clarifying in the legal finding just because we have clarified there and it feels confusing when we're referencing it. I think you could either remove that first sentence or you could say regarding when corporal approving of landfill cell six was granted as Katherine said, colon, I would use file, blah, blah, blah.

Moderator: So we need to have the specific language. And then Luisa, what are your suggestions here?

Luisa: Well, is it too late to ask why the... Wherever we are LSCO committee thought that the LLU 23, is that correct?

Moderator: So...

Ginger: Sam, I think maybe Mark would want to... Mark, do you want to address that? Because I think you were part of that group on the subcommittee to put this in there?

Mark: Which group were you talking about now?

Ginger: I think-

Moderator: Number seven.

Mark: Landfill subcommittee?

Ginger: Yeah. Yeah.

Mark: So, I think where the confusion is, so for the record, Mark Geer, member of the landfill capacity subcommittee, where the confusion is I don't believe that... And I was also on the C & P subcommittee. So where I think the confusion lies is that there isn't a specific land use action that formally approved Cell six as the disposal area.

When you look at the LLU 23, there's some mathematics that sort of implies that if you take the acreage of this and subtract the acreage from that, they must have meant that cell six was approved. I think that's what it says.

So on the CUP subcommittee, in trying to look at the past record of land use approvals, there wasn't anything that we were able to find specifically that addressed approval of Cell six or the quarry area as a disposal site. And I would also ask Ed and Katherine to weigh in on that because I think we had some discussions on the CUP subcommittee about this.

I don't know if that helps.

Ginger: No, I mean I knew there was... I just wanted you to explain it because I didn't want to speak for you and I know Ken is not here. So, I thought if you could maybe articulate where this finding came from-

Mark: Yeah. And I think Paul was involved in it, as well because that was part of that... Was the whole, just want to make sure that disposal area was formally approved as an area for disposal of waste. And it gets even more complicated with the MOU 2002.

Ginger: Oh we haven't even-

Mark: Not that the stuff... Not that the stuff is complicated.

Moderator: Luisa?

Luisa: So then if we're going to, it's still going to say the county should clarify but then it's see the other.... So then in the future something, these things that don't agree is that the legal person that where the county might hire the third party that you recommended, then they will look at that kind of stuff?

Moderator: Well, I mean there are several ways where this... Let me back up and say, respectfully, this was worked and worked and worked between these three companies and people who did the best job possible to do it.

I do not believe at this moment in time divine intervention is going to get everyone on the same page surrounding it. So, the best we can do is simply capture this issue that LLU F 23 basically puts forth the position that in fact was formally approved and they have their reasoning for it.

There is another school of thought and reasoning that says we cannot find the specific documents in the record that say we, Benton County, thereby bless and confer upon Cell six this status. We're not going to resolve it. So all we can do is

basically say there are two competing views, get in, get out, and be done because it's never going to come to pass. Ed?

Ed: Can we say BC LLU F 23 for additional information?

Moderator: And that would I think, fine. I mean because that's what it is.

Ed: Because we're done on the same side as that needs to be hauled. And when we get to LL UF 23.

Moderator: And when we get to LL COOL J, it'll be even a whole different thing. Does anyone know who LL COOL J is? I mean am I at all speaking to any of you here?
Gee.

John: The only thing, F, is to move it over to have the discussion in one place?

Moderator: Yes.

John: So the people can see the whole thing at one.

Speaker 25: The only does the sentence, I hate to drag this out guys. Does the sentence above it actually provide additional information? It's more saying we've got a perspective where it's not clear.
And I mean the way I read the F 23 is it isn't a differing perspective. And they're saying that they think it is clear. So I don't know. I guess what I'm saying is I don't know that additional works and I kind of thought finding was more appropriate than information.
But I also don't want to belabor this anymore than we have. So, I can see how "conflicting" might have been too much. I also don't know that additional's right.

Moderator: You can't read this-

Speaker 25: Different finding different perspective?

Luisa: Alternative information or alternative.

Moderator: Can we just say LLU F 23 provides information on this issue?

Speaker 25: That's fine.

Moderator: All right. Please poll one, two, or three surrounding that. So, the two...

Katherine: She's putting in upside down.

Moderator: Upside down two.

Katherine: But it's a protest.

Moderator: She's upside down two. Right on, sister. Right on. All right. The twos are Marge, Liz, Russ, Sean-

Katherine: I'm not-

Moderator: Katherine.

Katherine: I'm not a judge.

Moderator: You're a one. I lied.

Katherine: Russ is a two.

Moderator: So we have Marge, Russ, Sean. Catherine with a C and Louisa are twos. Everyone else present is voting a one. We have a consensus.
Next one is same category, R seven. R seven.

Katherine: Which category?

Moderator: We're in the same category.

Ginger: So B one.

Moderator: We were in another one not that long ago. All right. This is, I believe, one that...
One of the two Ken Ekland mentioned earlier. And this deals with SWACK and DSAC and other related issues.

The preliminary polling was one person voted a three on this and the language that person proposes. And I'm wondering what the distinction is.

John: That was me. It was just that it should be DSAC.

Moderator: Ah. Okay.

John: It's the only thing that changed.

Moderator: So the only thing that says that changed is, so is it actually, there's R six and R seven. So Ken, just Ken, could you flash that again? I didn't see it long enough to be able to read it.

So Ken had one of these and I think I saw him say it's no, it's R six that he was concerned about. And right now we're on R seven. Okay. So the only change here is we are substituting, you're proposing, that the word and acronym DSAC be substituted for SWAC?

John: Yeah.

Moderator: This. And can you give us a little background for those who haven't been on the paper?

John: The disposal site advisory council, many of the members of the Solid Waste Council are also members of disposal council. But they do have separate charters. ,And to me this particular recommendation would fall to the responsibility of the disposal site. These are all about the disposal site.

There is a lot of crossover. So it's not... I mean someone can suggest something better. I'm open to it, but that's my understanding of the role of Scott and ESAC. What do you think, Craig?

Speaker 25: Yeah, Daniel would know this like that.

John: I know he would.

Speaker 25: I follow your logic and I, yeah, it makes sense to me. But I'm curious why it doesn't say that already? So...

Luisa: Was that revision made or?

Speaker 25: I made the revision in that version right there.

Moderator: So what you see on the screen down, where it says real time is the suggestion. So John did as the homework asked, if you don't like the first one, what is the second one?

And so if we can see that it's the language just got highlighted here. The difference between DSAC and SWAC, here it is. Thank you.

Speaker 25: Yeah, just it surprised me that Daniel reviewed these. It surprises me that it would be wrong.

Moderator: Well, I will say I don't believe Daniel reviewed this. This happened, this happened in the last... Pretty much from last Thursday, John sent out a memo saying, calling all clear thinkers, comment on this.

Speaker 25: Oh, okay.

Moderator: And then it went through a series of back and forth emails. And I think didn't, you didn't land this until Monday.

John: Oh wait a minute. You're thinking of SMP stuff.

Moderator: Okay.

John: Do I have to run this thing now?

Moderator: Yeah, that would be my hope. That will be my hope because...

Speaker 25: Whatever, put up your numbers-

Moderator: Please take me now. Please take me now. So did you also did this one?

John: I just made, I just made it one-

Moderator: Well it's your fault. I'm blaming you for what? No, I'm kidding. Kidding.

John: No, I made a correction, that's why I was against it because it's not technically correct.

Moderator: Okay.

John: That it would be put on SWAC to do this.

Moderator: Okay.

John: And someone who wrote this can tell me Pip. I'm fine.

Moderator: Okay. So we had two people voting two. Those folks who would like to talk?

Mark: Yeah, I was one. And this one just us. For us it's a little awkward. It feels like we're telling the county one, maybe they didn't do everything in the past.
And two, we're sort of directing them almost on what the processes should be in the future. And we're probably unique in that perspective, but it just feels awkward.
We don't actually have an issue with the language. We just sort of feel uncomfortable with how it feels.

Moderator: Okay. Can you go back up to the top desk because I'm not finding this in mine right away.

Mark: Okay.

Moderator: Okay. Any other comments on this?

Ginger: John?

Moderator: Okay. John? Yeah, you talk now, John. John.

John: I think this was, and part of what's what DSAC has done in the past, they heard reports from Republic and it had most of this information. There may be a few new things in there.
This is just pretty much spelling out a little more of the directive for the responsibility of the council to receive this information, process it and make some kind of communication with it.

Speaker 25: Totally get the intent. It just feels a little awkward worse. So that's why it's associated with.

Moderator: All right? So, the proposal is basically if you can go down to, thank you Inga, the evidence is as proposed. It's basically a substitution using the term DSAC for SWAC. Give a dog a bone. This old man.
So please vote one, two, or three on that. So we have Russ and Sean voting at two and Luisa voting at two. All other members voting a one. Thank you. Next up is R four.

Ginger: Which section? LLU R four?

Moderator: Yes. LLU R four.

Ginger: LLU.

Moderator: Aye, yi, yi. LLU R four. Because we just did one and two. Right. So now we're moving to the LLUs.

Ginger: Okay.

Moderator: And we did one and two, remember, because we had to go back to it number to pick that up. So we're back to the LLU's.

Ginger: I don't think we need two? I don't have...

Moderator: Is it one in, I can't read this writing. Is it one and eight? What's that? So we did. Oh, we did? No that can't be because you have written number. So this says one and two on this cheat sheet here.
So we did one. This must be two. Yes. Okay. So LLU R two LLU R two. Six, one, two two's and one three. Three says lawyer talk. What is the statutory completeness review process? How can I vote on something that I know nothing about?

Ginger: Under protest.

Moderator: So, and then there's two twos. How and where this information will be described and communicated needs to be added for outreach and education use CEO subcommittee's recommendations.
So let's first, so Marge, you were the three and you're moving to two?

Marge: Yes.

Moderator: Thank you. So then the people that voted two are talking about whether this information will be described and communicated needs to be added. So this is... I should write a public description of...
What? Okay, so whoever the twos were, tell us what specific change you would make because it is saying the county should provide the public this information. Luisa?

Luisa: Well, I mean I did do this two days ago, so I'm not positive. But I think, I mean I don't know where the county... I mean, does the legal committee have a recommendation of how this would be done?
Because I don't know how the, or the county, how would they be giving this information to the public?

Moderator: So, it seems to me this would end up on your website. This would be like an FAQ or a statement that would go to the website with the steps of how you process a CUP application. And step X is completeness review and this would be the description of it.

Luisa: Well, so does anybody think that we need to have it specified where it would be given? Or I guess not if everyone is voting one, but it just seems like it should be more specific.

Moderator: Okay. So, I think if you guys can work on, for the CEO recommendations to add this as one of them. And it could be just a generic statement that says information that is generated by findings and recommendations in this report that's accepted by the county should go on a website.
And it's probably the solid waste website I'm assuming, right? I mean you already... It should go on the existing website. Catherine with a C.

Catherine: So this is about eight sentences too long to address. I think the completeness of an application, right, is that what we're actually talking about here is when an application is filed?

Moderator: Yes.

Catherine: Completing that application before it moves into the public hearing space, right?

Moderator: Yes.

Catherine: So, I would suggest, perhaps, to the benefit of all land use applications, just a simple one pager, maybe land use 101 coming from the county, a landing page that we can refer to as members of the public, or planning commission, or staff,

or community development department folks just saying here's where you find out what completeness of an application means and how it fits in the process. And then we bullet point the rest of the process. Just for simplicity's sake, this is something on about eight sentences too long.

I do support this idea because I think it's helpful to understand that completeness of application because not to any specific pointing to the public, but they don't always become complete and sometimes there's conversations by just the general public in that space.

So it seems beneficial. But I would say that this is something we could encourage the county to look at and put it in their purview to decide what is best in identifying what the completeness of review process et cetera is.

Moderator: So, the only complement that I'll make to that, while this may be eight sentences too long, some of these sentences at the end are very important. The one that says the information could clearly inform the public that any evidence or testimony submitted at the completeness stage is not part of the record.

And so that was designed specifically to give a heads up to the public and protect them to know that they just can't file their concern at the completeness stage and have that count as a legal matter for the record.

So, I think the overall content needs to be there. Whether or not it could be wordsmithed to be more appropriate is really for someone else to do. We're not going to do it in this meeting for the obvious reasons.

Luisa: Steve, can I add in, and I'm going to look to Greg just to be sure that I have this right. The completeness of an application is not generally a public event, it's a staff event.

And so what I think this paragraph is trying to say is that we should also have a way of notifying the public. So if they want to make comment on it, they could during that process. But the completeness is not determined by any opinions.

Moderator: It's not by a public opinion poll on all in favor of saying-

Luisa: So it's more than the process. It was almost like, but if people want to start kind of contributing during the application process, they could. So I think if this was the attempt of the legal committee to open it and appear to be, try to be more transparent during that process. So it's not just the process, it's making it more transparent and attentive.

Moderator: Okay. So, yes? Ed?

Ed: Yeah. My understanding of the process is there might be a notice of an application being considered to communicate to the community, to provide information while the process is still being considered before it's been viewed as complete.

And sometimes the information that goes into the county during that initial public discussion can change the perception of whether the application is complete or not. It might be simple.

Say if you look right, all the drawings and the applicant's application, everything looks fine. And the county might be willing to go to say, okay, the applicant application's complete.

But a neighbor might say, well wait a minute. You're taking out 50 trees. And yeah, it's only 50 out of 500, but it's 50 between your new construction and the neighborhood.

So you really need to add into the requirements for the applicant that they need a landscaping or buffering plan. And then that comes in, goes back, the county determines completeness. They say, well you don't...
Applicant, you need a buffering plan. Which wouldn't have been in that determination unless the county, unless the public knew about it and provided that information. Then when the county considers the application complete that there is a buffering plan in there, then people can go and look at now that buffering plans not good enough. And that's a whole different process.
So Katherine, shaking his head yes, that I got it about right?

Catherine: Yeah.

Ed: Catherine with a C and then Liz.

Catherine: Yeah, I was going to say, I'd be curious here Greg you're going to say, because there's a process for that, right? At some point I'm sure it goes to the planning commission or?

Speaker 25: Right, yeah. And as Liz was describing, that's what this recommendation tries to lay out is, it's not standard process for the completeness evaluation period to be a public engagement process. It's typically done by staff evaluating what's been submitted and determining if there's enough information there to move forward.
What this R two lays out is a potential way for that to be more of a publicly engaging process like Ed described with some understandings that Sam described about it's not part of the public review of the application itself. It's before that process starts.
So any comments you submit at that early stage don't count as testimony on the application itself. It's about whether it was complete or not.

Catherine: I worry about some of these recommendations that get overly prescriptive of what staff and how the county should be communicating down to the letter. I just think there's processes in place for a lot of these things already.
So I think wherever we can simplify it and make them shorter and as Katherine is pointing out, I think that would be great. We have an hour to do it. So...

Moderator: Liz?

Liz: I think I'd like to attempt to say something again, just to be clear because when we were talking about the shrubs in that scenario, it doesn't then go back to the county and the shrub qualification as part of the complete application process. It's just input from the public.
The complete application is the complete application process regardless of input. And that is not changed by input. It just gives the public an opportunity to be put on the record.
So we're not talking about changing any processes, we're just adding a level of transparency to the process is what this is trying to do.

Moderator: All right. So we're going to poll on this. Ed, do you have?

Ed: Yeah.

Moderator: Okay. So we're going to poll as is. One, two, or three? So we have Marge as a two, Mary as a two, and Luisa as a two. Catherine with a C is a three.
The rest of the members vote one. So we do not have a consensus. We have a majority minority. So Katherine just because the protocol. What would it take for you to move from a three to a two?

Katherine: I do not think this is clear. And I think we are missing a process that's established. The completeness process is the staff process.
Public engagement at this point doesn't go in the record. I think public engagement is important, but I think that, I'm not sure which. There's like three different directions this particular recommendation is leaning.

PART 8 OF 10 ENDS [04:16:04]

Katherine: ... three different directions this particular recommendation is leaning and I don't think it's conclusive. So I'm happy to have anybody clarify or we tease it out into a couple different recommendations, but the way it stands right now, we are not consistent. I don't think in what we're saying or certainly not adequately clear.

Moderator: Okay. So because of the time, we'll move on and we have our first majority minority and that's in the record. So let's move on to R-4.

Greg: LLU R-4?

Speaker 26: Yes.

Greg: Thank you.

Moderator: LLU R-4. So the person that voted is three [inaudible 04:16:53] and this is amazing. Accused a lawyer of talking. So Marge, this issue, I'm assuming, and Marge moves from a three to a two. Okay, next up.

Speaker 26: Pull on it.

Moderator: On which one?

Speaker 26: R-4.

Moderator: Yes. R-4. I thought I had a new one. Yeah. So R-4. Let's pull again. So we had Marge-

Speaker 26: At the two. Does anybody else vote a non one?

Moderator: Everyone, as I understand it, Catherine voted a three on L-42. So you're voting three on R-2 and R-4. Okay? And you're objection to see if we can fix it.

Katherine: Yep. So when it talks here about other information required by the county official, I'm just looking for clarification. My understanding is that other information would have to do with clarifying criteria requirements. I might be misinterpreting that. So I want to make sure that I understand that because we're asking for additional information, doesn't it have to go to the conditions that are possible that are related to criteria.

Moderator: So I'll let you speak directly to that. It is not adding additional criteria. It is adding information that would speak to or be probative of the existing criteria. So it's not new criteria.

Greg: Right. Yeah, that's exactly right that the criteria can be changed by this information requested by the planning official, but the planning official could identify information that is needed in order to adequately evaluate the review criteria.

Katherine: So perhaps it's that second or it's the third line almost to the bottom. Additional information required by the planning commission or I would say even requested. I think we're saying the same thing by the planning official does not become part of the applicable criteria. No, it isn't. So it kind of does. We're asking for more information to support criteria or compliance with criteria or meeting the criteria. It just seems like it's muddy language. So I'm just asking perhaps for it to be a little bit more clear. So the additional information required isn't really part of the criteria. I agree. But if we've asked for it to support seeking whether

something meets criteria, isn't that kind of part of the criteria? Do you hear what I'm saying?

Greg: Yes. Yeah, I do. But-

Speaker 26: Not-

Greg: The key, sorry, a key distinction that the subcommittee was trying to draw was you can't deny an application because the applicant failed to submit additional information that you asked them to submit. You can deny the application if they don't submit needed information and you're unable to apply to the review criteria with that. That's a very subtle distinction, but it's a very important distinction. You can't deny it from the basis that they fail to submit additional information. That's the key point. And yeah, if you have some better wording ideas, that's great, but we did work this over.

John: Sam, can I add something?

Moderator: Please.

John: So here's my understanding of this. We're wrestling with some really complicated [inaudible 04:21:00] stuff and that's normal. Other information deals with the completeness of the application, not the criteria. The criteria don't change. The criteria are what they are, but the application comes in at some level and the planning official has the discretion to say his or her opinion, "This application will be strengthened, it will be more complete if these things were added to it." That does not change the law. So you get the facts of the specific application and you've got the law. And what the applicant's trying to do is put an application in that meets the requirements of the law. The planning official can exercise some discretion in how they advise the applicant, but the planning official may not change the criteria by which the planning commission or commissioners are going to evaluate that.

Katherine: So to that comment, could we add at the end of that, let's see, additional information required by the planning official does not become part of the applicable criteria, but may contribute to the completeness of an application?

John: Yes, I think so. Anybody disagree? It's an important distinction and it actually gets back, I think the work out was before there's different points in time when information can be added. So the pre-application conference stage is before anything happens. That's the dialogue that I think you all want to happen. Completeness is a very technical review. Is there enough information by which this application can be evaluated against this criteria? And that's a technical stack determination, not a public input process. And then after that there's the actual application itself with the public hearing notice, all of that. And so I think our hearts are in the right place, but there's just some very technical legal things that are tripping us up in our [inaudible 04:23:08].

Moderator: Yes.

Louisa: I'm kind of with Marge on this one that this reads so legal. I wonder if we could just add something at the very beginning. This is regarding the completeness of an application or regarding... Just as an intro for... I feel like I jump right into this now. What is this even talking about?

Moderator: Okay, so add up right before BCC.

Katherine: When you say overall it's about the completeness of an application, is that what talking about or the process for completion of an application?

Greg: Well, it's kind of both. I mean, the reason this came up is because this section in code says that the planning official can require additional other information. So there is some ambiguity, some uncertainty about what is that other information. And yes, it's toward the end of making an application. So yes, you could say with regard to other information needed to make an application complete.

Katherine: Okay. I think that sounds good.

Moderator: And Greg, I just want to clarify, is it required or request? I mean, the planning official can request other information, they can't require it. In other words, the applicant... Darren here could say, "I want to know how many Xs are impacted by this." And the applicant could say, "Thank you for sharing. I don't think that's relevant to any existing criteria. I'm going to go in and judge my application without it."

Greg: Right. So 77.310 says other information "as required by the planning officials", but ultimately yes, the applicant can say, "Nope, we're done. We've submitted enough."

Moderator: Okay. Catherine?

Katherine: So two more questions. I hear this one and I'd like Heather's idea of putting that in there as regarding completeness of application because this section of code sounds like it is specifically that lane where I'm also hearing similar language is like if this application had been deemed complete, moved into the public hearing process, we had it before the planning commission as planning commissioners. So aside of the completeness space, as planning commissioners, we can also ask for additional information. Correct? Not required, but asked for. Correct? That's not a completeness of application conversation though, right? So I'm hearing it in two different lanes and perhaps this lane is specifically completeness of application. So I would support that amendment on the front end. But I do have another question. So on completeness of application, that is something that can be challenged for a legal court as well, right?

Moderator: Well, actually isn't it-

Katherine: So meaning, it was a staff thing, but it could actually come back later.

Moderator: That's the concern about mandamus, right? Jenny, please go on.

Jenny: I didn't understand the question.

Moderator: She was wondering if the objections to a completeness issue, do they go to Luba or?

Jenny: No. Completeness does not go to Luba. Completeness is a staff decision. It's not a final land use decision and that's how.

Katherine: Okay.

Moderator: So it'd be a mandamus. So what happens? There's another finding that talks about this. The planning official says, "Provide the number of cheeseburgers in the landfill." And Republic says, "Sorry, can't do that and deem my application complete." And then it just gets adjudicated on the facts that exist at that time.

Jenny: Exactly.

Moderator: Okay. If the county said, "We don't deem it complete," and then what are the applicant's rights to say, "We don't care. We want it to go forward."

Jenny: It is deemed complete. If the applicant says, "We're not going to submit anything further," the county is obligated to deem it complete with the information that already has been submitted.

Moderator: Okay. All right. So let's repoll based on the edits that are in purple there on the screen. One, two or three based on the edits that are on the screen. Catherine?
Katherine: I can't see that. I'm sorry.
Moderator: Okay.
Katherine: I don't know where that's remade. I'm just inclined to go with two because I think this is-
Moderator: Okay.
Katherine: ... not as clear as I'd like it ideally to be.
Moderator: Yeah. And so if it's not clear as you like it, it's really a two vote. And so I want to go back then to R-2 in that same mind. I wasn't hearing, and I'm not trying to keep [inaudible 04:28:23] anyone out to, but I want to make sure we're not having to fly by. I'm hearing you say there was too many concepts here that need to be cleared out and stress about, not that the concept, for instance, of providing the public description was bad. It's just that there was too much complication. Did I miss your-
Katherine: I'll just leave my at three for number two and then-
Moderator: I'm sorry, I can't hear you.
Katherine: I'm going to leave my number two recommendation response at three.
Moderator: I thought you had a three on two.
Katherine: I did.
Moderator: And so you're staying there. Got it. All right. Six. R-6. We had one three. I can surmise that this is an attempt to stifle substantive public comment and I imposed to this recommendation and the 222 Senator Public Services not want to be in a position if hearing direction of the county on issues relating to its code.
Greg: There's no issue with the intent. It's just an awkward place for us to be.
Moderator: Right. So I'm more concerned about the person that voted three to see what they have to say. So talk to us, Marge.
Marge: Which is I think that this is an attempt to stack up public comment and I don't agree with it and I think it should be removed. I think that the board of commissioners could do that themselves if they wanted to. I think this is providing a fig leave and I don't want to do that. And I looked at other counties specs websites and poked around a little bit in minutes that I could find and I could find really no indication in other counties that there was this level of attempt to restrict their business.
Moderator: Okay. Any other discussion? So your proposal to get you from a three is to remove it, just to make sure-
Marge: I'd get it out of here.
Moderator: That's what I'm saying, remove it.
Marge: Yeah.
Greg: Yeah.
Marge: Exactly.
Moderator: All right. Catherine, with the C?
Catherine: Yeah. I just have a question. I'm not totally sure what... I guess it seems like... I'm not really sure what this is saying, what's changing for SWAC here. Maybe I just need to read it a few more times, but.
Moderator: I'm with you. I can't understand it.
Katherine: Can someone explain it?

Catherine: Yeah, could someone explain it?
Moderator: Okay, Greg?
Katherine: Or give some background there.
Greg: Yeah. So this section in chapter 77 of the development code, the landfill site zone, that lays out a role for SWAC in reviewing a conditional use permit for a landfill expansion. That section of code says SWAC should review and make recommendations. The code does not specify what criteria those recommendations should be made on, or what considerations the recommendations should be based on. In the land use arena, we're used to and it's based on, criteria that are spelled out. And so from the subcommittee's perspective, it opens up potential liability issues, as well as just makes the process uncertain by not having criteria. So the planning commission has specific criteria that they're evaluating CBR, SWAC doesn't. And so that's where that recommendation is coming from for the county to, by code amendment, give criteria for SWAC's review of the board of commissioners
Moderator: Okay. John.
John: I have a question from Marge. How do you see this limiting public input?
Marge: Because I don't understand exactly what this is attempting. Well, I mean, tell me what this is attempting to do. It's attempting to shape what SWAC's response can be. It's attempting to say, okay, these are the criteria you must use and SWAC is, as I understand it, a state mandated body and it isn't a county mandated body. And the purpose of SWAC, the overall statement from the state is that SWAC is supposed to provide a conduit between county and residents, a way that residents can express their opinion. And if we have criteria that we have to operate under that are kind of arbitrary that other counties don't really do this, why do we have to? And if we did, the board of commissioners could just go ahead and do this. So why don't they just go ahead and do it?
John: Well, it's I'm just seeing this as a recommendation.
Marge: Okay.
John: But with what I hear you saying is you're seeing it as a dictate that SWAC would have to do these criteria. Maybe it could be put in the form of guidance.
Marge: Yes. Yeah. Yes.
John: That is here are among the criteria you should consider. I just remember being there having to vote on this and it would've been helpful to have some of that-
Speaker 26: Guidance.
John: Yeah. But I agree with you that it shouldn't be limited to that.
Moderator: All right. We have Catherine, with a C and Louisa.
Catherine: So thank you Marge for that context. So I hear both sides of this. Giving guidance can be assisting in this case. Let's just say we have a commission somewhere down the road later that wants to really implement some constraints on the role of the Solid Waste Advisory Committee. And that could turn around and not be a good... This could end up being not a good recommendation. But I would ask this question. So environmental concerns generally do not fall within the criteria of which we look at land use, not to the extent that we're hearing from this public. Are we willing to take the risk that because environmental concerns, which are occurring frequently in our public testimony, might not be heard because the

guidance that we give through this recommendation might constrain that feedback?

I'm really hesitant to limit. What about innovative ideas? If they don't follow within a certain criteria, we're not going to bring that through SWAC to the county commissioners? So I'm generally not in support of this, just as a holistic look at how advisory committees should ideally work, which is that open process. I think potentially, just common sense guidance should exist without this kind of recommendation. I would be hesitant to tie in any words to specific criteria though that might limit community conversations that we really do want to have coming from SWAC to the commission. Commissioners, excuse me.

Moderator: Louisa.

Louisa: So Marge, then in SWAC, kind of is it a check and a balance where you are giving the planning commission information and it's through the public, but SWAC's not making the decision, right?

Marge: Right.

Louisa: They're just-

Marge: Plus there's no decisions.

Louisa: Yeah. So to me, it doesn't seem like they should have criteria because you're just giving information and bringing information to them who have the criteria.

Moderator: Ed, then Liz. Just go to the sixth line up. Of course, the board of commissioners should more clearly define. We changed that to the board of commissioners should provide non-binding guidelines to SWAC for the review of projects.

Ed: We're catching up.

Moderator: So we're taking out more clearly defined. So you're not putting boundaries, you're just providing non-binding guidelines. Well, what was the intent of this? I mean, there's a core philosophical issue going on that I don't want to be lost in our exhaustion and wordsmithing at this hour. Was it the intent of the authors of this statement to say to SWAC, "We want you to opine on the criteria that's in the code and nothing but that criteria that's in the code, restate it because the SMMP is not currently in the code opining on whether or not this application should be granted or not granted, based upon what a future SMMP might say is not something we want you to talk about." Is that really as crass as what's going on?

Marge: Can I make a suggestion? Mark Yager is here. He's been on SWAC for decades. So can he make a statement? That would probably be the most knowledgeable person.

Moderator: I'm happy to have Mark talk, but I want first get the answer to my question, what is the intent the authors are trying to achieve? Because what Ed just did, if the intent was only talk about criteria, Ed's amendment says, "We can tell you that. But it's really just kind of a guideline. It's not binding. So you can talk about whatever you want." And that's what he is saying with that amendment. So I'm trying to see if that's just a friendly amendment to those that proposed it because that was always their intent just to be, hey guys, really focus in on the criteria because that's what's going to go to the planning commission, da da da da da. Or if there was something deeper than that, that was at the core. So Liz, were you on this or who was on this? So fire away.

Liz: I was on this. I'll [inaudible 04:39:52], you guys correct me if I'm wrong, but my impression was to clarify SWAC's position because it wasn't clearly outlined. And I would like to say as a planning commissioner who could only really look at the criteria in order to approve or not approve, right? We still get to hear testimony and we still get to hear. Just because our role is defined does not mean people can't tell us what they think about other subjects. Right? So I think that this was an attempt to just say, "This is where you are in the process and this is how it works." Am I wrong? Not to squelch or silence, that was never the intent.

Greg: That was not discussed, not the intent. I mean, this was in response to an element of the charge. This was directly from the charge. And the intent was to make SWAC's review process more like the planning commissions review process, where there are definable criteria, where people know what is being reviewed and considered and what a decision or recommendation in this case is made. That's-

Moderator: Well, that sounds more like what I was suggesting, that this is basically saying to SWAC, you opine consistent within the criteria. And I'm hearing you say, "No, we want you to focus on the criteria, but you're not limited." And those are two different conversations.

Liz: Well, even the funding commission isn't limited to listening, right? I mean, I think that that's the thing that I think, and I haven't been limited as a planning commissioner expressing my opinion relative, right? But I have to rule on certain criteria. So I think that there is this feeling that there's some conspiracy trying to quiet voices. I think what we're trying to do is to make everybody understand clearly what the process is because otherwise, it ends up over in left field and then we don't get anything done. Right? We can all have feelings about lots of things, but we can't make decisions based on those feelings. We have to sit within the criteria. And so we would like to help SWAC understand where they fit into that process.

Moderator: Okay. Let me get the work crew members first that have had their placards out and I promise not... Where'd they go? Oh, there. So I don't know who over here was who, so take it away. Corner.

Katherine: So my question really was, my understanding of SWAC was that it was not tied to an application or criteria, that it was an advisory committee dealing with solid waste. I'm curious, I would like to hear from Mark who has served for, is it 20 plus years on SWAC, as to what the understanding of SWAC's role is from a SWAC member. Because I don't feel like this is an application appropriate discussion because it feels like we're tailoring something to the application. I view this council or committee as something independent required, something that Benton County put in place for obvious reasons. And I can assume that a lot of things fall outside of criteria and I think they're important for the commission members to hear. So if it's possible just to tee up Mark-

Moderator: Mark is going to be able to speak with it after each member of the work group gets to speak first. Louisa.

Louisa: Well, so Marge then, if it's state mandated, does SWAC already have the guidelines and what does the state say? Is it really the county or place to say anything about that?

Marge: The state mandate is extremely open and it doesn't, yeah, look and Mark probably knows it. Probably can tell you the paragraph that-

Moderator: Chuck and then John and then Mark.

Chuck: Well, we talk about SWAC, there's also DSAC and they explicitly have two different things to look at that needs to be taken into criteria. I guess what triggers the problem here is the land use action by the applicant for a land use change for a O.BEQ permit for the landfill. And since SWAC is the public in the sense that have a platform for the public input, as well as Republic's also ex parte to these. So we're trying form an open platform, if you will, of the next land use or when a land use action comes, we can discuss and say this action has, if you will, and landfill, size capacity and longevity. That is hard now for SWAC to surmise unless the public is up and front prior to the land application to give that information. So that's just one of the problems. So, and Mark, now you can jump in.

Moderator: No, no. Sorry, Big John.

Big John: Just for clarification, I think VSAC is the state mandated group.

Moderator: It is.

Big John: Not SWAC.

Moderator: Not SWAC.

Big John: Correct. SWAC is advisory to the county, but it's not required by the state.

Chuck: All right. It's tested under ORS and stuff.

Moderator: What's the rule, Greg? Quickly, so-

Greg: So DSAC is state mandated. SWAC is a county creation.

Moderator: Okay.

Greg: And other counties have SWACs.

Moderator: Okay.

Greg: But not all counties.

Moderator: So, Mark. Hi.

Mark: Hi Sam.

Moderator: Couldn't see him. What have you been doing?

Mark: Just hanging out.

Moderator: Okay, good, good. Any thoughts around anything?

Mark: Yeah, I got a few. I got a few. But just clarifying, I have not served on SWAC for decades. I did serve on SWAC in the mid-90s to mid-2000s, but have been off SWAC until just recently. I am a member of SWAC now. That's great clarification. So DSAC is the state mandated body, Republic Services has a member as the landfill operator on DSAC, but SWAC does not have a member or Republic Services does not have membership on SWAC. So when this first came out, I reviewed it and commented on it and I did go back and listen to the discussion via the recording. And my sense of what was happening there was because the language in the code, just is fairly general, that the Solid Waste Advisory Council is to provide advice or advise on these conditions or applications.

It seemed to me, based on what I heard on the recording, and Greg you can help me with this or not, I think what the land legal issues subcommittee was talking about was in fact not asking SWAC to weigh in on the review criteria for conditional use permit. That was the purview of the planning commission. But they wanted to keep SWAC inside a very narrow lane to talk about solid waste

management issues only. And because I listened to the recording, I'm just verifying that. So it was not seeking direction to or providing direction to the board of commissioners to say SWAC should be looking at the review criteria that the planning commissioner is going to look at. But in fact, it's not to look or comment on those things, but should be looking at only solid waste management issues. So-

PART 9 OF 10 ENDS [04:48:04]

Ross: At only solid waste management issues. So, in a way, my perception was it was a means to try to limit what SWAC could consider in the process of reviewing a conditional use application.

Moderator: Okay. Greg, and then we're going to have to talk about what we're going to do next.

Greg: Thanks. I wanted to clarify
A few points, some of which had been clarified about SWAC, but also wanted to also clarify, I think what I heard, Catherine, your concern related to this being a recommendation to narrow SWAC's ability to hear from the public or weigh in on a variety of topics and I want to clarify or make sure that everybody understands this is specifically directed only to the question of a conditional use permit for expansion of a landfill. So, anything outside of that is not part of this recommendation. This is only talking about in the context of reviewing an application for expansion of a landfill conditional use permit application. The code is recommended to have more specificity. That's what is being proposed.

Moderator: Alright. So, thank you for all of that. I think under the category of "duh"; based on the feedback that we've had here, we should figure out how to go back and make this clearer than what it is because it's an important issue and I don't want there to be misunderstanding of what you are polling upon and then having misunderstanding of the people that read it. It needs to be clearer with some of these clarifications that were made. That being said, besides being in the room, here's where we're at. We have five more recommendations where someone voted a three. We have 28 more findings were someone voted a threes. Then, we haven't dealt with all the twos that came up that some may be in the areas we've already covered, but some may not be. So we got a fair amount of work to do. I'm going to turn to Darren and see your thoughts, suggestions. Maybe come up to the table and sit next to Chuck there because Chuck's our enforcer. And if you don't behave, Chuck is authorized to take you on, big guy.

Darren: Can I call on Mark? Because he has been on SWAC for decades.

Moderator: Yeah. That's right. A tag team.

Darren: [inaudible 04:51:32]. Well, I'm going to make eye contact with everybody at the table. See if anyone has a curfew besides Greg.

Chuck: I do.

Speaker 27: I do.

Darren: I think the board would really like this project to get to completion. And I think we've committed to the public to get to completion. I know that we have been hesitating a little bit at start of this meeting. I know this is a hard point in the process, so I'm just going to acknowledge that. But I really think we need to get homework done. So, how long will it take?

Moderator: You mean tonight?

Darren: Yeah.

Moderator: Well, let me see how many we've accomplished. We've accomplished 12 out of 46. So, we've done 12 out of 46. So, I would say sometime about 2:30 tomorrow morning is when ... I'm not trying to be funny-

Darren: Because there still is some cake left.

Moderator: I was going to bring that home with me. We've done basically a fourth of the threes.

Darren: Yeah.

Moderator: Okay? We have not attended to any of the twos.

Darren: Yeah. So we're not going to get there.

Moderator: We are not going to get there tonight unless there's double espresso drips that are put in everyone's arm and related sort of activity. It's just impossible.

Speaker 28: Everybody [inaudible 04:53:28]. I don't understand why you can't just leave it as is. So let the threes be threes and the twos be twos and [inaudible 04:53:35]-

Moderator: Well I don't know if you talked to them. I think that that is an option that you can consider. However, the challenge is that not everyone took the informal poll. They didn't have the time. So we don't have polling from all 14 polling members. The 220 issues. So we don't know. I don't know if the people who didn't have a chance to do the informal poll will identify other threes going forward or any other twos.

Usually these processes were designed after core to create common understandings, and we have not completed that process. When you look at what we have done so far in the first 12, with the exception of one recommendation, they all moved to a consensus. All the threes went away. So I'm concerned that one observation would be if we have the same success rate here, it's going to be a more robust set of agreements than if we don't. Because right now it appears if the practice of tonight holds out is that we will have much more of a consensus on more things than it appears. We just stick with the informal poll. That's just a statement of the facts. You all decide what you're going to do, but Marge had something.

Marge: Do we still get our goodie bag?

Speaker 29: Do they still get the goody bags? [inaudible 04:55:40].

Moderator: Yeah. Maybe yes. Maybe no. Kind of makes you wonder, Marge.

Marge: Thank you for [inaudible 04:55:48].

Darren: Yeah. [inaudible 04:55:48].

Marge: [inaudible 04:55:48], too.

Moderator: You get 25% of the goodie bag.

Darren: Well I think Sam is right. And then our job is to get some common understandings. If we're asking the board after all this work to flip a coin or do jump ball, I just really feel like we've not served the request to the board commissioners. I know that's asking for more but I honestly think we need to get to agreement and the number of things that I've gotten clarified and kind of helped every little bit of understanding even about the difference between SWAC and BSAC. It's all really important stuff and it matters.

And I think us getting it right lends to the credibility of the recommendations we lead the work partly undone. I just think, in its own form, it's a way of kicking the can down the road, which this community has done for 50 years. And I hate to

be the one that says we're not done yet but we're not done yet. I really believe that and I know that, at some point, my staff is going to be asked to react to something and we're going to do that without the benefit of as much clarity and as much agreement and as much clear direction from the community as we would like to have. So what are options?

Moderator: So let me lay out what I think might work to make it as efficient as possible. And this literally is first draft stuff. So if someone can type this up so people on the screen can see it, because we wanted to make sure everyone is on the same page.

Speaker 28: This one? This [inaudible 04:57:42]?

Moderator: Well so a new piece of paper or something that could be projected up to next steps in the process. All right.

Liz: Can I just say one thing? I think that we have learned a lot about in other's points of view and things. I think this has been an important exercise. But I think that saying that if we can get all ones and twos on these recommendations that we have achieved consensus on this issue is wrong.

Moderator: No. That, again, we haven't gone through it. If we can get it, great. But if we can't, we can't. And what we learned here is the threes from the informal poll were either misunderstandings or more information provided a change or a clarification or edit got everyone on the same page. It's more important that people have common understandings and if it's a common understanding by everyone in consensus or if it's a majority minority 13 to one, as long as there's a fidelity of understanding of what these issues are. So here's what this would look like. This defeats the question. You still have the question, but it looks like this. "Staff works with facilitator to create a crosswalk between A) the informal polling B) the public polling which integrates the comments both of the public and the work group members into a document that is more digestible."

Step two would be that gets sent out and we do an informal poll again, which we might consider just doing it. Is there anything you would vote a three on? Looking at all of these things, now that you see the changes, if there's anything you'd vote a three on. We could also do anything you voted two on, but that's less important than dealing with the concerns of the three. And that then informs the agenda like I did last time. We get that out to you in sufficient time that you actually have a chance to read all of that. Both the information that county sends out and the roll up results of the informal polling that informs the agenda and then we meet again to do it. The wildcard sub-issues inherent in that are do we reopen the public comment survey which was only designed to deal with the recommendations for your consideration.

It was never designed to be, "What do you think of Benton County's solid waste management issues and what should we do with the landfill and the environmental issues? So we can open that up again. You will see from the comments and the notes that it was, admittedly, too long and it was too focused on recommendations. Many of whom said were a lawyer alike in their approach. So we can do that. We can say to the public, "We get it and you're going to have a full opportunity to do everything. Comment on everything in a more broader base survey than vote on the recommendations." That's coming no matter what. We could still do our open house on the floor and open it up that schedule, then

open it up to the public and maybe get some more clarification and input there. But I think whatever we do, we need, it's fair to make sure that the public understands this process is not designed to determine whether or not an expansion CUP is granted or not, should be granted or not, and so on. That is not the purpose of BCTT. So they don't come and believe that they'll be able to influence that when it won't help with the BCTT process. It'll help with the other process that happened when they happen. This will take probably three to four weeks to do. In other words, it's going to take a week for staff to do their thing. Okay? You're going to need a week with it in order to do the informal poll. It will take three or four days to roll up those results and get them out to you at such a time that we would have our final meeting. So I think that is what that schedule would look like. Ross?

Ross: Is there an option for an alternative to the crosswalk that would just be part B of this? The 26 findings and however many recommendations that we just haven't gotten to yet with the threes? And just there's a separate meeting whenever it's scheduled. Additional polling community comment, very great. However, that's structured. So we just do another meeting to finish what we can't do tonight.

Moderator: [inaudible 05:04:12]. Yes, we could, and that's possible. But the reality is how many polling member surveys did we get? We Have 14 polling members. How many members polled? 11, was it? So we have three people that didn't have time to do it. We don't know what they're going to say.

Ross: You're the expert on the process. I am not. Where my concern kind of goes is chance of relitigating stuff we already addressed today, and so perhaps the crosswalk clears all that up. That's just where my concern goes.

Moderator: Well, I'm just trying to brainstorm and I, admittedly, for the last couple weeks I, like everyone who's been burning the candle at both ends, so somewhat brain-dead. We need to hear from the three people to make this be an effective process. And we can't just rely on electronic surveys. As I understand, the open meeting laws, you need to all do this in person overtly so we can take down your name. We can't do an email. "What do y'all think? One, two or three?" Yes. Liz then Marge.

Liz: I'm One of the three people and I have no threes. I've already reviewed and read this thing a million times. I've no threes.

Moderator: Okay. Okay. And Andrew's the other and he had no threes. He had one two. Katherine?

Catherine: I got through ... Oh, sorry.

Katherine: I'm the other. I apologize. I tried to do it this morning. It was halftime and this is my last meeting. I can't come to any future meetings so you don't need to worry about me.

Moderator: Well we are going to. We're going to care about you. We may not worry about you.

Katherine: I do think, though, I agree with what Ross said. That if you could just do a part B, I don't know. That seems like a good way to do it. But maybe keep the community survey open longer since we know a lot of people didn't get a chance to do that, yet.

Moderator: Okay. As long as I know what the threes are, that could work. Catherine with a C?

Speaker 29: I submitted mine so it time was on but I didn't get to the last sections.

Moderator: The last what?

Speaker 29: Last two sections. I've been through land use, get all way through the land use. Whatever. I wasn't able to finish by the timeline this morning.

Moderator: Okay. So if you could finish them.

Speaker 29: Can I reopen what I've already done?

Moderator: I don't know how ... Lauren, who's the survey monkey person in the room from staff?

Speaker 29: All the emails follow up like that.

Speaker 28: I think it can be it a second time. We'll just have to make sure that they're [inaudible 05:06:59].

Moderator: Okay. So if you can then give us that you had no threes, then we know we have the complete list of any potential threes and then we can do the polling on basically the twos and threes. We could limit it to the twos and threes, which takes out the ones if that is acceptable to everyone. And we'll have to have a formal motion at the end of the meeting that says you are voting one and everything else. If that is, in fact, your vote. You can obviously say no, but I just want to vote a two or three. So that helps.

Sam: Sam?

Moderator: Yes.

Sam: I can't vote. But to expedite, is it possible to get what we were going through? Because it was nice to see the comments because we're all primed and prepped. We all know what each other are thinking because I know all the [inaudible 05:07:54] and you have it all right here.

I'm not seeing a difficulty of getting through that quickly. I know what you're thinking. I know what you're thinking. Okay, I can figure this out. That seems to me you need the comments.

Moderator: [Inaudible 05:08:08].

Sam: I'm sorry. I'm sorry John. Yes.

Speaker 27: The thing that we wrote in, whatever...

Sam: Exactly.

Moderator: Yeah. So that is part of the role. Well it was up there a second ago, but that was part of the staff work that they have to do, first, is integrate the public polling both as to they generally support, generally oppose, plus their comments, plus your stuff, polling non-member stuff. That has to be integrated into a fashion that is more readily looked at. Then after we get Katherine's additional information, then we'll have a complete list of threes and twos and then perhaps the work that gets sent out is all the work we've done so far. Confirming all these tallies that we've done so far tonight. And then what's the hit list of the remaining recommendations and findings where someone voted of three and then two. And then that makes it more efficient.

Ross: And one more efficiency recommendation. I understand we got to keep the public comment periods of these things. I totally get it. Any food we might consume, it could be a working consumption. A working meal or whatever. Is that acceptable?

Moderator: You're pointing at me?

Greg: Not the facilitator.

Moderator: Yeah. The facilitator. I believe people-

Ross: It's precious 30 minutes. We could have knocked out a couple more presumably in that 30 minute window.

Moderator: Yeah. So the question, I'm not sure that, well, it doesn't matter. It is what it is at this point. The question is, do you want another round of extended public comment? So I want you to vote one, two, or three. Do you want another round of two? So the status quo is two half hour public comment periods. We're going to have a couple different polls. First is repeating-

Darren: Is that the meeting? At the next meeting?

Moderator: At the next meeting. So at the next meeting, I'll give you the three options. Option A is two one half hour public comment period. Option B is one half hour public comment period. And option C is going back to what we've done since the jump, which is basically one 15 minute public comment period. So we're going to vote three times and see how we go on as someone or we don't have a whiteboard, so please vote. First one is two half hour public comment periods like we did today. Please vote. One, two, or three. Everyone needs to poll. So we have one Ed saying we should have two. We have, what are you Russ? We have all threes. Catherine, you're not what?

Catherine: So we're on the one half an hour.

Crowd: No, two.

Catherine: Two? I already-

Moderator: Okay. Actually I didn't see you.

Catherine: That's okay. Here.

Moderator: Okay, that's helpful. Thank you. All right, next option is one half hour public comment period. One half hour public comment period. Chuck, Andrew, Paul. Okay. Chuck is a two. Mark is a three. Three twos in a row. Four twos in a row. Katherine?

Katherine: Well, I'm not going to be there.

Moderator: You're not going to be there. Katherine abstains. Three ones and two twos. Okay. Final poll. One 15 minute public comment period. So we have all ones to Mary who votes a three. Ed votes a one. Catherine of the C is a two. And Louisa is a one. So I believe the highest scoring is one 15 minute public comment period. Okay.

I will work with staff either after the meeting tonight or tomorrow morning or whatever it is to figure out a plan. But I still think to do it that in a way that gives as much time it deserves and you need to do it. The time in between the meetings will make the time at the meeting more efficient. So we give you more time in between the meetings to look at this and tee it up. It'll become more efficient. Next question.

Do we reopen the public poll on the, I'm making this up, A2 recommendations? One, two or three? Do we reopen the public poll to on the A2 recommendations and then the alternative you'll be able to choose from is that, actually, instead of that, they will still have the ability to do that extended public period, which is from the 11th to the end of May. So that's number two. So number one is we reopen the poll and they would be opining on the recommendations. So one, two, or three.

Speaker 28: Can you say that again? Because you're [inaudible 05:14:44].

Catherine: Yeah. Yeah.

Moderator: Okay. The public poll-

Ross: Presumably for like a week or something.

Speaker 28: Week to week I cannot [inaudible 05:14:52] you do the public. I don't understand.

Moderator: Okay, I'll try again. The public poll closed and as we learned, because of a press problem, people didn't get enough notice. Even if they had gotten it in a timely fashion, they wouldn't have had a bunch of time to go through 82 findings. So the question is, given where we're at and having another meeting, do we reopen that poll again? I'll say for a week or maybe it's 10 days depending on when we can get the notices out to people and tell them, "Hey, it's now open again. And that's going to be a challenge, because by the time you order these postcards, [inaudible 05:15:37] the expensive the postcards, you get them out, we're not getting it.

Speaker 28: Can we maybe not mail out a notification and just put something out in a newsletter or something?

Moderator: Yes, we can do everything

Speaker 28: [inaudible 05:15:50] big expense for the county to do again.

Moderator: I understand.

Speaker 28: And we're already extending [inaudible 05:15:55].

Moderator: Okay. So let's figure out. We'll do it in an appropriate way. But the question is, do we reopen the public poll that deals with recommendations only? Roughly speaking, it'll be a week to 10 days of openness and there'll be notice that isn't a mailing, again, because of the cost. So one, two, or three? Chuck?

Chuck: Is the poll the same criteria that you used before? Because-

Moderator: The poll is only on the recommendations. Do you generally support or generally oppose?

Chuck: Okay.

Moderator: Each of the recommendations. So Chuck is a one. Marge is a three. Liz is a one. Two twos from the Republic Boys. John is a one. Everyone else is a one. Catherine? And Catherine's a two. So we will reopen the public poll and it's always Marge. You're a two, aren't you?

Marge: Yeah.

Moderator: Yeah, she's a two. Okay. So we will reopen the public poll. VF press releases or website. Email blast and all that sort of stuff and get that out there. See if there's any other process question that we need your input on before. Under the category of "Duh", I don't think there's any chance. I don't think there's any chance that we'll be able to have another meeting beyond this. Please, Lord, take us now. So this has to be the last meeting and it means that we'll know more once we get the results, but we won't have a ceremony again. I'll save some time. There'll be less public comment period. So that'll save us time. But I want to make it clear that we're going until we're done. We just got to go until we're done with it. You saw the pace today. We basically did 12 out of 46 at the pace we did. We'll go back and figure out what that was as an indicator. Last call, Louisa.

Louisa: Well this is back to the poll. So you know this social media posts were 27% of how people found out, so I don't know how the county did that. [inaudible 05:18:48] but that seems like what we should do most. And then the email.

Moderator: Yeah. Yep. Ed?

Ed: I think there's also a word of mouth.

Darren: Yeah. Oh yeah [inaudible 05:19:01].

Ed: That was almost the same number.

Moderator: Yeah.

Ed: That is incumbent on all of us to ...

Moderator: Hey, leave your plaque here, John. Wait. Leave your plaques here. Leave your plaques here.

John: I'm going to get my bag, too.

Moderator: No, you're not. All right. Go for it. Do good. Avoid evil. Thank you very much.

Katherine: [inaudible 05:19:23] happy to say. I'll see you all.

Crowd: [inaudible 05:19:34].

PART 10 OF 10 ENDS [05:19:34]

Rev Transcript of BCTT 4-3-23 Meeting

Speaker 1: We should be on. Can the people on Zoom hear us? Somebody could give a thumbs up or.

Speaker 2: Actually just take out [inaudible 00:16:00].

Andrew: This is Andrew. I can hear you all.

Speaker 1: Okay, thank you Andrew.

Speaker 2: Because it's not sediments, it's soil. [inaudible 00:16:09] isn't clear. All right, thank you.

Sam: All right, here we go. It is April 3rd at 1:41 PM. This is meeting 11 of the Benton County Talks Trash work group. My name is Sam [inaudible 00:16:32], the facilitator. We have taken roll by around the room and checking folks out on the screen. As Darren mentioned, there are light snacks over towards the entrance if anyone wants to pick up some nourishment. The agenda review is pretty straightforward. It's much like we did last time. And we will approve the draft meeting 10 minutes, update the public point results on the recommendations. We'll have a comment period at 15 minutes, and then we'll review tonight's polling plan to focus on findings and recommendations for someone who voted at three and any new items, have our usual dinner break and explore findings and recommendations where anyone voted at two. And we'll have a break in between that. And then we'll do last call, any changes from the informal polling. And the ones, and then we'll go into the executive summary and history and then we'll talk about next steps going forward. So any additional subtractions or corrections to the draft M 10 meeting minutes, any additional subtractions or corrections to M 10 meeting minutes. Steering and seeing none will deem them approved. We sent out the updated public poll, public polling results on the recommendations on Friday if, as I recall, and they are for you to review. And they also appear on the worksheets and they are updated from what we had previously. So you see the results that occurred as of our March 23rd meeting and then the results that are cumulative through the 31st and going forward. So those are there for concern and review and I think just wanted to call that out [inaudible 00:19:00] at this point, unless anyone has any questions or comments on that. Let's move into public comment period. Is there anyone in the room that would like to make a public comment? You could just raise your hand. Anyone in the room for public comment. Hearing and seeing none. Those on appearing virtually, if you'd be so kind as to raise your hand under the reaction staff so I can know how many people we have in the queue. Looks like we have one. Ken Hecklin, you're up.

Ken: Great. Thank you. Can everyone hear me?

Sam: I can, but I can check on the back of the room, Ken, in just a second. Folks, can you guys thumbs up? You can hear? Yes. You're getting thumbs up. Take it away please.

Ken: Okay, so I have some screen sharing to do, but that seems to be disabled.

Sam: Let's see if we can undisable you here in a second.

Ken: Okay, thanks.

Sam: You're good to go Ken, on this end it appears.

Ken: Okay. Very good. Yes.

Sam: No, did you you laugh? Yeah, hey Sharon.

Ken: There. Can you all see that?

Sam: We can. Thank you.

Ken: Okay, great. Hello again work group. It's Ken Hecklin, Benton County resident. I'll be as brief as I can. Could you please go to the bottom of page 32 and locate finding number 13 for the landfill size subcommittee? It's the bottom of page 32. And at top of page 33, you'll see that the two Republic Services members are going to vote three on this finding unless a sentence is added to it. And I've highlighted the sentence here. They're not being totally honest with you here. Not being totally forthcoming, I should say. Yes, they did add this sentence to the subcommittee report at the very last minute I might add, but they didn't provide the data that they mentioned to the subcommittee. We inquired about it and were told it's publicly available, "which is a little non-transparent."
So it has not been vetted. So the sentence is unsupported by any evidence. Nothing was given to any subcommittee members except the sentence. We had nothing to examine. No way to verify this sentence. Note that the EPA estimate in the finding, the 57% figure did come with supporting documentation provided to the subcommittee. Oops. Since no supporting evidence has been presented for examination by the subcommittee or by you, I don't think the work group should add this sentence to its evidence-based findings. Your informal polling is already holding to that outcome. So I'm supporting the direction the majority you are already going in. Republic Services can file a minority report to explain their side. So again, do not add the proposed sentence. The subcommittee has not vetted it. Evaluate the text for finding 13 without it. Thank you.

Sam: Thank you. And any other member on Zoom that would like to make a public comment? Last call. Seeing no one on the screen and no one in the room. We'll close public comment period. Oh, is there someone or is it?

Speaker 1: More comments. Hello?

Ken: Can you [inaudible 00:23:35]?

Speaker 1: Vicki, I believe you want to testify? If you would like to testify, you can turn off your microphone and begin when you're ready. Also, you can turn on your video as well. Okay. We can see you. Can you turn off your microphone please?

Ken: Turn on your microphone.

Speaker 1: Turn on your microphone.

Vicki: Okay.

Speaker 1: Perfect. Thank you.

Vicki: Okay. Good afternoon. My name is Vicki Drew Weiner. First I want to thank all the neighbors, committee members, county employees, and others involved in tackling this important issue. Looking through the vast amount of documentation that has been gathered, I'm impressed with the effort made. And these times I think we need to work together to deal with things that impact us all on a personal local level. My husband and I have been residents of the Sub Creek Valley for 33 years. Last year when Republic Services submitted their conditional use permit application, we joined with other neighbors concerned by many aspects of the proposal and hoped that having a facilitator and work group dedicated to examining the issues we would be productive. Perhaps I placed a

little too much faith in the process. And it wasn't until a recent survey came out that I started really examining the website and information presented there.
I have already written an email to voice my concerns about the survey and related issues and sent it yesterday. So perhaps you've already had a chance to see it. However, I did want to make a few more comments about this process.
First, I want to remind you that there are more people impacted by the landfill and its current and future activities than just a group of disgruntled neighbors crying, not in my backyard. The issue of solid waste management, whether it is household, industrial, hazardous, medical, or recycled waste, is a worldwide concern. On some levels it is very complex and expensive. Yet the long-term benefits of dealing with these issues sooner rather than later can make a huge difference in our neighborhood, our state, our world. In that vein, I notice you've included a statement honoring the Kalapuya tribe and the acknowledgement of there having been here long before the settlers came to this area.
I believe that many native spiritual values honor the earth, the plants and animals, the seasons and other elements of this beautiful world that we share and consider them sacred. You cannot find documentation suggesting any input from the nearby tribes into this process and would really have appreciated seeing some. Perhaps it's not too late. Thank you for this opportunity to speak.

Ken: Thank you very much. Last call for anyone online. Since I can't see the chat box, if you could give me thumbs up or raise your hand by going to the reaction icon on the bottom of your screen. That'll be a cleaner queue that you want to be in the queue.
Hearing none. Thank you. Public comment is closed. All right, so here's sort of a high level overview of where we're at in this process. If we were to go and manage all of the remaining threes in recommendations and findings and then also deal with the twos in recommendations and findings, there would be 120 specific findings or recommendations to discuss. Of those 120, 38 of them be they findings or recommendations, have at least one in three in. The proposed approach is to start with the recommendations in essence, where we left off last at our last meeting. There are 10 recommendations with remaining threes that we haven't discussed. Then my proposal is we would go to the 28 findings, or at least one member voted a three. And then depending on where we're at in the agenda, we can look at the recommendations where at least one person voted a two.
There are 45 of those and there are 37 findings where at least one person voted a two. So I'm proposing that for these recommendations, we literally spend no more than seven minutes per recommendation to get through them. And if we need more time, because we're making, we will take it. But really we are looking at a five to 10 minute per topic agenda item. And so this really is about essential edits because you have the ability, if the essence is there and you support it, you can devote a two or one. If essence is not there, you're free to vote a three. And obviously any one three precludes a consensus recommendation, just as we discussed last time. Any additions or suggestions with regard to that process of how we're going to go through and triage these comments. And then of course we will end with the history piece and the executive summary piece. Yes, Marsha?

Marsha: Just a question, how are we going to handle the history document?

Ken: The history document will be put on the screen and there were three major changes. No, I don't call them major. There were three changes that were put up there. We'll put them up and discuss them one at a time.

Marsha: Is that after the recommendation?

Ken: Yes, yes.

Speaker 3: Just a thought, maybe help with the group. Just like you take a trip and a hundred miles to your destination, maybe on occasion you remind us how many more miles we have to go to keep that seven minute clock moving.

Ken: Yeah. And last call. Yes sir?

Speaker 4: If you have a three, is that finding just get lost or removed from the report?

Ken: No, it'll show up. There's 14 polling members and as long as there's one three there, but there's a majority of one and twos, it shows up as a majority minority finding. So if you have a three on a finding or recommendation and either way it's going to show what the votes and tallies were for each of these findings and recommendations. So if there's going to be a possibility of majority and minority approving and also a possibility that a majority minority vote is disapproving the finding and recommendation. So everything gets captured.

Speaker 4: Including the verbiage?

Ken: Excuse me?

Speaker 4: Including the verbiage, the narrative.

Ken: Well the whole narrative of the finding and the recommendation is all we're voting on. When you speak to verbiage, are you referring to somebody else?

Speaker 4: No. If somebody is asking for a change.

Ken: Yes.

Speaker 4: And to get from a three to something else, will that request that ask be shown?

Ken: That is the hope given the way the polling document is to put it in what we voted on and what we didn't vote on. So it'll be in that summary document like the ones we did last time.

Speaker 4: Okay.

Ken: All right. So there are no remaining threes on the SMMP. And then we have Louisa joining us on your phone and we have Liz Ivers joining us. There are no remaining threes on landfill size, capacity, life. So we're now going to land use and looking at that and we'll put it up on the screen. So the first one is recommendation two, LLUR2, LLUR2.

PART 1 OF 13 ENDS [00:33:04]

Speaker 5: [inaudible 00:33:02].

Sam: And on that, and someone, can you get that on the screen, please? It's page 81 of your [inaudible 00:33:27].

Greg: In the meantime, there's a question in the chat from Louisa about should polling members have their cameras on during [inaudible 00:33:36]?

Sam: It would be helpful if you did, Louisa, but if that's inconvenient, as long as you can please come on for the actual polling so we know if you're voting one, two or, three. That would be helpful.

Speaker 6: [inaudible 00:33:53].

Sam: All right. So, we have one person on this. We have one person polling in one, two twos, and nine ones. So, the person who polled the three indicated it was lawyer

talk. What is statutory completeness review process? How can I vote something I know nothing about? And the twos were how and where this information will be described and communicated needs to be added. And for community outreach and education, use CEO subcommittees for recommendation, which is community education and outreach recommendation. So, let's deal with the LLU R2. Who would like to comment on that as the basis for their three, and what can we do to make it cleaner? And someone's going to be having to watch, because we have two members on-

Speaker 7: I can ... I'll watch that.

Sam: ... video and Louisa. Yes?

Speaker 7: Didn't we vote on this one in the last meeting?

Sam: We voted on ...

Speaker 7: [inaudible 00:35:31].

Marge: Yeah. [inaudible 00:35:40].

Sam: Oh, this is the ... All right, that's the one three. I see what this coding system is saying. We did vote on it and we had one person vote in a three. Any last call on that? Whoever voted a three or two on that, any second thoughts or third thoughts? Hearing and seeing none, we'll move on. That's done. R6 is next. These will be all in the LLU series.

Female: [inaudible 00:36:20].

Sam: And here, we had one three and two twos. So, the three said I can surmise that this is an attempt to stifle substantive public comment and I oppose to this recommendation.

Speaker 7: Did [inaudible 00:36:49] R4 has a three.

Sam: What R? Give me just a second. I ...

Speaker 7: Oh, sorry. I apologize. Sorry.

Sam: It did initially. All right, so whoever voted a three, what would be helpful to you such that you would consider with changes it to be acceptable? So, who voted the three? Who would like to-

Marge: I probably did, and I stand by it. I would need a lawyer who is [inaudible 00:37:34] to advise me and take my ... to [inaudible 00:37:45] anything else [inaudible 00:37:47]. I'm willing to vote present on that. I'm willing to vote present on that one.

Sam: Okay. Well, if you're a three, you're a three, Marge. I'm not trying to-

Marge: I'm not going to say that. I'm not going to do that.

Sam: You're going to say you're present. Okay. Would you consider that ... We have abstain, not here. Or you just want to say present?

Marge: Present.

Sam: Okay, so for that one, Marge has present and [inaudible 00:38:20]. Well, then take away the three from that. The people that voted two, and this was republic saying you didn't want to be in a position to give direction. So ...

Speaker 8: [inaudible 00:38:38].

Sam: Yep, so you're fine with it as it is?

Speaker 8: Yep.

Sam: All right. So that takes care of R6.

Marge: Not R6. Okay, sorry. Are we on R6? I thought we ... Okay. On R6, I do not vote present. I vote three, and I vote three for the reason that ... And [inaudible

00:39:03] for the same reasons, but I think an attempt [inaudible 00:39:09]. But can [inaudible 00:39:12] present an entire work group with a much more recent and comprehensive [inaudible 00:39:20] that now.

Sam: Okay.

Marge: Incurring [inaudible 00:39:26].

Sam: All right, so R6 then formally-

Marge: [inaudible 00:39:31].

Sam: ... polls as nine ones, two twos, and one three. So it passes by a majority minority vote. Just that nine, two, and one. Now we're on R7 and this is also ... This is an eight, two, one vote. And same comment. Again, I surmise it's an attempt to stifle substantive public comment. I oppose to this recommendation.

Marge: Yeah. [inaudible 00:40:07].

Sam: Same as that. Okay. And the people that voted twos ...

Speaker 8: Same.

Sam: Same reason. Unless there's any other discussion or changes of people's prior polling, this will go forward as eight, two, and one.

Greg: Sam.

Sam: Yes?

Greg: Sorry. We have a clarification on LLU R6, the previous one we talked about. We had a draft revision I'm guessing from the previous meeting where there was some wording changes proposed, and I just want to clarify that we weren't polling on the wording changes. We're polling on the original drafted recommendations.

Sam: Okay. So, there were changes.

Greg: I think we have question marks in there. I think we never finished polling on that.

Sam: Okay. So, the LLU R6, there were potential changes made at the last meeting and if you can ... You will see them on the screen as striking the words more clearly defined and instead provide non-binding guidance, the guidelines for SWAC's role as far as articulating the scope and manner. So that was designed ... So, right now we have the initial polling nine, two, and one. Does that change anyone's polling? We have Marge as a there, two republic pollers as a two, and the main folks as a nine. Nine of you. Hearing and seeing none.

Speaker 9: Just to clarify, then, we're adopting that proposed changed language?

Sam: Yes, we're ... So, real-time draft revisions for 323.

Speaker 9: [inaudible 00:42:17]. Thank you.

Sam: That would be the language. Okay? All right. Let's look at R8. R8, we have a three. Three indicated no effort made to inform regarding the implications. I as a Benton County resident am not a member of the legal committee and not intimately acquainted with either of these code sections in chapter 53. The two is from republic, the usual comment they just made. Marge, I'm assuming this is your three and-

Marge: [inaudible 00:43:21].

Sam: ... are you sticking with the three? So, Marge is sticking with the there. Republic's saying you'll stay with the two.

Speaker 7: Yeah, but there's only one two [inaudible 00:43:30].

Sam: There should be two twos.

Greg: I think somehow, nine ... Category one should be eight. I'm not sure.

Sam: Okay.
Greg: Should be two.
Sam: Well, there's actually 11 people that are polling.
Greg: Yeah, I was just looking at R7. So it could be [inaudible 00:43:50].
Sam: So, we will ... It's not going to make a difference, but put two twos in twos, under the two category for that.
Greg: Yeah.
Sam: Yeah, just ... Louisa?
Louisa: Hi. Yes, I was just wondering if Marge quickly could say what wording she might want changed.
Marge: I do not want wording changed. I want it removed.
Louisa: Okay.
Sam: All right. R9. The [inaudible 00:44:38] poll, the three indicated that what does this mean in layperson's language?
Marge: On this one, I will go to two, because it certainly sounds to me like that would be harmless. So, maybe I'm wrong, but I go to a two on that.
Sam: Okay.
Marge: But in general on all of these, there was no attempt made to communicate with a lay audience. Okay, maybe an attempt was made. You failed. [inaudible 00:45:13] that attempt.
Speaker 10: I think at some point, you can only do so much to dumb down the language before it becomes ineffective and becomes a liability. So with respect to that, that's a very difficult thing to say. There was a huge attempt made to be plainspoken as much as possible.
Marge: I agree, and I think what you said makes so much sense. And so therefore, I think that what should have happened was that there should have been a community [inaudible 00:45:44] on the legal group, and there wasn't.
Speaker 10: And everybody could have volunteered. It was open to everybody.
Marge: Well, a lawyer?
Speaker 10: No, it was open to everybody. Anybody could volunteer on that. [inaudible 00:45:58] just like the others, right? You know, if we did. I mean, that's the crux of it, right? Nobody did. Nobody tuned into our meetings. Nobody else signed up for it. And now everybody's mad because they're not happy with the language [inaudible 00:46:09].
Marge: I'm [inaudible 00:46:10]. Not everybody.
Speaker 10: Well, I don't know. I think that there's been a lot of insinuation about the legal committee, but I didn't see anybody there. And that's where I'll leave it.
Sam: Yeah, I think it's time to move on to the issue. I also remind folks that the county approved part of my contract amendment to include Jenny Lucker to be there to do her best job of translating, that she wasn't an advocate or representing anyone.
Speaker 10: Yep.
Marge: But she was not an advocate. And-
Sam: Marge.
Marge: ... perhaps she did do her best to un-legalize, but it was not ... In my opinion, not [inaudible 00:47:01].

Sam: I think that opinion has been stated and the rebuttal has been stated, and we're not going to be polling on that any further. So, we have nine ones and two twos. Are there any ... I'm going to assume we have one, two, three, four, five ... We have 10 members present. All right. Any members present want to change their polling? We have nine ones and two twos. Who was the other two on this?

Speaker 10: You mean the other two non-votes?

Sam: Yeah, the [inaudible 00:47:59]

Speaker 10: I was one of the non-votes initially, so I'll vote a one on that.

Sam: Okay. So we have nine, one, and a zero, and we need to take the poll on these. I just realized, because the meeting minutes will be ... [inaudible 00:48:12] please speak up if I'm missing something. Help me with this. Which ones do we not have official polls on for the members?

Greg: Well, LRU R2. We haven't done any polling sheets yet.

Sam: We need to do the polling sheets.

Greg: All right.

Sam: What I'm suggesting [inaudible 00:48:39]. Give me the first one, please.

Speaker 11: Sorry, can I just interrupt? You said there's nine ones and one two, so there's only 10 votes? And that's for 10 polls?

Sam: Okay, we're-

Greg: We're going to do-

Sam: Hold that. We're going back to this. We're going back to R2, and if you have ... Can you [inaudible 00:48:58].

Speaker 7: R6. We had ... R2 was polled on in the previous meeting.

Sam: Okay, so we're on R6 is the first one, and take your cards, please. One, two, or three. We have this [inaudible 00:49:10].

Speaker 7: Source ... Yeah.

Sam: All right.

Speaker 7: [inaudible 00:49:34].

Sam: Yes. Okay. So, let's start off with the people present. Chuck, Liz are ones. Marge is a three. Russ?

Russ: Can you come back to me in one second? Or am I the last one?

Sam: No.

Russ: I'm just not a fast reader today I guess, I'm sorry.

Sam: Not a problem. Skip over. We have John, Ryan, ones. Mary Parmigiana, two. We had Ed a one and Catherine with a C, a two. And we have Russ a two. Russ and Sean are a two.

Speaker 7: Okay. And [inaudible 00:50:22].

Sam: And then on ... Louisa is a one. She made her own card. Wow. That is very impressive. Andrew? Are you on?

Andrew: I just don't have a green card. It's a one.

Sam: It's a one. Andrew's voting one. Thank you, Andrew. I mean, you're pretty well shown up here, Andrew, by Louisa who color coded hers. Wow. Okay. So what's the final tally, then?

Speaker 7: The final tally is ...

Greg: Sorry, what were you two? [inaudible 00:51:06].

Marge: Which one are we voting on? R6?

Greg: R6.

Marge: Okay.
Speaker 7: I got seven ones, four twos, and one three.
Sam: Okay, and that's correct. All right. What's next?
Speaker 12: Sam, did you take my three? I don't have a three.
Sam: You have a three.
Speaker 12: Yeah, just to keep things moving.
Sam: That's [inaudible 00:51:34].
Speaker 9: Marge is not [inaudible 00:51:45], so ...
Sam: Surprised we gave you any cards at all, John.
John: I know. I know.
Sam: This is amazing. All right, what's next?
Greg: R7.
Sam: R7. This was previously on the informal polling an eight, a two, and a one. We have Chuck is a one. Liz is a one. Marge is a three. John is a one. Ryan's a one. Mary is a one, Ed's a one, and Catherine's a two. And Sean is a one.
Speaker 7: No, Sean's a two.
Sam: Sean is a two and his twin is a two. Russ and Sean [inaudible 00:53:00].
Speaker 7: [inaudible 00:53:01] folks on two.
Sam: And Zoom. Louisa is a two. Andrew is a one.
Speaker 7: All right, we're at seven, four, one again for that one.
Sam: Seven, four, one. [inaudible 00:53:21]. All right, next up.
Speaker 7: R8.
Sam: R8. All right. Cards up for R8. You have to show it on the screen. [inaudible 00:53:53].
Greg: Yeah. Scrolling through it.
Sam: So, Chuck, Liz, one. Marge, three. Russ and Sean are two. We have the rest are ones, so it's John, Ryan, Mary, Ed, Catherine.
Speaker 7: Folks on Zoom again.
Sam: Zoom? Andrew, one. Louisa? One. All right. R9.
Speaker 7: [inaudible 00:54:50].
Speaker 12: We're voting on not the draft revision.
Sam: We're doing it on the real-time draft revision, four, three.
Speaker 12: Revision.
Sam: And the result of that was nine to two, but I didn't get the names of that. So, we have Chuck, Liz. Marge, where are you on this one? So, present.
Marge: Right.
Sam: Marge is present on this. And we have everyone else voting one. Louisa, Andrew?
Louisa: Sorry, I got lost. I thought ... Okay, we're on R9 that's on the screen?
Sam: Yes. Uh-huh. And they both vote one, Andrew and Louisa. Thank you. All right, we should be caught up now. So, R11. LLU R11. In the informal polling, we had eight ones, zero twos, and three threes. One person who polled the three indicated it was a new finding. We haven't had time to discuss or abet. Would like to hear more about the impacts and ramifications of the work group. And another three indicated brand-new finding. Haven't had a chance. Other one said does this mean we are acknowledging that there are wetlands in the landfill area? It's painfully obvious that wetlands comprise of a large percentage of E.E.

Wilson. So, who was suggesting the addition of this R11 compliance? How did this come up? Does anyone ... Yes, Greg.

Greg: So, I can speak to that. At the previous meeting, I think it was the crosswalk meeting, there was discussion about wetlands and that we needed a finding or recommendation around ensuring that the garden estates lands is involved or notified somehow. So, I took that discussion, created this draft by means of a recommendation [inaudible 00:57:32] or [inaudible 00:57:33] consideration based on that discussion.

Sam: Okay. Any other further discussion? Can we poll, please? One, two, or three on that.

Marge: Are we acknowledging then that there are wetlands in the landfill area?

Female: [inaudible 00:57:57].

Greg: This recommendation doesn't say there are wetlands, but there are wetlands in [inaudible 00:58:07], for sure. We have mapping showing wetlands. The issue that came up was a discussion about whether there are wetlands that have been identified and protected by Benton County as significant wetlands, and that's a subset of all wetlands. [inaudible 00:58:25] very small subset. So in the absence of having county established protection for wetlands in the vicinity already existing, the discussion was [inaudible 00:58:37] ensure the department [inaudible 00:58:38] is involved or notified. But [inaudible 00:58:46]. Since they have jurisdiction over all land.

Sam: So, Ryan.

Ryan: Quick, just to clarify then, so we're really ... Greg, it's kind of broadening the scope of what a wetland is defined ... I mean, broadening the look for wetlands versus what is significant within Benton County, but now it's like looking at DSL as well. Looking at it from a statewide ...

Greg: It's ensuring that DSL is polled into [inaudible 00:59:13]. It's our practice. It would be anyway [inaudible 00:59:16].

Ryan: Right. Perfect.

Sam: To make it clear that if there are wetlands, that DSL needs to be involved. So, this [inaudible 00:59:26]. All right. One, twos, or threes, please.

Marge: Well, as we said [inaudible 00:59:32].

Sam: So, everyone in the room is voting one. Let's go to Louisa and Andrew. Louisa's a one and Andrew's a one.

Speaker 7: Twelve ones.

Sam: Twelve ones?

Male: Twelve, zero, zero.

Sam: Twelve, zero, zero. Okay. R12. We have one three and that's based on the why was the recommendation to state matters in clear and explicit terms not applied to the LL recommendations themselves? So, I believe we had that discussion on another matter. Yes?

Speaker 13: Just [inaudible 01:00:48] after the vote, [inaudible 01:00:48] renumber or reletter the findings in the real [inaudible 01:00:52] edition. Because on mine, it looks like they picked up at [inaudible 01:00:56]. D. The letters. What am I trying to say? The letters on mine say F, G, H, I, J.

Sam: For L12?

Speaker 13: Yes.

Sam: That's-

Speaker 13: Oh, no, I'm on 13. Sorry. Never mind. I'm one ahead of you. I moved too [inaudible 01:01:13].

Sam: Well, aren't we just advanced?

Speaker 13: I'm easier to get through.

Sam: I can see that. All right. So with that said, we will take a poll on R12. There were no changes in real-time from R12, so one, twos, or threes. Marge? Everyone in the room is voting one, with Marge present. Louisa and Andrew? One and one.

Speaker 7: What about Russ? Or Sean. [inaudible 01:02:03].

Sam: Sean's voting one. Sean is trying to help Russ put up a one, and ...

Russ: Some early wake-up call [inaudible 01:02:12].

Sam: Thank you. All right.

Russ: [inaudible 01:02:15].

Sam: What do we have?

Speaker 7: Eleven, zero, zero, and one present.

Sam: Okay. R13. So we have one one. I give up. What is legal mandamus option?

Marge: Yeah, so present.

Sam: So, basically it's a shorthand term that means you're asking the court to force somebody to do something. So, let's take the poll on that. 10 voted one in the informal. One person voted a three. Marge, are you present for this?

Marge: Yeah.

Sam: Marge is present. Everyone else in the room is voting one. Louisa and Andrew is a two. Okay. R13. Any questions, discussion? Yeah, so-

Speaker 7: Which one? [inaudible 01:04:12].

Sam: I gave the advice. I defined mandamus. I was on the wrong one. The mandamus doesn't apply to R12. It applies to R13. So, the poll we are taking now-

Speaker 7: Oh.

Sam: ... should be on R13.

Speaker 7: What was the poll we just did? [inaudible 01:04:30].

Sam: R12.

Speaker 7: I thought that was R13. [inaudible 01:04:33]. We went ahead.

Sam: We went ahead.

Speaker 7: We did 12 and 13.

Sam: Okay. My bad. All right. We're now moving to [inaudible 01:04:43] paper to shuffle here. So now we're on CUP R14. CUP R14. [inaudible 01:04:52] put there. All right. So we have eight ones, one two, and two threes. The three's indicating county just doesn't have majority to regulate transactions between private landowners, remove recommendation, and that's repeated. So, [inaudible 01:05:28]. All right, who are the twos? I mean, threes? So, tell us a little bit about this please.

Russ: Notion that county could somehow interfere and attempt to regulate to private parties doing some formal transaction as purchase of land. Don't believe the county has that authority.

PART 2 OF 13 ENDS [01:06:04]

Ross: I don't believe the county has that authority.

Sam: Well, this says "Evaluate whether acquiring the land is consistent with the vision..." Acquiring buffer land's actions specified to DEQ. All right. Ed and Catherine?

Ed: I don't think the intent was to interfere with anybody's private transactions. The intent was to find out what the extent of the area is that's associated with the landfill, just to give an impression of how the extent of the resources, the community resources that are tied up in the landfill being present. [inaudible 01:07:02] no intent to interfere with any kind of private transaction, but it's really getting the information that's in the public record, tax record that says this property is owned by somebody that's associated with the landfill owner operator. So that's just part of the overall impact of the operation on the community,

Sam: Right, Catherine?

Catherine: Yep. I support what Ed is saying, and I agree that that's what we were leaning with this. I think it really was encouraging the county to no intended interference with private party transactions. But the county does have the responsibility to forecasting zoning and zoning usages of land. When we combine that with Vision 2040, that's that long term planning part, and I think that's really where we were leaning with this recommendation.

Sam: Is there anything that could be modified that to-

Ross: If we could go back to what Ed said a second ago about transparency on land purchases? Yeah, we could. It's just that, that's not how we interpret the proposed language.

Sam: So, what specific language-

Ross: Ed, you want to try again? What'd you say?

Catherine: Is there a better word than evaluate? Because evaluate is about as open-ended as we came to-

Sam: [inaudible 01:08:29].

Catherine: ... a conclusion on, leaving this to the county to evaluate not this body necessarily.

Ed: So Jeff had brought this up a long time ago and saying not interfering with private transactions and that's what we tried to craft around. So, quite frankly, struggling for short words to change this.

Ross: Sam, I'm willing to try, but I'd like a couple minutes to think on it if it's possible. Could we come back to this one?

Sam: Okay. I'm trying to make a note here. I'll put it down there. [inaudible 01:09:13]. Serves as our cheat sheet reminder. All right. For community education outreach, there are none of them are threes, but there is a [inaudible 01:09:22] so-

Catherine: Sam?

Sam: Yes?

Speaker 14: Just [inaudible 01:09:26], there is no Vision 2040. We changed that to 2040 Initiative.

Speaker 15: [inaudible 01:09:37].

Speaker 14: That's way more important, like on the level, but there just changed vision to 2040 Initiative. There is no Vision 2040 there. [inaudible 01:09:45].

Sam: Sorry. [inaudible 01:09:46].

Speaker 14: No, no, no, that's fine. Your issue is much bigger on a [inaudible 01:09:50].
Speaker 16: I got a question from Louisa.
Sam: Louisa?
Louisa: Isn't there a vision 2030? Is that what they wanted to use?
Speaker 17: Think the city of [inaudible 01:10:05].
Louisa: What's the county's vision. What thingy?
Speaker 14: I think [inaudible 01:10:11] the 2040 Initiative, the is city is a magical [inaudible 01:10:16].
Sam: Okay. So we'll use the proper term, which I understand to be the 2040 Initiative?
Speaker 14: Yeah.
Sam: Okay. So we need to make a note to find and replace anywhere in the document, 2040 Initiative versus Vision 2040.
All right. So community education outreach, CEOR 16 as I understand it is new, so [inaudible 01:10:59]. I'll take a minute to allow you to update that and read that. Any discussion, or request for clarification on this new proposal? Hearing none. Let's poll one, two, three-
Ross: And [inaudible 01:11:48]. I'm sorry. Just to me it feels like the last two, three sentences are just unnecessary. It's phone number, it is sort of getting into the tactical suggestions of what should be done. Couldn't this be a little bit tighter and cleaner, saying neighborhood deserves to have this information, county, republic members, the work group, get together and figure it out?
Sam: Well, I think for all of these, these are recommendations from the work group to the county. The commissioners are going to consider it, I suspect for something like this, say to staff, "We like the concept. How would you implement that? What would that look like?" And then they would put forth a policy to do that. Is that a fair statement, Darren?
Speaker 14: Yes.
Ross: I just, I have a feeling somebody could click on something that the [inaudible 01:12:53], it's just that technologies will evolve. Capacities for transparency and communication will evolve.
Sam: Any other? So what I'm looking for, just use this as a good example, is specific suggestions to edit the words on the piece of paper. So it sounds like you would like to-
Ross: Straight. Beginning with 'ideally.'
Sam: Okay. All right. So first, we'll pull on that section as is with 'ideally' in there. And so is ideally in there?
Ross: Yeah.
Sam: Okay. So poll one, two, or three with those last three sentences in, and then the second poll will be with them out.
Speaker 18: [inaudible 01:14:00].
Sam: Okay? I promise you're going to... [inaudible 01:14:03] Chuck?
Speaker 14: I'm sorry, what was the question again?
Sam: It is exactly how wonderful it says the facilitation.
Speaker 14: Yeah. Sorry, sorry.
Sam: Alternatively, as we're voting on R-16 with those three sentences in. So we have, Chuck, Liz, Marge?
Marge: I'm trying to figure out where the changes is. It's like a whole new language.

Sam: It's a whole language. It says CER-16, draft six, text.
Marge: Yeah. R-16. So all like... Okay, so [inaudible 01:14:44]-
Speaker 14: CEO.
Marge: Develop a [inaudible 01:14:47]-
Speaker 15: This is [inaudible 01:14:47]. It's the vision, very last one in the whole document. It's [inaudible 01:14:55]-
Speaker 14: [inaudible 01:14:55].
Speaker 15: Probably be the last. Yeah, the last all the way to the bottom, okay. Through that.
Sam: Okay. So I'll call up on and off.. Louise, did you have a question or clarification about this poll?
Louisa: Well, I'm just would... I wrote this and I'm fine with everything being off there from 'ideally.' I think just as long as the message is out there of what the [inaudible 01:15:22] is we're recommending, that's fine. So whatever you guys think.
Sam: Okay, well we're polling. In mid-poll on it with those three sentences in there. So we have Chuck, Liz, Mark. Voting number one, Republic. Ross, and Sean voting in two. We have John in two, Ryan in two. We have Mary, Ed and Catherine vote in one. Louisa as a one, and Andrews a two.
Speaker 17: [inaudible 01:16:06] 750.
Sam: Now, let's take the poll with it out. We're removing the last three sentences-
Catherine: Sam, before you-
Sam: ... with ideally phone number [inaudible 01:16:23] link.
Catherine: Before you do this poll, could I make a comment on this piece?
Sam: Yeah.
Catherine: So I would like to make a friendly amendment to this and just say, for example, a community member could click on et cetera. Why? A couple things. I feel like the value in this coming from this subcommittee who supported this language in the first place, but I also feel like those that have worked in this subcommittee have a sense of what might be helpful as an example of what might work. It's not a hard recommendation that this is what should be done as much as it is, here's an idea of what, through our experience on the subcommittee, we thought might fit this thing. So I do support the language here. Obviously, we can do it without it, but in the implementation phase of things, it might be beneficial for however we put this into action, that we have ideas coming directly from the subcommittee who've worked on this topic specifically.
Sam: Okay, so we're in the middle of this poll. We'll come back and pick up that poll in a minute. So we are polling on without those three sentences. Chuck? So Chuck is two, Liz is one. Marge?
Marge: Okay. I'm going to follow this up. [inaudible 01:17:51].
Sam: So, Marge is a two. We have Ross and Sean. We have Ross and Sean voting one, and we have John and Ryan voting one. We have Mary as a two. We have Ed and Catherine as a three. And Louisa and Andrew, who both twos. So, because we have some threes, the one that potentially is most promising or could be promising, we'll come back to it, is the initial poll that we're putting. Instead of identifying a community member in between right before that language 'ideally a community member,' we should say, we were [inaudible 01:18:48] to add

[inaudible 01:18:48] enough where needed, 'for example, comma, a community member could... " Catherine, did I nail that?

Catherine: I think that's worked for us with some of our recommendations. We felt it was just a helpful nudge coming from our perspective on our subcommittee.

Sam: Right. So, it's basically the first poll with the language that's new, but prefacing after the word 'needed' and before the word 'ideally, for example,' and then string out the language. One, two to three is on there.

Okay. We have Chuck, Liz, Marge, voting one. We have Ross and Sean, and John voting to two. We have Ryan, we have Mary, we have Ed and Catherine voting to one, Louisa one and Andrew one. We'll check the math, I believe that one has the most robust finding and absent something to the contrary, will propose that. So what do we have for these [inaudible 01:20:12] fairness comparison.

Speaker 19: 930.

Sam: And the one before that was-

Speaker 19: Before that one was 552.

Sam: Okay. And the one before that?

Speaker 19: 750.

Sam: Okay. So the 930 is the most robust test that the consensus, that you all agree with. All right. Are you ready to go back, Ross to-

Ross: No, I'm getting closer. Thank you.

Sam: Okay. All right. This is sort of, not sort of, this is the last call on any recommendations under... in the report. Any other recommendations you would like us to talk about. Otherwise, I'm basically suggesting, asking you, does your informal poll still stand? So you took an informal poll on the remaining recommendations. SMMP LSCL, what have you. Has anyone heard anything in the last two days, the two meetings that would propel them to poll differently than they have? Yes, Ed?

Ed: There was things I heard quite frankly from the television and all podcast that made me think of polling differently on some of the LSCL recommendations. And if you give me a second, I can give you the number. I send it out very late this morning, so apologize for that.

Sam: Is it a finding or a recommendation? Because I'm dealing with recommendations now.

Ed: This is a finding. I'm sorry. [inaudible 01:22:20].

Sam: No problem.

Speaker 14: Ed, you did have findings CUP R-7 I believe is [inaudible 01:22:25] submitted-

Ed: It's upon [inaudible 01:22:26], yeah.

Speaker 14: ... R changes too.

Ed: Yeah, it was the second page.

Sam: And did you have a three on that?

Ed: It's not a three.

Sam: Okay. So I'm only-

Ed: Actually, it's a three. I'm sorry.

Sam: No, don't be.

Ed: Confusing myself.

Sam: I'm confusing myself.

Ed: So, we're on the [inaudible 01:22:46].

Sam: So let me reframe the questions to make sure everyone is on the same page. What we have done is go through each of the recommendations where someone in an informal poll, polled a three or a two. The twos are coming up. I'm just finding out if there are any remaining threes on any of the recommendations. So this is the last call on recommendations that you polled a three, which means that when you took the informal poll, you voted a a one or two. You're not changing anything here. We have no additional threes. Yes, Ed?

Ed: No, I agree with that. No more threes on the [inaudible 01:23:45].

Sam: Okay.

Ed: But maybe actually put the... I would change it to a three on [inaudible 01:23:56]. I'm struggling with something here. [inaudible 01:23:59].

Sam: [inaudible 01:23:59] about it. Yeah.

Ed: In looking at a bunch of the findings and just in two of the recommendations, I think there's a bit of a flyby going on. We've gotten in very specific language about whether something means this or it means that, is it enforceable, is it not enforceable? Whether it's a condition of approval, whether it's a finding. And when you step back, that's all the, at least on the CUP small group side was, all the structuring was just to get the consideration out that... Can I just read it because I finally got [inaudible 01:24:51] words? Is that okay?

Sam: I just want to know if... I'm just trying to clean up any remaining three. So your new one is R-7. [inaudible 01:25:06] sent in this morning. That is added a two. You wrote a two on that, [inaudible 01:25:15] that you would've accepted R-7 the way it is, but you wanted to clarify?

Ed: What I asked for is, find some way to insert something before R-7.

Sam: [inaudible 01:25:28].

Ed: Copy the finding at LLU F-22, I thought this needed something for explanation. We could add it to both of these, the R-7 or the LLU F-22.

Sam: Okay. So, we will deal with the findings in a minute. I am really just trying to keep us focused just on the recommendations to know if there's anything else that needs to be-

Ed: And this would go with the CUP R-7.

Sam: LLU?

Ed: No, CUP R-7.

Sam: So Cup R-7 goes with what finding?

Ed: This is proposed inserting it before the... This heading doesn't make sense. It says insert both CUP findings at CUP R-7 and legal findings at LLU F22 and that can't be right. Why don't we skip it and I'll find out what I should have said.

Sam: [inaudible 01:26:41].

Ed: Okay.

Sam: So, hearing nothing to the contrary, I am confirming that there are no members of the work group who are present, who are going to vote a three that hasn't already voted a three? You understand? In other words, the informal pollings where you voted one or two has not changed. Is that correct?
So, please put your tent up so I can actually see that is the case. Okay. John, Ed, you're agreeing with... You have added in this hanging chat here, which we're going to get to, there's no other three that you haven't already voted on [inaudible 01:27:50]?

Ed: [inaudible 01:27:51].

Sam: Okay. Now, let's see if we can... Ross?

Ross: Yep. Thanks for the indulgence [inaudible 01:28:03].

Sam: R-14 is-

Ross: So, what if we were to, in the first sentence, keep the margin intact, but where it just is consistent with just impacts and whatever we're calling it, Initiative 24 or whatever, including housing, forestry, agricultural land uses whatever, in lieu of anything else that, just simply this sentence, which I believe gives to what I think I heard Ed say. So, 'In addition, identifying options to disclose to the community who the adjacent land owners are.'
I felt like I heard Ed say the core of what they're driving at is transparency around polling still. Can you repeat that?

Sam: Sure.

Ross: In addition, identifying options to disclose to the community who adjacent landowners are.

Speaker 15: I'd just tag on the end of the-

Ross: That's correct.

Sam: Okay. So we have a proposal on R-14. It previously was eight ones, one, two and two threes. Republic is suggesting that the addition of the sentence, 'in addition, identifying options to disclose to the community who adjacent land landowners are.' Let's poll one, two, or three as edited.

Catherine: And that is just an addition, correct? We will not be changing any of the rest of the-

Sam: It is as you see it on the screen with the new word initiative versus vision.

Ross: I [inaudible 01:30:24], I'd actually suggested making 'in addition to' second sentence leading the 'acquiring buffering land' and then the [inaudible 01:30:32] property purchases.

Sam: Okay. Just highlight that. Don't delete it. That's your proposal?

Ross: That was my suggestion, yes.

Sam: Okay. All right.

Ross: I had also said impacts rather than this consistent [inaudible 01:30:49] one from the first time.[inaudible 01:30:50].

Sam: Okay. So the first poll, could we have it on the screen now? Greg or whoever is you doing this? You are, Daniel?

Daniel: Yeah.

Sam: Yeah. So make sure when we have these polls that we have to have the language that we're polling on. So this is going to be a multiple section polling, right? So for right here, this real time revision, this is the republic amendment to what was out there, we're going to poll on it. Then we're going to have something below it in text that shows the second poll, right? Yeah. Great. I just want to make sure my brain is working.
So we'll poll on what's on the screen, because it's on the screen. One, two or three as edited on the screen in front of you. One, two or three.

Catherine: Sam, could you read it, because it's to read that.

Sam: Daniel, would you read it because you wrote it?

Daniel: Evaluate whether acquiring buffer land by landfill-related entities impacts 2040 Initiative, including the impact on housing, forestry and agricultural land uses. In

addition, identifying options to disclose to the community who adjacent landowner are.

Sam: Okay. One, two, or three on that and depending on the results of this, we'll go back to the original language as well. I'm just confused over when you say public land or landowners, general landowners are public records at the county, unless it's a shell company. I'm not sure what you were implying there.

Ross: Well, I was trying to respond to what I heard Ed say, but I felt like Ed was talking about, I think he mentioned LLCs.

Ed: You're correct. Sometimes developers use a myriad of-

Sam: There's something wrong with that. That's just... this is [inaudible 01:33:11]-

Ed: Could be correct. I'm not saying that at all, but if the spirit of this is to try to bring some clarity to that for the community, we're saying, "Okay, we are comfortable with that. We see that. Please, I appreciate your [inaudible 01:33:25].

Sam: Okay. One, two, or three. So we have Chuck, Liz, Marge Ross, Sean, John, Ryan, Mark voting one, Catherine and Ed voting three. Louisa is a two. Andrew is a one. So we have we have a majority minority with two voting three. Let's now take it without it, Daniel. So the next poll will be on this language without it.

Catherine: So, Sam, do you mean the language as originally presented?

Sam: Yeah. So without these changes, so he's teeing it up here so you can all see it.

Catherine: Would it be possible to also comment on this language?

Sam: Okay, just a second. I'm trying to make sure this has fidelity before.

Speaker 14: This is just the original version.

Sam: It just happens to span a page is what you're saying? Okay. All right. So this is the original version that appears above without any suggested changes. So we're asking you to vote one, two, or three on that. Would you mind reading that record, Daniel?

Daniel: Sure. "Evaluate whether acquiring buffer land by landfill-related entities is consistent with Vision 2040," which I'm not sure if we're... I guess we're changing to 2040 Initiative, 'including...' Sorry, I'll piggyback. "Evaluate whether acquiring buffer land by landfill-related entities is consistent with 2040 Initiative, including the impact on housing, forestry and agricultural land uses. Acquiring buffer land is an action specified in DEQ's record of decision from the DEQ cleanup program for the landfill. Property purchases as buffer around the landfills is identified as one of the remedies for groundwater contamination."

Sam: Okay. One, two, or three please.

Catherine: And Sam, am I able to make that clarification comment before we poll here?

Sam: Go ahead.

Catherine: Okay. So I just want to restate that I appreciate the addition of the transparency statement. I think that only helps this, but I don't know that it really aligns with where this recommendation originally kind of came from, which really was to ask the county to look at. You know, it's our community development process, it's our zoning process, it's our planning process, and that's why [inaudible 01:36:41] the 24th Initiative. Thank you, [inaudible 01:36:42].

It is also, I think the word consistent is the word that we intended to have here, and it really is for the county to look at after looking at 50 years of these documents, what are the long-term planning implications of the impact of the

landfill on housing, forest and agricultural land uses? And it's just a measure of what would be appropriate planning.
The second statement really attempts to try to add to the DEQ requirements of those buffer lands so that there's an acknowledgement in that space. I don't know that our intent really was leaning into transparency of land ownership and it was definitely not leaning into the space of interfering with land in private land transactions. So, I would say that perhaps we've gotten a little outside of the scope of what was really intended with this recommendation.

Sam: So what would?

Catherine: I think that coming from our subcommittee and there are... Jeff is here in this space also with us, but Ed and I and Mark [inaudible 01:37:55], not with us presently today. So, this is still the intent, what we were looking at, which is really the counting. We'd like you to look at the planning and vocations of this as it relates to all of these other factors, including the DEQ requirement of buffer lands for the landfill. If we would like to add the second or the addition that Ross had recommended, that's a nice add to this, but it's a little bit outside of the scope of this original intent.

Sam: Okay. I'm trying to operationalize this into a poll. Are you making any suggestions to the language that appears under real time draft revision 43 it has no numbers next to it?

Catherine: So, I am not. I was just hoping to help clarify the intent of this recommendation, why we made it, and the scope of what it really was involving.

Sam: Great. So, let's go. One, two, or three on this.

Speaker 14: On which one, Sam? The [inaudible 01:38:55].

Sam: There's only one on the screen.

Speaker 14: [inaudible 01:38:58] Original?

Speaker 18: [inaudible 01:38:59] Original.

Sam: It's [inaudible 01:39:00] the original, but it's been copy and pasted here.

Speaker 14: Down there. Thank you.

PART 3 OF 13 ENDS [01:39:04]

Sam: ... the original but it's been copied and pasted here.

Speaker 20: Down there. Thank you.

Speaker 21: They only changed it in the 2040 edition.

Sam: Yeah. All right, [inaudible 01:39:10] is a two. Liz and Marge are ones. Russ and Sean are threes. We have John, Ryan, Mary, Ed and Catherine as ones. Louisa. So, Andrew is a one, and Louisa is a two.

Speaker 22: Two, eight, two, two.

Speaker X: [inaudible 01:39:34] to see how robust the two are, side by side.

Sam: So, the first, which is the Republic amendment, has the moral robust. It has nine, one and two, versus eight, two and two. Let's see. This is a first. Let me figure out what to do with this. So, they're going to give me twos either way. [inaudible 01:40:23] two twos either way. We'll put both in. One below the other, so everyone can see and people can make their own mind up, what that means.
All right, absent the issues that Ed is going to raise ... it is 3:00. Let's take a 10 minute ... 3:05, let's take a 10-minute break, to 3:15.
10 second warning, folks. 10 second warning. Here we go, folks. Order in court. Here ye, hear ye. Order in court. Here ye, here ye. Welcome everyone. Thank

you for coming back promptly. So, next up is finding where there is any member voted a three. Finding where there are any threes. According to my tally sheet, there are no SMMP findings where anyone voted a three for the landfill sizing, capacity and life, we have four findings where at least one person voted a three. So, we are on LSCL. LSCLF13. LSCLF13.

Speaker X: Sam, say that again.

Sam: I'd be happy to. LSCLF13. LSCLF13. And we had 10 ones, one two, and two threes. So, are these two Republic threes because you would like to add a sentence to it? If I'm reading this correctly?

Speaker X: [inaudible 01:44:12] adjustment. The 57% stat snuck its way back in, somehow. The suggestion that a proof was submitted [inaudible 01:44:22] it makes reference to a 2021 EPA GHD report. Talks about efficiency of 91.2% and then I think there was a comment during the public comments earlier, that suggested that it wasn't available. We've got the URL right here. It's a long one, but we [inaudible 01:44:43] somebody wanted to put it on the screens. It is very much on EPA's website.

Daniel: And these reports have been reviewed for other purposes and cited by the subcommittee meeting, as well with the GHD reports. So ...

Speaker X: So, the sentence we're suggesting, in lieu of 57% is, Republic providing data EPA per inclusion of the '21 GHD report. Estimated landfill gas collection system at an efficiency of 91.2%

Sam: And that would be helpful, Ginger, to have the URL. To email the URL to Greg and Daniel. I want to make sure they're listening in just a second.

GInger: Put it in the chat [inaudible 01:45:35]

Sam: Put it in the chat, and then we can add that chat to the screen, so you have a citation. And then the person who voted a two indicated, does collection system refer to monitoring, collection and treatment, or just monitoring the landfill gas? Perhaps Benton County can obtain more recent gas monitoring collection and treatment results from the [inaudible 01:46:01] each year. So, anyone present voted the two with the suggestion about getting a more recent gas monitor and information from DEQ?

Audrey?

Audrey: Yeah, that was my comment, because Oregon, in October 2021, passed the Environmental Quality Commissioner Doctor ruled regulated length of gas emissions, and some of the preliminary reports are starting to come in. So, I'm wondering why we're referencing EPA, when we have a state requirement also. Just recommending that in the future, if you want to ... Maybe it's part of this MMP effort, try looking at the Oregon regulations, not necessarily the EPA regulations.

Daniel: I think that's a good suggestion.

Sam: Okay, so I want to clarify between the finding and the recommendation. Right now, we're in findings, but if this needs a companion recommendation that talks about DEQ versus EPA, we're going to have to deal with that after we get through this finding. Have we been able to plug in ... Oh yes, you have. Okay. You plugged in the URL for that, and Ginger, is there a specific place that you would know to, if we opened up that link, we could see the-

GInger: Yes. So, if you open up 11, and then go down to nearest the bottom of the court, you will see a subtitle aux called Methane Generation and Emissions Values. And then the first one item under that is, Estimated Gas Collection Efficiency HH30.912365 [inaudible 01:48:18]

Sam: Let's open it up first. Just in case [inaudible 01:48:22] writing down that number.

Speaker X: [inaudible 01:48:26]

Sam: Have we tried to open this link?

Speaker X: I opened the link now, sorry, where?

Speaker X: Scroll almost to the bottom.

GInger: So, scroll almost to the bottom and you will see a subhead that says Methane Generation and Emissions Values. Yep.

Speaker X: Yep. There it is. There it is.

Sam: Where are you seeing this?

GInger: Right under the gray subhead that is highlighted. First line, Estimated Gas Collection Efficiency, HH391.2365

Sam: Approximately.

GInger: Approximately. Roughly.

Sam: Roughly.

GInger: Best guess.

Daniel: A question about that.

Sam: Sure.

Daniel: Okay, so how come I hear reports of flaring?

Speaker X: Flaring is an economy practice that-

Daniel: But it seems to me that, that would counter 91% efficiency, if there are reports of flaring happening.

Speaker X: No. Flaring is part [inaudible 01:50:12] once gas is [inaudible 01:50:14]. Flaring is a tool for [inaudible 01:50:19].

Daniel: John, I just want to say thank you for that, because the only thing I could find was the other ones, [inaudible 01:50:34] in Roosevelt, they were up in 90% too, and I couldn't figure out why [inaudible 01:50:40] was at 50%, so I appreciate you clarifying that.

Sam: Okay, any other discussion? So, the first poll will be on the highlighted section, where Daniel's cursor is. Looks like you need to make an edit there. I'm not sure ...

Daniel: This is the revised language that was proposed. The center of the screen.

Sam: And you have 91.2, so it can't be the same.

Daniel: We're suggestion 57% needs to go away. Now, we did not suggest specific edits.

Speaker X: So, just leave the sentence starting at 2019?

Daniel: Well, the additional sentence is in reference to 2021, so ...

Sam: So, does the 2019 one say 57%?

Daniel: I don't know the answer to that, Sam. I'd have to check that. I'm happy to check.

Speaker X: I think there's two different reports about our call from the subcommittee discussion.

Sam: And so that's what I'm trying to say. This isn't a replacement, it's two different years. So ...

Speaker X: It is two different years. What I don't know is if it's apples and apples.

Daniel: Right. And the subcommittees, [inaudible 01:52:19]

Sam: While you're checking, while we will put it here, who's driving this one? Daniel or Greg? Greg? So below that, add a box that's going to be for a recommendation. A potential recommendation, we'll figure out what the number is in a minute, but it's LSCLR-X, for now.
Audrey, this is where you come into play. You had a proposal that, when looking at this kind of data, that you should look at the DEQ's data, is that in lieu of EPA or both? You have both EPA and DEQ, or just DEQ, by way of a recommendation? When looking at the gas collection system operation efficiency.

Audrey: I don't know the purpose behind the EPA data. The DEQ data is to be used eventually, to look at collection and control. Because the regulations require first, collect information on what's there and then second, look at where control is going to be needed. So, the first part is the emissions estimates, then collection and control. That's what I was thinking, that if the county is trying to look at how to reduce climate change impacts, you would look at the Oregon requirements that might require reductions.

Sam: Okay, so could you form up a reasonable recommendation that captures that thought?

Audrey: Okay. But again, I don't know enough about what the EPA data is-

Sam: Right, you would just be [inaudible 01:54:41] into the DEQ data.

Audrey: Yes. [inaudible 01:54:46] do it like right now?

Speaker X: He gave me like 10 minutes.

Speaker X: [inaudible 01:54:54] 17.

Audrey: I don't know how this compares, but we have the report on our webpage, and both Brian and I just found it. For 2021, the total metric tons of CO2 equivalent reported for [inaudible 01:55:11] was 58,625. I don't know if that's useful for what this finding is talking about.

Speaker X: In fact, so given that, it might be helpful just to make this a finding that ... let's see ...

Audrey: So, I guess the finding, I would say the finding would be in Oregon DEQ adopted regulations in 2021, that require recording, eventually collection and control, being those gases. The recommendation might be, do a comparison between what EPA requires and the DEQ requires to identify the [inaudible 01:56:05] County recommendations.

Speaker X: So, let's back up to the findings and nail that, so Greg can pick a line to type in.

Daniel: Sorry, Greg.

Speaker X: So, finding [inaudible 01:56:17]

Audrey: DEQ adopted DEQ regulations. Oregon adopted regulations for greenhouse gas reporting in 2021, under their air quality permit program. The first requirement is to calculate emissions and then, in the future, collection and control will be identified. If you want, as a finding, you could say 2021 emissions are reported at 58,625 metric tons, CO2 equivalent. Or are you going to say something [inaudible 01:57:08] terrified? Oh, there's data from ... the reporting is from 2010 to 2021. So, you can do a comparison over time.

Speaker X: [inaudible 01:57:22] kick it to them so they can drop it [inaudible 01:57:24]

Audrey: Oh. That's like so brilliant.

Speaker X: That's one in a row for us.

Daniel: Sam, we cannot nail down that 57%.

Speaker X: It wasn't our number. It didn't come from our representatives on the subcommittee meeting, and I know Daniel was looking as well, because he worked on that subcommittee. We can't find a link for it.

Daniel: We went to the citation that as referenced in the subcommittee document. There wasn't like a link to the actual source document. I can't find the 57% number on there.

Speaker X: And then I think the recommendation is just find the ... compare DEQ versus EPA, and identify what the county wants to recommend.

Daniel: Compare and consider.

Speaker X: That it?

Daniel: Yeah.

Sam: All right, so let's go back up to the finding that it has two sentences. The first, I'll call the 57% efficiency percentage, which is 219. 2019 to the EPA. The second is Republic to EPA for 2021. So, I feel like we need to take these sentences one at a time here, otherwise, we're going to be doing multiple combinations. The first poll I'm going to ask about is the first sentence.

Daniel: The original?

Sam: The first sentence of the original. Okay. First sentence of the original, one, two, or three?

Daniel: The original on 57%

Sam: The sentence that you see on the screen, yes, [inaudible 01:59:55] 57%. We have Chuck, a three, Liz, a three, Marge, a one, Republic ... Russ and Sean are both threes. John, where are you, buddy? John is a three, Ryan's a two, Mary and Catherine are ones.

Daniel: What do we have on that?

Sam: Oh yes, Louisa and Andrew.

Speaker X: Sorry. What? Is it the original one or the added stuff?

Sam: It's first sentence of the original one that's in yellow, on the screen.

Speaker X: Okay.

Sam: Andrew is a two, as is Louisa. And total, please?

Speaker X: 435.

Sam: 435. Okay. Put that in there for a placeholder. Let's do number two. Highlight number two, which is the ... highlighting, please, the sentence below it.

Speaker X: This is Republic Services [inaudible 02:01:26]?

Sam: You have it right below where you have yellow now.

Speaker X: This is obvious [inaudible 02:01:30]

Sam: Oh, that's a ... I get it. So yes, the second sentence.

Speaker X: This?

Sam: Yeah. You're going to have to copy that and paste it below, in a row.

Speaker X: So, this is a zone [inaudible 02:01:47]

Sam: That's it. Yes.

Speaker X: Sam, to verify, this is just on that sentence?

Sam: Let me get it stabilized on the screen and documented, and then we will see how this looks, to make sure we get it. So, this is just the second sentence. Just the language in yellow. Republic Services provided data for EPA, for inclusion in 2021, dot, dot, dot, dot, dot. One, two or three? We have Chuck, one, Liz, one.

Marge is present. We have Mary and Ed voting twos. Everyone else in the room is voting ... Catherine, your vote, please? One.

Catherine: Lost my computer, so I'm a little lost.

Sam: Louisa?

Louisa: So, are we voting that this is the only sentence for the whole finding or this is added to it?

Sam: It is a standalone sentence, as it is. Louisa is two, Andrew is one. We waste a polling [inaudible 02:03:17].

Daniel: [inaudible 02:03:18]. 5830 with one present.

Sam: [inaudible 02:03:29]. Okay. So that passes. Does anyone have the desire to vote on the combination of both of those together?

Daniel: Yes.

Sam: Okay. So now, do another vote, please, that has both sentences together. So, it'd be copying that first whole thing. So, this is both together. One, two or three. Both, together. Both statements together. The 2019 at 57 plus the 221 at 91.2. So, we have Chuck and Liz are three, Marge is present. We have Russ and Sean at a three. The rest of the members in the room are ones, and Lisa ... is a one, and Andrew is a two.

Daniel: Marge, you voted present-

Daniel: Present. She's voting present.

Daniel: Six, one, four, with one present.

Sam: Okay, so ...

Daniel: [inaudible 02:05:38] and then both.

Sam: Okay. So, we're going to put all three in there, one below the other, in the final report, and show these tallies. First one, which was ...

Daniel: Sam?

Sam: I'm sorry, [inaudible 02:06:03] I want to say this, and then I promise to get to you. So right now, as I'm understanding [inaudible 02:06:07], the first one, which was 57% at four, three and five. The second one, which was the 91.2% was eight, three and zero, and the combination was six, one, four. Yes, Liz?

Liz: I would be okay with having the 57% in there for 2019, if we could cite where they got that from, but I don't feel comfortable putting percentages and years as if [inaudible 02:06:37] with that, when we don't have [inaudible 02:06:39]

Sam: Okay.

Speaker X: That's our primary concern. I can't even explain what it is.

Sam: Okay, so we have to put in [inaudible 02:06:49]. Hi. We've put in a footnote, here in the notes on here, that it's a function of getting a citation for the 57%. Louisa?

Louisa: To me, it just seems like there is two different things, do we really even need this? But, I don't know. That's just my thought. I think that if we had the citation, that would be helpful too. It's like a weird finding and not, I don't know what the purpose of it is, totally. But, that's me.

Sam: I see Ken is on the line, and I know it's a burden, Ken, but if maybe during the dinner break, if you can find the 50 percentile number, 57% efficiency in a citation, and maybe email that to Daniel, and then I can come back and look at this, first thing after dinner. So, we should keep that out as something to come back to.

All right, F16. So LSCLF16. So, we have one person voting the three, NK. The formal county approval of cell six has not been identified or confirmed. It is not accurate. Who would like to say something about that? Yes, Ed?

Ed: This is the one I'm going to suggest alternate language for.

Sam: Okay.

Ed: You can go through what's here, but at some point, I'd like to get to that.

Sam: Were you the three on this?

Ed: No, I wasn't the three. I was the two.

Speaker X: I was not the three.

Sam: Did you have a comment though?

Speaker X: No. Thank you. I'll control my head movements for now.

Sam: No, it's your name tag. It's your name tag.

Speaker X: Oh, my name tag.

Sam: That's what I was keying in on. All right, so we don't have the person [inaudible 02:09:40]

Speaker X: No, I'm sorry. I thought you heard me. I said ...

Sam: You were the one that voted a three?

Speaker X: And some language suggestions.

Sam: Okay. Let's just start ... Catherine, I suspect whoever is up to bat here, we're going to need several things we're going to pull on, here. So we can get that copy and pasted in here so we can start with ... so Ed, you had a suggestion first, so please, what would be your friendly amendment to add?

Ed: It involves both finding 16 and finding F37. [inaudible 02:10:30] they have different [inaudible 02:10:31]. What I'm trying to do is make it clear for what the capacity, longevities are, and also the status of the CUP, and also the progress that [inaudible 02:10:58] is making and put it all in one spot, instead of spreading 20 findings apart. May I try to read this?

Sam: Go.

Daniel: Yeah, [inaudible 02:11:16]

Ed: Yes. Yeah. Prior to 2003, the airspace capacity was 13,100,000 cubic yards. This increased 69%, to 22,100,000 cubic yards in 2003, when the economy approved the addition of the west [inaudible 02:11:39] for disposal. [inaudible 02:11:43] on the county, the proposed cell six would add 13,400,000 cubic yards of airspace, for a total of 35,500,000 of disposal capacity. A 170% increase with [inaudible 02:12:03] landfill space-

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Ed: ... 170% increase in permitted landfill space since 2003. The expected landfill longevity is two to three years [inaudible 02:12:11] 2025 without cell six being constructed, and 14 to 16 years, 2037 to 2040, if cell six is approved and operational in 2025. Valley Landfills anticipates it will no longer be able to place waste in cell five by mid-year 2025. That excavation of the footprint of cell six within the current rock quarry is scheduled to begin in spring of 2023 with completion in spring 2025. I don't think I'd really add anything except the percentage increase. Everything else was just taking two places and putting in one. And what I was reacting to was the TV spot last Thursday and this podcast where I really couldn't tell whether cell six had already been approved. And I just was very confused and it doesn't say cell six has been approved in either one of

these spots. It opens the question. So I'm just trying to get clear what's in the report. I don't really care about the correcting a podcast or TV spot, but I just had to get my head around what are we really talking about.

Sam: So there's a couple things and, Greg, you'll be the spokesperson for this. I believe there is a finding and/or a recommendation wherein the legal subcommittee believes that cell six, was approved, is that correct?

Speaker 23: There is a finding for that.

Ed: I understand that one. But we don't have the LSCL person here anymore, at least the lead public member. But that's what they ended up with is questioning whether there was the formal county approval of cell six as a disposal area has not been identified or confirmed. That was in, I think, 16. When the public members of [inaudible 02:14:39] to look at this same question of cell six, we disagree with the legal committee also.

Sam: So does this language here that's in yellow now on the screen, which is what you were reading, it doesn't say anything about the approval or disapproval. It is really, I'm tracking this, a place to give the dates and numbers and predictions of how all this would play out regardless if it's been approved or disapproved. Is that fair?

Ed: Correct. And put it in one spot.

Sam: And then where were the other spots that you, if you will, borrowed from that would no longer then, I'm assuming, be necessary?

Ed: There aren't any. It's just finding 16 in LSCL and finding LSCL F-37.

Sam: 37 and 16, right.

Speaker 24: Isn't R-6 applicable too?

Sam: Well, we're still in the findings. We'd have to go back to R-6. So if the work group approves the language...

Speaker 24: Can I go back that?

Speaker 23: I'm just showing F-37. [inaudible 02:16:29] Sorry. This is F-37 that Ed just mentioned.

Sam: We would not need this one if this new proposal was placed there. Is that what you're suggesting, Ed?

Ed: Yes.

Speaker 25: Sam, can you go back to the proposal for a second?

Sam: Go to what?

Speaker 24: Can we give everybody 34 seconds, sir?

Sam: Oh, absolutely.

Ed: [inaudible 02:17:07], this was sent out this morning quite late. So if you do have email access, you can see it on your computer.

Speaker 25: I was just trying to digest it in the amount of time.

Sam: On the surface it does seem that F-37 has been subsumed into our F-16 here, so let's go back to that. There it is. So your proposal then, this is a substitute for the language above it here.

Ed: Yes. Substitute and inclusion.

Speaker 23: Can I make a quick comment?

Sam: Please.

Speaker 23: I think just for clarity of what the subcommittee had talked about, this came up, this issue of how to include various concepts into different findings

recommendations. This one specifically I believe had the duality of calling out the change in airspace versus what is the actual timeline for the landfill expected to be. And I believe the subcommittee was weary about crunching them together so that important details weren't lost, which is why the two were separate and within their own sections. One being about the longevity of the landfill, one being about details about change in landfill capacity. So just for history of what the subcommittee talked about so that information wasn't lost.

Sam: So this comment isn't for or against any of this. On the surface, my reaction is that people are going to ask the questions that this answers, that this particular newly proposed finding answers. So there's an advantage of having, when the question comes up, well, when is the current one going to close? When is the quarry going to open? So you start filling in. How much time do we have? Restate it. Do we need an expansion based on when these things are happening or not? And so the idea of having things in one place has advantages as well. My thoughts. Ginger?

Speaker 25: I understand the context of things being in one place and I think that is a really, really valid suggestion. However, as Daniel just alluded to a moment ago, the landfill and site life subcommittee spent an extraordinary amount of time looking at this issue of permanent versus actual airspace. And out of respect to the subcommittee's discussions, we separated those for very, very specific reasons. You have to keep in mind that we've been looking at data that goes back 20, 30 years and we've been looking at modern day reporting. So prior to 2003, the only thing that was reported was in the early two thousands talk about remaining airspace.

The more recent documents talk about total airspace, which includes both remaining and what has already been filled or used. So when we try to combine numbers and data that takes into account something that happened in the nineties and the early two thousands with the way the recent reporting requirements are, it gives an incorrect not apples to apples comparison. And so that's why it's problematic to combine the numbers in this way because it's not reflective of how airspace was reported and the changing requirements over the years, which is why it's subcommittee would have delved into this issue really worked to separate those two concepts.

Sam: Any other comments on this? So let's go back up to the original F... Yes?

Speaker 26: Can I stand?

Sam: Yes.

Speaker 26: I know I'm not a voting member but what about moving F-37 closer to F-16? Because they are related. Was there a reason F-37 is so far away?

Speaker 24: So I think for purposes of just plowing through, I think that drove us off entirely about which number we're at for tonight. But for a final report...

Sam: Well, let's take the one. Let's keep them separate for this first round. So we're on F-16. We had 10 ones, 2 twos and 1 three. The person who had voted three is not speaking to that three.

Speaker 24: That's not true. I said I would. Remember I said I had suggested edits as well.

Sam: So you're the three on that. So what is your suggested edit to this one?

Speaker 24: Striking what would be the third sentence, the formal county approval of cell six's disposal. It's not been identified or confirmed. Suggested language is the

county should clarify when formal approval of cell six as a disposal area was granted. LLUF-23 provides more information.

Sam: Slow down a little bit, Russ, so you can catch up.

Speaker 24: I'll start at the top. So suggesting deleting the third sentence that begins, the formal county approval of cell six as a disposal area, and replacing it with, the county should clarify when formal approval of cell six as a disposal area was granted. LLUF-23 provides more information on this matter. Which that language tracks with R-6.

Sam: So we got to pick up the pace here, folks. And I think I'll poll on... Marge?

Speaker 27: I thought you were done with this. I have a comment right after you were done with.

Sam: This on this polling? Because I'm going to poll on this next. So we're going to poll on, if you get highlighted yellow where your cursor is, that is what we are polling on. So really, the change here is from removing the Benton County approval of six as a disposal has not been identified or confirmed to the county should clarify when formal approval as. This is recognizing that we have conflicting subcommittee reports. We have the legal subcommittee saying it was, we have the CUP subcommittee saying the records don't show. Correct?

Ed: Yeah. And here we go with the bias again, the LLU position gets put in there but the CUP position doesn't get put in there. So it really gets pretty frustrating to [inaudible 02:26:14]

Sam: That's an easy fix by adding the CUP concomitant finding and recommendation.

Ed: And the comments that we've made to LLUF because we were very direct in saying that there is no record of a six in that location. If you go back to the drawing the LLU-

Sam: We don't need to argue it. I just want to say would it help if we put in your specific CUP findings and recommendations on this issue?

Ed: That and the critique that we made of LLUF-23.

Sam: So let's put language in here that says that. And so I would put, Greg, where it says LLU F, put see LLU F-23, and then we'll string site the rest of these. So see LLU. No, you would have it, you would have the word see before LLU and ed do you happen to have that handy?

Ed: I'll have to dig that out.

Sam: And CUPX and then and detailed rebuttal.

Speaker 28: Sam, could I also suggest-

Sam: Please.

Speaker 28: ... that we use the word whether, not when, which is an assumption that that approval has been made and I just know that when we look at the maps that were provided in some of the language historical documents that we reviewed, that was inconclusive and that's part of the challenges. We were not able to find when. The question still remains whether, and I think that's the question we're asking. Not a matter of when.

Sam: We'll see if we can get there here. But I think we have dealt with this issue and have a disagreement between two subcommittees on whether and, if so, when did this thing happen. We don't need to bring it up again and again in subsequent findings. This particular finding is really speaking to capacity. And so I'm wondering if we are again trying to re-litigate this issue of really just

providing numbers and capacity issues by adding in this same issue that we already know is a dispute. So restating why do we have to have anything in there about the stuff that struck or proposed? We already know it's in dispute. Right? This is adding nothing new. Correct?

Speaker 28: I'm fine with that, but we were adding something new and that changed the narrative of this.

Sam: Well, I'm suggesting both go out.

Speaker 28: I'm personally fine with that.

Sam: Can you republic live with that? That we've already had this-

Speaker 24: Say it again, please.

Sam: The issue of whether-

Speaker 24: Just the edits. I'm sorry.

Sam: Pardon me?

Speaker 24: Your suggested edits, can you [inaudible 02:29:54]?

Sam: The suggested edits would be removing all this language. Greg, can you just... All that would be removed. We're not saying anything about whether or not it was approved or disapproved and whether they should look at it or not. We've already covered that.

Speaker 24: What about the preceding sentence? It's got the strike through.

Sam: Gone.

Speaker 24: Could we just call that up so we can look at it holistically real fast please?

Speaker 23: Call what up?

Sam: Just the two black sentences. Let me drive. The two sentences that are in black text is a standalone proponent.

Speaker 23: [inaudible 02:31:14].

Sam: We're just talking about numbers here and dates. I'm going to poll on that. One, two or three on the stuff that's in yellow. Chuck, one. Liz, one. Marge, one. Ross, one. Sean, one.

Speaker 28: Let me just clarify, I don't again have my computer and I can't see. So what you've basically left is what Ed proposed and he's stricken the last there that's helpful but it's still-

Sam: No, this is nothing of Ed's.

Speaker 23: There's no consolidation.

Speaker 28: I stepped out then. I apologize.

Sam: So there's no consolidation at this point. We're taking the naked finding about capacity. So Ed and Catherine, your poll please. All members in the room vote one. Luisa and Andrew? One. One. There was a possible friendly amendment. Ed, how would this work with you? As I understand it, F-37 was moved closer up, maybe becomes F-17. Would that help with that process?

Ed: Sure. We're just trying to communicate to the public, and having it one after the other would be the [inaudible 02:33:06] thing that helps.

Sam: So is there any opposition, and we won't do this in real time now so as to not impact our polling and what have you. But is there any opposition to making the current F-37 F-17? Any opposition to that? Marge?

Speaker 27: Oh, no. I want to say something when we're done.

Sam: That's right. So show F-37.

Speaker 23: [inaudible 02:33:51].

Speaker 28: So this would just move to a different location?

Sam: Yeah. And we're not changing the substance of it, we're just moving it up so the reader can track it more readily. Seeing no opposition to that, we'll move that offline without a poll because it doesn't affect substance. Marge, you're up.

Speaker 27: I have received the citation for the 57%.

Sam: Let's go back to that.

Speaker 27: So it's from a document called Oregon Amended State Plan to Implement Admissions Guidelines from Municipal Solid Waste Landfills. It's dated August 1st, 2019 and I'm referred to page six. And there it says [inaudible 02:34:44]. Sorry, just lost my voice. Page seven, sorry. In a table under gas collection control, it says 57% collective, 98% destruction. I have emailed to Daniel this document, so he is much more [inaudible 02:35:12] at typing stuff than me.

Sam: Daniel, why don't we get that and tee that up for us. I'm trying to see what we would do with that.

Speaker 23: [inaudible 02:36:06]

Speaker 27: I got it from Ken Apple. So he's online if you want to-

Sam: Thanks, Ken. So then the question becomes, is there a way to drop that link to this document in a place consistent with this... I think we took three polls on this.

Speaker 24: So there's a link at the top of the document. It doesn't go to a web page, it goes like a direct download. So you click the link and it automatically downloads the PDF, which could be included if it's needed, but it's not a web page.

Sam: What I'm trying to get at is to capture the source of the 57% issue. And it also talks about 98% destruction. Do we know what that means, Audrey? Do you know the difference between collection and destruction in EPA land?

Speaker 26: So collection of gas is how you... When you have a landfill, it's a got a liner. Waste is put into it and then you try to figure out where the gas is coming from. So when you're trying to collect the gas, you're trying to figure out ways to have piping and systems in place that will identify how much gas is coming out of that landfill. So the 50% collection is making an estimate that the tubing, and somebody correct me on the technology piece of it, is that the way the vents and the piping across the top of the landfill is collecting gas. So 57% is estimated to be collected and then when it goes through the flare, that's where the 98% destruction comes in.

Sam: And so does this mean that only 2% is being used to run the generators?

Speaker 26: I do not know the answer to that because I don't know how the system's set up there.

Speaker 29: First time we've seen the reports are I simply don't know where this data came from. But in theory, the answer should be no to that.

Speaker 30: It should reference it in the report. I would hope they reference where they got the data in the report somewhere.

Speaker 26: It's also saying it's the engines and the generators with the backup flare. So the 98% destruction is probably a combination of the engines and the generators and the backup flare.

Sam: So we need to put a citation to this document wherever 57% shows.

Speaker 30: Can you do a footnote?

Sam: The footnotes in this document are clunky for reproduction purposes. So I'm thinking we need to put it in the actual document itself.

Speaker 30: [inaudible 02:39:22].

Sam: Russ, and then Chuck.

Speaker 29: I think the language around 57% refers back to EPA. It'd be worth double checking that. And if that's correct, then I'd suggest it's updated to [inaudible 02:39:34]

Sam: We're going to make one of these things at a time so we don't give them nervous breakdowns, which involve workers comp stress claims. One thing leads to another. So hopefully someone will share the screen when you're ready to show when.

Speaker 23: We'll do that. Everyone's on the edge their seat.

Sam: I'm on the edge of a coma.

Speaker 23: Almost there.

Sam: My suggestion is wherever the 57% efficiency factor... But it's actually not efficiency. It said collection. So it's collection a synonym for efficiency? So we need to correct this statement then. So the actual document said 57% collection, did it not?

Speaker 23: It did.

Sam: So I think we need to make it consistent with what the document says. Absent information to the contrary, we should be quoting the document.

Speaker 27: Doesn't this though verify 57% in the report? Because it's the gas collection system that we're talking about.

Sam: So the distinction that I believe that we're playing with here is, initially it talked about 57% efficiency. That 57% above it, it talks about collection, not efficiency. And I'm wondering if there's a distinction between-

Speaker 27: Are you looking at the red text?

Sam: I don't have it in front of me now. It was on the screen previously.

Speaker 27: Because what it says is landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019, the EPA estimated that Coffin Butte's Landfill's gas collection system operates at 57% efficiency. So don't these numbers say that 57% is correct? Would not that not be efficiency?

Sam: I'm asking the question. So we need to see the document again that was sent in to see what it says before we can make changes, if any, to what's on the screen.

Speaker 27: Collect 57%.

Sam: That's what I'm focusing on. I don't see the word efficiency on this document. I'm asking what that means. Is there a difference between collected, destruction and efficiency? And so I'm just trying to make [inaudible 02:44:02]

Speaker 27: You're a lawyer, Sam.

Sam: I only play one on TV now. And it's the very, very short YouTube TikTok video kinds of things. And I'm certainly not an engineer. I don't see the word efficiency here. That's why I'm bringing that up.

Speaker 27: So maybe we could add that also that maybe we could change it. Coffin Butte Landfill's gas collection system collects 57%.

Sam: I'm just trying to make it accurate. Chuck?

Speaker 31: I agree that one report doesn't mean it's redundancy. That report is 2019. So if you really want to figure this out completely, you got to look at apples to apples, oranges to oranges with both...

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Sam: ... with both reports and gas situation. So, if you-

Audrey: Why is this [inaudible 02:45:12].

Sam: If one stands at 2019 is one thing and the other one stands at another thing that's fine, but to compare the two, saying they're the same, is being I think-

Audrey: Okay, but that's what we're trying to do. We're trying to establish how it's [inaudible 02:45:29]. And I think Republic's number 97, 99% refers to destruction, not to Escalade.

Speaker 32: If I may, I think what we're trying to say is we don't know that we're going to get apples to apples today, because we haven't even seen the report on 57% or where the data came from.

Audrey: Okay.

Speaker 32: I like the suggestion as just referring to it as it's worded on the document, "collection".

Audrey: Got it.

Speaker 32: In a broader sense, efficiency is the totality of the system versus the well that's just collecting the gas.

Audrey: So when they say 57% collected.

Speaker 32: We can live with 57% collected and I just for clarification again restated, make it known, it's a DE-

Audrey: DEQ [inaudible 02:46:12].

Speaker 32: DEQ report. Yes, versus EPA. So there [inaudible 02:46:19]-

Audrey: Or [inaudible 02:46:19].

Sam: Okay. So look at, I'll let you finish typing.

Speaker 33: Louisa [inaudible 02:46:25].

Sam: Okay, I promise to get Louisa in a minute. So the language that has been added. Oregon DEQ estimated... No, it's not Oregon DEQ that estimated 57%.

Audrey: No, it was recorded from DEQ to the EPA.

Sam: Why did we have EPA previously?

Marge: It's a terminal. I know [inaudible 02:46:50]-

Audrey: Well we had to report as-

Speaker 32: Okay. One at a time folks, I'm sorry.

Audrey: I'm sorry.

Sam: Raise your hands, so please tell me what does that say?

Speaker 34: Okay, well the 57% I believe was the DEQ report to the EPA.

Speaker 32: Is that correct?

Speaker 34: [inaudible 02:47:06], yes.

Speaker 32: Okay.

Sam: So can we take this language, Oregon DEQ estimated that the landfill control engine generator backup flare collected 57% in the citation? Can we add that sentence to all the other votes here that have 57% in it, because if we're changing it in one place, we should change it in all three, and then the question becomes, is that going to change anyone's vote? So I think we have to add it in all places. So the stuff that you have in yellow needs to be copied and pasted in the one below it.

And then that one where the cursor is now. Now, does the addition of the yellow language change anyone's polling from before? [inaudible 02:48:35] stream is being covered by that so I can't see beyond that. Audrey?

Audrey: Before you take a poll, I'm wondering if there's another if that... So Russ or somebody, correct me if I'm wrong, but I think you provided data to DEQ, not to EPA.

Marge: Okay. Submitted to-

Audrey: Submitted 2021.

Marge: ... US EPA by Oregon Department of Environmental Quality.

Speaker 32: I see your point. I think yes we can tighten that up, but it is an EPA website that is the source.

Marge: Okay.

Speaker 32: So to stay federal authorities, perhaps.

Audrey: So it got provided to DEQ which then uploaded it to EPA, is that correct? Or was it-

Speaker 34: Looks like it was transmitted with the letter.

Speaker 32: Yes, I believe that that's accurate.

Speaker 34: [inaudible 02:49:48].

Sam: Okay, so someone just-

Speaker 32: Not that.

Sam: Okay. So you're editing the sentence below it here.

Audrey: Yeah.

Sam: To say Republic Services provided data to Oregon DEQ for inclusion in EPA's 2021 greenhouse gas. Everyone seems to agree that that's accurate. So we need to make that same change wherever that appears.
You bothered doing that, Louisa, thank you for your patience, your comment or suggestion.

Loiusa: Well, it just seems like since it's controversial could we have a third party like the consultant who's going to be looking at things evaluate this and come up with the most accurate and updated information?

Sam: So that, you mean for the SMMP?

Loiusa: Yeah.

Sam: Because the SMMP is probably looking at a site life. Dana, you have anything in the SMMP work scope for the consultant or consultants that are doing that to reaffirm site life?

Dana: Let me check. site life, or are you talking about site life or emissions?

Audrey: Yeah, what's [inaudible 02:51:34]?

Sam: Oh, I'm sorry. You are correct. Emissions. So confirm emissions.

Dana: Let me double check.

Sam: Okay. There was a comment here?

Speaker 33: No, I think we did, but I'm glad Dana's checking.

Speaker 32: I think so, too.

Sam: Okay.

Speaker 33: And that would address what Louisa's suggesting, because that's degradation.

Sam: Right, right. If that's already there, then we can do that. So my presenting question here is the addition of these two clarifications. Does it change anyone's polling? So we added the citation and clarified the language about collection from the 2019 submittal and then we made it clear that what Republic Services provided the Oregon DEQ is what happened in the 2021. Does that change

anyone's vote? Is there anyone who was a three who is now going to change their vote to a two?

Speaker 32: I'll do that.

Sam: Okay. We'll have to re-poll then. So new piece of paper.

Audrey: Which one are we going to vote on?

Sam: We are going to poll on what do you see on the screen here, which I'm trying to figure out what number this is. What finding a recommendation is this?

Audrey: LSCF-13.

Sam: F-13. So we have three polls on F-13. We are going to take them in the order they appear on the screen. So it's-

Marge: Poll on what we just said?

Sam: It is on this. Okay, then we're going to do this, then we're going to do this. We have three polls that were all going into the report. So we need to poll again on the addition of this language.

Marge: In addition to the language that clarifies the 2019 EPA. I mean, I...

Sam: Yes. That's what that is doing on this one.

Marge: That's number two. I can't see it.

Sam: Marge Pop, come on down. The price is right.

Speaker 33: The differences between those three points would be helpful to explain.

Marge: Yeah, what's the difference in how that's saying what the difference is?

Sam: The first one, if you're writing them, you're explaining them.

Speaker 33: You're writing them. And I think the first one only talks about the 57%. The second one only talks about the 91% and the third on-

Sam: Is the combo.

Speaker 33: ... does both.

Marge: The third one is the combo.

Sam: Right.

Marge: Okay. I mean can't we vote on that?

Sam: [inaudible 02:54:45]. We're voting on the combo.

Speaker 33: There we go.

Speaker 34: Thank you, Marge.

Sam: Okay. Voting on the combo. So call it, it's the combo, it's number three. We'll see if that prevails. All right. Every member in the room votes. One, Lisa? Two, Andrew?

Speaker 34: Andrew's not showing anyone.

Sam: Andrew? Andrew?

Speaker 32: He went out to some bar. His vote is lost.

Speaker 33: [inaudible 02:55:19].

Sam: All right, so I'm going to make the proposal that that is the only one we are going forward with in the report. All the rest of those polls are now mooted, muted, mooted and scooted by that document. All right-

Loiusa: [inaudible 02:55:42] a full vote.

Speaker 34: Could someone show their preferences one more time, apologies.

Sam: Everyone voted one in the room.

Speaker 34: Everyone voted one, okay. Thank you.

Audrey: We all voted one?

Sam: All right.

Speaker 35: So Sam, again I'll just ask clarifying because it's off the screen a little bit, I think, but it's still part of the city. So we are including the references to the documents, however in this last, the third version that combines them, right?

Sam: Yes. All the references are included in what we just voted on. Is that correct, gentlemen?

Speaker 33: Yes.

Sam: Okay. All right, so look it. We were on a roll to this last one here which really took up a whole lot of time; useful, helpful, I'm glad we got it resolved. But we have 26 more findings-

Speaker 32: Oh, my Lord.

Sam: ... where at least one person has voted a three. So I am asking you to think carefully about these issues. We will do our best. But we really got in and get out. And so in order to entice you to do that, we'll feed you. And so if you can please be back promptly at 5:00, we're going to take... Just to make this a little more fun, we're going to take five findings at the same time and try to get consensus.

Speaker 32: I'm not... [inaudible 02:57:18] great.

Marge: Yeah. Hey, Sam?

Sam: Yes.

Marge: We proposed to do a working lunch last time, are you going to hold us to that?

Sam: Yeah, yeah. Let's do what you want.

Speaker 33: That makes sense.

Sam: Get your lunch, come back. So 15 minutes.

Speaker 32: 50 Miles to Graceland.

Sam: Welcome back, everyone. It is 4:53. We're going to kick off where left off. And I just have to brag about my fitness watch after I had my meal. I got back up to get dessert and it flashed, "Great, nice exercising." Really, that's a great watch. I mean, I'd pay extra for that. It complimented me for moving, little it didn't know that it was towards the dessert.

All right, F-40. So we are still at LSCL, LSCL F-40. We have 11 persons voting one and one person voting a three. So that appears to be roughly what was page 43. And so if the person who voted a three is here, can they care to share how... what the thought process is and what it would take in good faith for them to move to a two, we'd love to hear it.

Okay, no suggestions for twos. So let's go to polling on this. So this is LSCL F-40, one, two or three, please. Kevin? Katherine?

Katherine: [inaudible 02:59:38] one.

Sam: Martin, Ed?

Ed: I'm just looking at it, so a sitemap attached to the 2002 MOU. I just never seen a sitemap like that. So, I'll have to do a two.

Sam: Okay. So everyone present is voting a one. Ed is voting a two. Louisa and Andrew. Andrew's voting a one. Louisa? Louisa? She may have stepped away for a second, so. She-

Speaker 34: Isn't here?

Sam: ... yeah, not here for this particular-

Speaker 35: Sam, would it be possible to link that sitemap to that...?

Sam: Well, is there a sitemap? The sitemap attached to the 2002 MOU restricted fill, is it. So, Dana this is your subcommittee, what say you about this sitemap attached to an MOU?

Dana: I going to provide a link to the 2002 MOU on that if it's helpful.

Sam: Okay. We can add that to the... and it's moving to a one if that's the case. All right. Let's move on to F-42. F-42.

Speaker 35: So 11 and one and one we added.

Speaker 34: I got 11 and zero [inaudible 03:01:27].

Sam: [inaudible 03:01:28].

Speaker 34: Oh, sorry, yeah.

Sam: It's two and one. Louisa, do you happen to be back yet? All right. All right, LSCF and there was one, three.

Ed: That would've been mine.

Sam: Okay, so what can we do here to improve this, Ed?

Ed: Just use the replacement language.

Sam: Okay. So the difference there is?

Ed: The difference would be the replacement language between the quotes. "The landfill was developed, has developed since 1974. It has grown in both height and size and changed individual appearance. Although still within the Landfill Zone designation in 1983, the actual footprint of the landfill cells has increased as more wastes are brought to the site." This is just to try to make it easier to read.

Sam: So Daniel you were staff on this and a member. Do you see any substantive differences here?

Daniel: I think the main difference in the later renditions of this finding was that first sentence. "That the landfill had developed visually over time in accordance with site development plans." But I think the newer version is missing a reference to the development being planned as opposed to just growing. I think that was the main thing that I'm noticing off of that.

Sam: Dana, was there a reason you didn't appreciate the language in accordance with site development plan?

Dana: No. Again, I was looking at it for easier reading and trying to strip back some of the trigger words. So that's putting that back in? Is that right? It should have been done that way, so there's no reason to object to it.

Sam: Okay.

Dana: That's a reasonable presumption.

Sam: Yeah. So what could... Are you typing up on this one or...?

Speaker 32: I'm just dragging it in.

Sam: Drag it in.

Speaker 32: Drag in the changes right now, yeah.

Sam: Okay.

Speaker 32: And then I'll invite Ginger, if you have any problems with that. I believe, if I remember correctly, you brought up the... You had made some concrete-

Ginger: Yes, so Ian and I sat upon the subcommittee and what we are conveying and what we agreed as a subcommittee is that yes, obviously the landfill has developed since the 1970s, nobody's arguing that. However, the footprint of the landfill since the 1980s, the area of which we were allowed to dispose of waste

has not changed. We have filled in that footprint by opening cells and putting waste around those cells. But the boundary is what we're referring to here. So it's not accurate to say that the footprint has increased. The footprint, the acreage, the area designated for waste disposal has mortally remained the same, which is why we use the language that we do.

And that was language that was the consensus of the landfill site life subcommittee which does include members of the community who are perhaps not the [inaudible 03:05:56] of a UCP, so I think this is another one of those cases where you have a subcommittee that spends a lot of time working on these recommendations, working on these findings, wording them in such a way that we could, as a subcommittee agree on that.

And so I do think there is a certain level of deference and respect that should be accorded to the subcommittee when we have people who work really, really hard, not just Ian and myself. But Ken and Chuck and Mark Nader and Paul Linfield, all work together to come up with the language.

Sam: Okay. All right. So, I'm going to poll on the existing language of L-

Speaker 33: Audrey had a [inaudible 03:06:43].

Sam: Yes, Audrey.

Audrey: Ed.

Sam: Oh, Ed.

Ed: Yeah, there's one thing I should also point out in here is the reference to regional landfill. That still a contested item. Within the context of 1974, regional was three counties. In subsequent years it moved into a designation of a DEQ designation of regional and those don't necessarily mix. So I had to remove that whole issue of regional.

Sam: Okay.

Speaker 35: Can I just ask a quick question-

Speaker 32: If it walks like a duck and quacks a duck, it's a duck, no matter what time it is, okay? I respect what you're saying but I agree with that we've spent a lot of time trying to come up with nuances, but the general consensus of the committee and Ian, there was a lot of effort going into this. So I do respect this stuff so I understand where you're coming from. We might just say that the person has a Dixie Mason Line with [inaudible 03:08:06] in that it probably should stand as such.

Sam: Okay. I'm going to take the poll because we're going to have to speed up the pace of these. People have an opportunity to be heard, but we can't belabor it. So I'm taking a poll on the language that is in this red color as is. And the informal poll was 12 ones, zero twos and one three. So let's take the poll again. So we have Chuck and Liz voting one. Marge is voting a three.

Marge: You take that regional, this goes to one.

Sam: Okay.

Speaker 33: As opposed to a DEQ? [inaudible 03:08:58]-

Sam: One at a time. I need to call on people so I can track, because I'm doing several things at the same time. So, yes.

Speaker 32: Apologies, voting on this language in red, just to [inaudible 03:09:10]?

Sam: Yes.

Speaker 32: Thank you.

Sam: Russ and Sean are ones. John is a one. Ryan's a one. Mary's a one. Ed's a three. Katherine's a two. What do you...?

Speaker 33: One letter, it has grown.

Katherine: Uh, yeah.

Speaker 33: Sorry.

Katherine: I'm all about a good grammar.

Sam: Okay, so who would change their... So Marge indicated she would change if we move the word "region", I mean she would change her vote to a one. Would that change anyone else's vote, up or down? What would that do to yours?

Ed: I'd go to a two.

Sam: Okay. I guess what I'm trying to understand about this is, Audrey is Coffin Butte a regional landfill?

Audrey: Yes.

Ed: It is.

Sam: Yeah. So what's-

Ed: A key definition.

Audrey: Can I speak to that?

Sam: Okay, one at a time. Ed, finish.

Ed: Under DEQ definition, it currently is, it probably was under DEQ definition. I just don't know when those rules, that definition came into place. But by tonnage, by '83 or '84, it probably was under above the 75,000 tons per year. The issue is community expectations. In '74 when this started, it was not a regional landfill in the context that region is used now. It did not service three states.

Sam: Okay. So it's not the regional landfill that's the problem. It's the date in 1974. We realize it is a regional landfill now, right?

Ed: That's a piece of it, yes. But it's the context again, of community expectations. What was agreed to at one point in time is the one we got.

Sam: Okay. [inaudible 03:11:27]. Wait, wait. Okay, just a second. Louisa, I didn't get your poll on this and same for Andrew, how did you poll on this? Louisa's still away. Andrew? So both of them are absent for this. Marge is up next with her comment.

Marge: [inaudible 03:11:51] is A, it's a loaded term. And it hasn't always been original landfill. It was designated as a regional landfill for a short time with something called the Chemetheda Agreement. But then that faded away. And so, I think that we should not muddy the water here by calling it a regional landfill in 1974 because it changed information shortly thereafter. So I think that we should just say its designation as a landfill in 1975.

Sam: Yeah, I think-

Marge: So, one for me.

Sam: Okay. I need to see this so I can do it. So if we take out the word "regional", you would go from a-

Marge: Three to a one.

Sam: Three to a one. You would go from a three to a two, as I recall.

Ed: I could go with one.

Sam: You would go with one?

Ed: Yeah. We need to move on.

Sam: Okay, does anyone... So the proposal is we move the word "regional". So it will say, "Is designated as a landfill in 1974." Correct? Going once, twice, so let's update them, the poll there. So we're taking out the word, in this last poll that we just polled on we're taking out-

Speaker 32: Louisa is online now.

Sam: Yes, thank you. One at a time. And that is the poll and Louisa, what is your vote on... Can someone highlight for her what it is, which one of those rows we're voting on so she can see? That's what we're voting on, a one, two or three. A one.

Loiusa: Just [inaudible 03:13:53].

Sam: [inaudible 03:13:54].

Loiusa: Correct.

Sam: Okay. So that gets us through... Uh, left... okay, pardon me?

Speaker 33: Are we-

Speaker 34: Are we supposed to read over, yeah?

Audrey: Are we going to vote?

Sam: I thought we did. I mean I just called an [inaudible 03:14:13]. Everyone else said they were going to stay the same.

Speaker 32: No, sorry. I was under the impression we were going to re-vote. No, I-

Sam: Okay, let's re-vote. Okay, so one, two or three, we're removing the word "region", okay? [inaudible 03:14:32], please. All right, let's try. Chuck? One, two, okay. We have Chuck, Liz, Margery voting one. We have Russ and Sean voting the three. We have everyone voting one, Katherine is a two. So we have Ed, Mary, Ryan and John voting one. I'll get you, Katherine, after I finish the polling. Louisa? One, two or three on this. And she's a one.

Loiusa: [inaudible 03:15:08].

Sam: Andrew? Apparently is absent for the moment. Okay, Katherine and then Daniel and folks, we have got to hit the pedal to the metal here.

Speaker 35: So two comments: I'm just hoping that... So my two really was based on the site development plans and if there's a way to reference that or link that, that's just an ask of staff. I think because I'm not sure what that means and I know that the 1983 site development plan was a conversation in our subcommittee at length on numerous instances.

I do support the removal of "regional landfill" and I'll just make the statement as this. This is a finding. I don't believe that in 1974 we would be able to conclude that Coffin Butte Landfill was a regional landfill by record in a matter of what we've identified as [inaudible 03:15:59].

Sam: Okay. Daniel?

Daniel: Just a quick procedural ask. For folks that are recoding the polling, if you could put your card in the metal slot and leave it in there until the polling is wrapped up, even after Sam calls your name, just so we don't have to go back and ask people what their vote was. But we do that [inaudible 03:16:20] at the end of the table, thank you.

Sam: Thank you. All right. So just to get us focused on the remaining three that we have. We have 24 findings where at least one person has voted a three. On most of those, it's one person who has voted a three. I'm suggesting that two things: one, we're going to get through all those threes, come hell or high water. And I

don't think we're going to get to the recommendations and findings where there are twos. It's going to be a function of how long it takes us to get through these threes on the findings.

So we'll stop and we are now at Planned Use LLU F-9A. LLU F-9A.

Marge: [inaudible 03:17:58].

Sam: Just a second. I'm trying to find it, too.

Marge: 9A.

Sam: F-9A.

PART 6 OF 13 ENDS [03:18:04]

Sam: I'm trying to find it, too.

Speaker 36: F-9-A.

Sam: F-9-A. This is saying no contemporary historical factual records seemed to have been reviewed. This appears to be the current county staff's impressions and recollections of what others were thinking. This finding is extremely hard to support.

Speaker 37: That goes for 9-B and C.

Sam: Pardon me?

Speaker 37: That goes for 9-B and C. You could say the same thing.

Sam: Mm-hmm. Greg, can you give us a history, or not necessarily a history, but how staff went about teasing these for consideration [inaudible 03:19:01] this committee.

Greg: Sure, just one second. Navigate there. Daniel is now driving the one on the screen. There you go. [inaudible 03:19:12] we switched but I will still be available to discuss. Okay, so this is a description of practice within the community development department over the last 20-25 years. It's not based on a systematic analysis, it's based on my experience as the planning official for most of that time and as the senior planner for the rest of that time, in the practice that has existed during that time. There's no scientific analysis, by any stretch, of how those terms have been applied but it's what that practice [inaudible 03:20:24]. This is not intended to say this is how things should be at all, [inaudible 03:20:31] this is how those terms are venued.

Sam: The operative sentence here, the operative sentence is, "Staff reports that have passed the UP applications, a planning official or commission scoreboard has considered these factors in determining the character of the area and its extent." It's a list of the things that you are reporting. Those folks have looked to, it's not a recommendation that those are the factors. Yet, you have above it it's unique teach application differing by a particular effect it would have. Liz?

Liz: I would just like to add that everybody on the legal committee added to this and looked over it, and counciled it. I don't understand this appears to be current county staff's impression and recollection of what others were thinking. I don't know what you guys did on your subcommittee but I'm hoping it's the same thing we did on our subcommittees which is we actually talked about everything. Again, I hope people quit implying that there's some shadow character pulling all the strings here. Our legal subcommittee really did talk about everything and worked really hard on this. It wasn't some conspiracy for staff to just come up with some findings. I would just like to say that and I would like the community to make an effort to keep your comments polite and give people credit on their

committees. Quit thinking that some evil demon is undermining everything that we've come up with. That would be my-

Sam: All right, any other comments on this? Yes?

Todd: I wonder if with the concerns of that factual records if it could be a reference to past planning commission reviews with an example or something. I would take your word of the folks that have just spoken for the legal committee that they discussed that they discussed that, that they brought up times when these were the conditions or these were the things that were considered for the term seriously interfere. Would that satisfy that? I don't know.

Sam: Ed?

Ed: Todd, are you thinking one example or-

Todd: Well, it obviously-

Ed: Could you point to a real case?

Todd: Yeah, I mean, there'd be records that would say what was considered in terms of serious [inaudible 03:23:36]. They usually cite something, right, or the rejection of or the consideration of impacts on adjacent property. With that-

Ed: If you could just come up with one or two examples for each of the next three things, that would be fine. Then we'd go to [inaudible 03:23:57].

Todd: We're not going to be able to do that today but-

Sam: Yeah. I guess I'm trying to understand what is the fear here because there was a fear initially put forward that this work group would put together recommendations that define these terms. That is not what this is doing. This is saying, from a historical perspective, staff reports that these are the things that people have looked at in the past. Coming up with, yeah, it's just not going to happen in the next 24 hours where people can find citations in this case or that case, or what have you. I'm suggesting you're going to vote on this without the addition of specific LLU, XLUY, that sort. It is not going to happen. It's also making it clear that it's a function of the facts of each application. One last comment and we're going to go to polling on this. I have Marge's hand up.

Marge: Oh, I was just going to comment that one fear is if you define these too narrow and things change over time, as they do, then you handcuff any planning commissions in the future. Those terms were ambiguous because they were meant to be.

Sam: Right. I'll suggest to you that saying things like, "Staff reports that passed has considered these factors," there are particular attributes of a geographic setting including existing operations in the vicinity, those kinds of things, are not [inaudible 03:26:02]-

Marge: Right. Okay, can you say what is the difference between 9-A and 9-B. What is the significant-

Sam: Two different terms. As I'm reading this, 9-A is involving seriously interfere and 9-B is the area-

Todd: Character of the area.

Sam: All right, let's poll on F-9-A. Pardon me? Katherine?

Katherine: Yep. I just wonder, I really appreciate what Greg shared. I think that helped frame 9-A, B- and C as in this, and I'm quoting because I don't think I've got it all right, but not being a systematic analysis based on experience of the senior planner, rather how these terms have been used over time because I read this

finding as a little more assertive than that and maybe framing these three together through that lens that this is historically how we've looked at these might avoid the perception of any pre-determined legal positioning down the road but might also acknowledge the fact that this is, kind of, historically, what we've looked at. What you said was helpful to that.

Greg: [inaudible 03:27:34].

Sam: What specific edit would you suggest be added?

Katherine: I would suggest the senior planner who had that experience recommend that edit but what you said, Greg, it was generally helpful in framing what we're trying to say here rather than what might be interpreted as what is being said here. I don't know if you'd go back to that place in the recording or just make a note to add those or Greg draft up a, in the next ten minutes, an add on. I don't know that [inaudible 03:28:09] effortlessly or appropriately.

Sam: It says right now, "Staff reports that in past applications has considered factors such as." I don't know how-

Katherine: I think maybe the, so what I wrote is, "This is not intended to say this is how it should be but rather how these terms have been used over time." That leaves an ambiguity still in place while we make these findings, which findings can be, again, selective in this phase. It was just helpful that, in Greg's experience as that senior planner, this is historically how it's done. I don't think we lead well with that in these statements and it leaves that space of, like the comment that Mark made about it, in making sure that we secure that each application is specific to these particular interpretations.

Greg: If I could offer, explain the-

Katherine: Yes.

Sam: Go in.

Greg: The reason these are 9-A, B, C, and D, or however many there are, is they're couched under F-9 and F-9 is some of that language that you were talking about. I don't know if you've fully addressed this, what you're looking for but particularly the last couple sentences of F-9.

Sam: Yeah, so look, that are highlighted there. "They are not recommendations in how the planning commission and board should interpret future applications. We state that each body fully retains its flexibility in interpreting those terms in the context of specific applications before it."

Katherine: Would it be helpful, then, just to add, "Please see F-9," above or, "The context of 9-A," and then also put a similar, kind if, redirect because that was off my screen and it's not highlighted in red so I didn't take that in 9-A when I was reading it.

Sam: Let's read this, we've got to get a solution to this.

Greg: I think it much depends on formatting. The way this was originally [inaudible 03:30:26] put everything into tables with intervening cells. 9 was the header, 9-A was a subset below that, so it was very clear. I think we can do a reference to it or in the final document, final report, we look at it, the formatting [inaudible 03:30:45] F-9 is the main paragraph and the paragraph below it indented is 9-A. I think that, structurally, makes clear the relationship.

Sam: Ed?

Ed: I can live from a three to a one just with that last part, "They are not recommendations on the planning commissioning," et cetera. You can either

embed that in the next three sections or you put under 9, have a 9-A, B, and a C which is just a longer process. Either way works for me. It's just the idea that this isn't definitive. To be definitive, to me, it needs the data.

Sam: All right, we're going to take the word, the last two sentences of the introductory paragraph, "They are not recommendations on how," and restate it, "Each body fully retains," plop them at the end of F-9-A, B, and C so it's pristine in its clarity. We're going to pull on that. Ready?

Katherine: Is this still from earlier because I'd like to [inaudible 03:32:07] half [inaudible 03:32:09].

Sam: This is, we're going to start over on this polling and we are going to do 9-A, B, and C simultaneously because we're making the same addition of those last two sentences in the introductory piece to add them below.

Greg: I'm recommending we do the last three sentences because I think, grammatically, it makes [inaudible 03:32:51].

Sam: Why not have three. Hawk crying in the night, we'll have three. Which ones are they?

Greg: In response to a request by the board commissioner, the following [inaudible 03:33:10].

Sam: No, look at-

Greg: [inaudible 03:33:15].

Sam: I don't know how much clearer the stuff above it can be. It says, "The response to the [inaudible 03:33:30], the following four findings provide historical information particularly over the past 25 years how the decision makers have interpreted it. They are not recommendations on how." Are you saying this is all going to be just indented [inaudible 03:33:49] A, B, and C?

Greg: Under 9. Well, originally that's how it was structured. The final format of the document [inaudible 03:33:58].

Sam: Well, that's up to them. How they want to.

Greg: Daniel is showing the last two sentences added to one of the-

Daniel: The last two sentences added to 9-A.

Sam: Okay, we'll take 9-A first. I want you to please vote one, two, or three on that which is on the screen, which is the text as it existed before with the addition of two sentences. "This is not a recommendation on how the planning commission and board should interpret future applications," restated, "Each body fully retains its flexibility interpreting those terms and the context of specific applications before it." One, two, or three, please. When you guys are talking on the sideline, I can't track what I'm saying and seeing on the screen. I'm sorry for being a little frustrated right now. One, two, or three, please. Marge?

Marge: I'm going to vote with Ed down there.

Sam: Yeah, he's voting a one.

Marge: He's a one? Okay.

Sam: Everyone in the room is voting one. Luisa? One, one. Andrew? Okay, the same addition is being made to F-9-B. Any change? Is anyone going to vote different then they did on F-9-1? We'll call it out, so it's F-9-B. Everyone is voting. Chuck, are you voting a one, two, or three on this? One. Everyone in the room is voting one, as is Luisa. All right-

Speaker 36: Luisa voted one? Okay.

Sam: Yeah, Luisa voted one. F-15. We had nine, okay, Ed is this yours I'm assuming?

Ed: Yes. The only thing I can come up with for a replacement is deletion.

Sam: What are you doing with this proposal? You are removing things? What?

Ed: I was removing the entire section.

Sam: Okay. Now, in the CUP sections, you have made these points there, correct?

Ed: Yes, in different situations. Once you do one of them, you're doing them all. To speed up, I'm not sure it [inaudible 03:37:41] to totally delete something like this because it appears that some people would support it, so if we take them as a group and just treat this as a competing minority, whatever it is, finding, probably four of these things, that might speed things along. Let me go see how many other places they are. It's in 15, it's in 23, it's in, that's the only two I can see right now.

Sam: This is the MOU you're referring to.

Ed: Yep. It's really contesting the basis of the MOU.

Sam: Okay, and I'm trying to remember, is there not something in the CUP section that contests the basis of the MOU?

Ed: I don't think we did because we weren't reviewing the MOU. That wasn't the [inaudible 03:39:04] use decision. That's one of the points. This MOU is not a land use decision.

Sam: I don't think anyone disagrees with that, that's not a land use decision.

Ed: This is really going at the logic that's showing in this F-15. To prove your points, make one point and propose language is the exact opposite.

Sam: Okay. F-15 as written, it's the text in this red color. We have informal polling. Nine 1's, zero 2's, one 3. We will formally poll on it and then we'll do a formal poll for the language that's below it. You know where we're at, we're on this. Okay, one, two, or three? Marge?

Marge: Oh, present.

Sam: Present.

Marge: [inaudible 03:40:19].

Sam: Marge is present. Everyone is voting one, Ed is voting a three. Katherine is voting a three. Luisa is a one. Andrew is not present. All right, let's now move to the alternative language here, which is the language below. If someone can highlight that in yellow. It's the quote language proposed by the threes. Will someone please highlight, in yellow, the language proposed by the three? Okay. The question on that is one, two, or three. Chuck is a three, Liz is a three, Marge is present. Russ and Sean are threes. John and Ryan and Mary are twos. Ed and Katherine are ones. Luisa is a two. We'll put both those poll side by side so people can see.

Greg: You referred earlier to is this addressing the CUP finding and recommendation, I don't know if CUP-R-10 is what you were thinking of.

Sam: What does CUP-R-10 say?

Greg: It says, "Determining authority of 2002 MOU as it related to pre-2002 conditions of approval and broadly communicating the applicability of the 2002 MOU to publish and manage community expectations." In that poll, nine had a two.

Sam: Okay. That's in there. This is the arguments that would underline and speak to the opposite. F-15. No, that's what we did. F-22.

Katherine: It's the second time, I think that these, especially this one, there's enough importance to give us just a moment to comment and I would like to do that on this MOU considering how much time we've given [inaudible 03:43:15] when we get into other discussions here, the 2002 MOU language, not just the assertions of what it represents, really is conflicting when it comes to how it related to all pre-2002 [inaudible 03:43:28] decisions. I think it's important that, so Mark Edgar is not voting under this group, but we've spent a tremendous amount of time voting back and forth on this and, with respect to the subcommittee CUP which didn't have direction to evaluate this, we found that there were inconsistencies with the statement of the MOU, the context where the MOU arrived in this space, and whether or not it actually had validity to state at all any conditions of approval [inaudible 03:44:01] up until 2002.
Quite, in fact, if you went to the next day after that MOU, one could already [inaudible 03:44:07] it's still out of compliance and space. I don't know how to capture that outside of what's said here, but I do think it's important to respect the work of this CUP work group sub-subcommittee. There was an extensive amount of time put into the evaluation of this MOU as it related to [inaudible 03:44:25] decision history.

Sam: Hopefully this will help on this one and others, everyone gets to do a member statement, so the issues like this that are important to memorialize, that is an additional opportunity to these oral comments that you have the ability to do. Anything else on that, Katherine?

Katherine: No, thank you.

Sam: All right, F-22. This is a nine to one formal poll. Let's see, here. This doesn't have page numbers on it.

Speaker 36: [inaudible 03:45:08] a new insert.

Sam: This is a new insert?

Speaker 36: Yeah. [inaudible 03:45:08].

Sam: All right, what is going on here? This is-

Speaker 36: There was a comment from [inaudible 03:45:42].

Sam: Yeah, there were two sessions on this [inaudible 03:45:46].

Speaker 36: Oh, I thought that was answered today but it's double sided, so that one and the other one.

Sam: Oh.

Speaker 36: That one [inaudible 03:45:59].

Sam: Language from today-

Speaker 36: Yeah.

Sam: Do they have that on their computers to see or not?

Speaker 37: They received an email with with a standalone file for that one.

Sam: Okay, do you remember when and from whom so they can pull it up?

Speaker 37: Yeah, it's also on the meeting 11 webpage if that's more easily accessible, but it was from me around 1:00PM that you all received an email with the latest revisions to a few individual findings and recommendations. This one was from Matt Patera that we got around noon.

Sam: Okay. Is this what is showing on the screen?

Speaker 37: No.

Sam: Can we get what I am supposed to be facilitating on the screen for people to see and read?

Speaker 37: We're working on it.

Sam: Ed, why don't you start with your background on this piece?

Ed: This is where, I think, looking at the document as a whole, there's a line by where we're getting into the very, very nitty gritty and big definitions and you can argue each item and being fully supportive of it, and respecting the argument the way its framed, the problem is it's the wrong argument to be having. In these cases, it's determining whether or not it's any conditions of approval are enforceable or are they bindings in document, or are they the expressions of, or the documentation that was provided and support both an ordinance.

It really doesn't make any difference. You can argue each one to death, but what I'm trying to get here with this proposal is to put in an additional finding that puts it all in perspective. Respecting everybody's individual team efforts to go through things in very excruciating detail, it's just going to back up and say, "Well, I live here. What does this all mean?" This is trying to put the history in context, so you can reach all the findings from the law department, or legal group, but you have to put it in context and that's what this paragraph is supposed to do.

Sam: To make sure I'm tracking this, you are not suggesting we put in the language, "I believe this question needs more review," you're suggesting that we add the language that begins in 19-83, "The county [inaudible 03:49:29] expectations."

Ed: I'm suggesting that just be a separate finding in both the CUP side and in the legal side so that people, as they approach these issues, have some context because when you get to the CUP side of it, we asked for a closer review of BC-83 and there were objections, there were three category, or three vote on most of those times we've done it. I'm just trying to find a way to get rid of all of the three votes by just putting in this paragraph at a new finding in two locations. [inaudible 03:50:20] the findings and recommendations that are in there, in the report right now, are so narrow, they can be true, but they're so narrow, they may be good for a court case, but they're not good for explaining anything to anybody.

Sam: Okay, just so we can get the number in the polling correct, it is LLU F-22 would remain the same and then we would put in an F-22-A, which would include the language in-

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Sam: ... A, which would include the language in 1983 all the way down to the last line, which is closure of the landfill facility. Correct?

Darren: Yes.

Sam: Okay. So, I'm going to give people an opportunity to read, and I'm assuming that that would take your one.

Darren: Take my three to a one.

Sam: To a one, and so everyone is agreeing in the informal polling that F-22 is groovy, to coin a phrase. This would be the addition of F-22a, which is the language on the screen. So I'll give everyone a chance to review that. All right, so everyone appreciate what we're pulling on? We're pulling on, what's a new finding? It's

LLU F-22a, new finding. LLU F-22a. It is the language that is now in purple on your screen. One, two, or three. Yes?

Darren: I screwed up. In the public, next to the last line, should be the landfill owner operator. I sent you the wrong brief. That wasn't part of this.

Sam: We'll call it landfill operator.

Darren: Yeah, overall operator, however you want to use it.

Sam: That's fine.

Darren: You can use it as owner operator.

Ed: Okay. We have Chuck and Liz voting to three. Marge is?

Marge: I'm going to go with the CUP guys.

Ed: One?

Marge: You guys are one?

Ed: Yeah. And we've got Russ and Sean at three, we have John at a one. Ryan added two, Mary, Ed, Catherine as a one and Louisa has a two. Andrew, you back with us buddy? Apparently not.

Katherine: Five, two, four, with one absent.

Sam: Okay. Five, two, four, one absent. All right. F-22, F-23.

Katherine: There's some written language for F-22.

Sam: Got it.

Katherine: [inaudible 03:54:18].

Sam: F-22 remains as is, is correct. Is that inherent in your last vote? So your vote, because everyone agreed on that and it changed his vote from three to a one. So this poll to be clear, was on F-22 plus F-22a.

Katherine: I was on [inaudible 03:54:41].

Ed: What I heard Ed say was if that if F-22a was added, that he would switch.

Sam: Right. [inaudible 03:54:52]. We had a first poll on. Well, okay, so Ed, you would be going back to a three now, because your motion on the additional language did not pass.

Ed: Correct.

Sam: Okay, so we're just going to do it so there's no potential uncertainty here. We're now voting on F-22, no revision, just the language on the screen. F-22 with no revision. Can you show us that please? So, we have Chuck and Liz will be the one. Marge is a three. We have Rush, Sean, John, Ryan, one. Mary two, and Catherine and Ed a three. Louisa is a one. Now we're voting on F-22. We'll do that again, and F-22a. I'm not sure you need to read all of that one. We don't need to read all of F-22a. Okay, F-23. So, what are the similarities between this and some of the comments you were making earlier? Is this ones that are kind of related?

Ed: Yeah, the inclusion of that language about that was submitted this morning, that would've made this a one also. Because it puts it in perspective. Without that language it has to stay, from my perspective, it stays as a three, because looking at the record of PCE-837 doesn't mention as cell six. It's not shown on the drawings we were provided. It doesn't show up on a drawing until 2022. Admittedly, there was a gap between 2011 when it wasn't there in 2022. So it could have shown up in that 10 years. The bigger problems are the drawing places, the quality outside the approximate solid waste disposal boundary that was defined in that drawing. It is also outside the proposed solid waste disposal boundary. And then it goes on, it doesn't show the quarry as it is in the context

of six, and then it just didn't have any way to validate where the drawing came from. It was all cut off.

Sam: Okay, so we're going to first pull on the language that says draft six texts. Clarify when formal approval. So can that be highlighted please? And that's there, and then we will pull on. So are you saying, your language Ed, is it substitution or in addition?

Ed: It would be in addition.

Sam: It would be in addition to it. So, your three on the first one is because it doesn't include this additional language?

Ed: It provides no perspective.

Sam: Okay. All right. So we're going to pull one, two, or three on the existing language, which is in yellow on the screen.

Marge: I'm going to vote with the CUP people. And this just illustrates why I'm voting present on so many of these. Listen to how much controversy there is on some issues that some people have taken a great deal of time to research. So, I'll wait until I see their votes.

Sam: So we have Chuck and Liz voting a one, Russ and Sean voting a one. John voting a two. Ryan voting a one, Mary a two, Ed and Catherine a three. But if my understanding is, your threes would not be three, they would be ones if the next proposal passes, correct?

Ed: Yes.

Katherine: And Louisa is a two.

Sam: Louisa is a two.

Katherine: Andrew?

Sam: Is Andrew present? No.

Katherine: I understand. May I just clarify that we're not in full disagreement necessarily, but we are not able to conclude in the records that we have been provided including, still the issue with the 2002 MOU is inconclusive for the work that we have spent on this. The A-307, the site plan narrative, which is utilized as in favor of a previous finding, but then utilized not in favor in, now another finding. There's just a lot of inconsistencies that we can't conclude the same findings, and that's where this is at rather than being adversarial, it's just not something that we could come to conclusion with the records that we were tasked with doing.

Sam: No. All right, so we're going to propose on the addition of the language that begins, "Cell six is." That is what we are pulling on. So can please take out the... Yeah, I'm not sure what [inaudible 04:02:29].

Marge: He's just going to add that, right?

Sam: Yeah. Okay. Good. All right. So one, two three on this> We have Chuck and Liz voting threes, Marge voting in one. We have Russ and Sean three, we have John and Ryan twos we have Mary, Ed and Catherine a one, and Louisa A one. So what's the tally, please?

Katherine: Five, three, four and one absent.

Sam: Okay, five ones you're saying?

Katherine: Five ones.

Sam: So that is a seven to four majority minority opinion in favor of including it.

Ed: Sam, I know you want to move on, but I have a possible suggestion which is, how would people feel about adding a sentence to the end of the original draft six

finding on this, just to the effect of, "However no official determination has been issued by the county on this matter," or something to that effect. We just say a single sentence that adds that. It sounds like [inaudible 04:04:06].

Sam: I need to see the initial poll on this. The one underneath the page there.

Katherine: I think the original there says.

Sam: So the original poll, we have three people voting three on the original language. Would that make a difference to anyone that voted at a three? Would the addition of Greg's language that the county has not made in official determination change anyone's poll from a three to a two, from a two to a one?

Katherine: And that's an add, not a replace?

Sam: It would be adding a sentence. So, well that blue color isn't going to work here for his ability.

Katherine: That helps.

Ed: It's not a good color.

Katherine: Because what that does is mitigates both viewpoints in saying that the county has not taken an official position on this particular topic, which is, the 83 decision is an important set of documents, as is the MOU. So having that neutralizer, if you will, in between these two opposing viewpoints on what the record and the findings show might get us closer to that consensus.

Sam: Okay, we're going to have to take a third poll, which is fine. So this is going to be initial language, plus the addition of, "However, no official county land use determination," as we made on this point and then to see if that changes anyone's poll.

Katherine: So Sam, just to clarify, this will include the original language, Greg's additional phrase or statement, and Ed's proposed language as well?

Sam: That would be a combination poll, which we haven't done. We'd have to do that next year, after this. So we'd have all three laying out. All right, so what we are just voting on, so this blue is distracting me here from, what is the blue?

Ed: The blue is just our color coding for what has majority minority outcomes. So I'll get rid of it now, but that's color coding.

Sam: Okay. Yeah, I think it's a lighter blue. It's a lighter blue is what's throwing me off.

Ed: The light blue is here.

Sam: I couldn't see it.

Ed: Minority.

Sam: Okay. All right, so can you highlight in yellow please what we are pulling on? It's clarify when, formal approval through the end of what's already highlighted in yellow. That is what we are pulling on. Okay. One, two or three surrounding that?

Katherine: Clarifying, that statement does actually say, has been interpreted by Benton County. It's very forthcoming that it represents a Benton County position.

Ed: Yeah, so the nuance here, this is not a perfect solution at all, but the nuance is no official county land use determination this point. So the [inaudible 04:08:02] we use is not a land use decision. It's a county determination, but it's not a land use decision. So I kind of split, put things in and say, "Yeah, you folks are absolutely right." The county is not officially setting interpreted whether PC-8307 approved the quarry for land.

Katherine: And to clarify, so the county is asserting also that the 2002 MOU is in fact confirming compliance up until 2002, then. Is that an official statement?

Ed: The county has not stated that. The land use subcommittee has arrived at that conclusion. Again, it's not an official determination, it's just the subcommittee's conclusion.

Sam: So that's the proposal on the table. We have Chuck, Liz, Marge, looks like you're voting a three. We've got Ross and Sean, three, we have John a two, Ryan one, Maria one, Ed and Catherine are voting three. And Elizabeth, excuse me, Louisa is voting one. So what we have on that. Louisa's voting one, Catherine's voting three.

Katherine: Five, one, five.

Sam: We have five, one, five. So that passes, a majority of six to five. All right.

Darren: [inaudible 04:09:51].

Sam: Yes.

Katherine: [inaudible 04:09:55].

Sam: Okay, so we're going to list all of them, so people can see the vote and know why. Let me just do quick time check here to kind of come up with a budget of time. We have 19 to go in an hour and a half, so 90 minutes, 19, about five minutes a thing. If we have to go over, we have to go over. All right, F-25 looks like A, B, and C are perhaps linked.

Marge: Can I ask who voted C on this?

Sam: Well, it's the person that said not relevant. It is not a work part, product of the work group.

Ed: Pardon me. I get to do that again.

Sam: So this is your three?

Ed: And you can handle three, 25-A, B and C, D, E and F all at once.

Sam: Okay.

Ed: Actually it might be... Well, let's see how it works out that way. This starts off with a petition is circulating, C is the petition sponsors, C is petition sponsors. Okay, let's just stop right there. Those three, they come across as almost attacks on the people that came up with the petition. It's something that happened basically after the work group. I don't think it's part of the charter to critique public petitions. A lot of the explanation, if you just remove the references to the petition and just say what the statements are, try to get it down to a decision, and not poke fun or mention the public participation side of it. I just don't recommend it. That takes care of A, B and C. Just try to eliminate the references to the petition sponsors. You can do it by getting rid of the three of them, because they're outside the scope of the work group, or you can include them by making them softer and not attack like.

Katherine: Sam, could you comment on your perspective as to whether or not this is a work product in the work group?

Sam: Well, it's the work product. The question is, is it in the scope of the work group? There have been, we've had plenty of situations where things have gotten into the work group report that weren't initially contemplated as part of the work group's scope. This particular issue came up, and I think there's a recording in the land use... I mean, the legal subcommittee where this was vetted, and I'm trying to reconstruct that conversation.

The petition was called to my attention by one or more members of this particular work group. The best I can recall in the moment, I looked at that and said, "I'm not sure the commissioners can do this, even if they wanted to and it was good policy." I asked Jenny Lucker to look into the issue one way or the other and said, "What are the ramifications of this particular petition?" She wrote a memo, which I turned into. It was like a normal memo. I turned it into findings and recommendations based on the back and forth dialogue between one of the petition sponsors and the board of commissioners. The board of commissioners have since sent a memo out that Darren, or somebody over here that's more familiar with that can comment on about this. Can you speak to that, Darren or what was said or done?

Darren: So, the board is aware of the petition and has taken a position on what it can and can't do in relation to the petition, and some of the implications of it, so I would suggest that because the board is already aware of this issue and it has taken a somewhat askance view on it, the board doesn't really need it to make these findings, they're [inaudible 04:16:35] at this. So unless there's heartburn, I would suggest this may not be time to raise it, since there was already some action in relation to it.

Sam: The additional piece I'll add to that was someone at the land use, excuse me, the legal subcommittee said, asking about this, why I raised this. It's because I was concerned about a belief in the community that this petition would be able to accomplish on its face what they were asking to do. And if it was not going to be legally possible for them to do it, I wanted them to be alerted to the fact that this tactic, this approach, this petition, while accomplishing other reasons of alerting the commissioners to this, the concerns about having an expansion, doing it in this way may not be possible, and to try to get out ahead of the issues that would come up if this landed after the work group came. After the work group left, that this would've already been researched and people could react to it whatever way they wanted to. Marge?

Marge: Okay, first of all, thank you Ed for noticing this and for making the comments that you did. And I agree with Ed, that I think it's inappropriate to have this in here. I think it does attack... Okay, I won't say attack, but it ventures into the territory of people in the community being able to express their views. I think Darren's suggestion is terrific. We just take it out, and I want to just say one thing is that the Board of Commissioners did issue a statement regarding this and the first sentence reads, "The Benton County Board of Commissioners is aware that advocates are circulating a petition asking the board to delay its consideration of any land use action at Coffin Butte landfill until the county has completed an SMMP."

The petition actually says, "We are telling the board of commissioners to oppose any expansion in the Coffin Butte landfill before Benton County completes a SMMP." And the board of commissioners would have discretion to do that. They could say, "We don't have enough information, so therefore we deny this." They could say that. That's it. We're in there with this question, so that's all I have to say about it.

Sam: So two things, just making the record clear. What this says is not what that [inaudible 04:20:05].

Marge: What the statement from the commissioner said?

Sam: What this document in front of me says is different than what the Board of Commissioner said. They did not accurately, in my mind, summarize what the petition was asking to do.

Marge: I agree with that.

Sam: Pardon me? I couldn't hear you.

Marge: I agree with you.

Sam: Yeah, but this document does reflect what the petitioners are asking to do, and so that is an important [inaudible 04:20:46].

Marge: I still think Darren's solution is the best. We just take it out of here, because it doesn't belong in here. It's just inappropriate.

Sam: Okay. Anyone else want to comment on this before you take a poll?

Katherine: Okay. I guess I'm troubled by this, because really I have not heard about this petition except a few here and theres, so I also thought that this work group was leaning towards consensus, which would mean that we really would've had to have conversations on expansion of landfill leanings or inclinations, or public opinions in any number of our subcommittees. I definitely agree with Darren's recommendation that really, we're beyond this point. I'm uncomfortable in that we've really dove into a space that could be interpreted as intending to influence a land use application that we anticipate will occur. It just doesn't feel like it belongs in this space well, and unless we are going to take other public sentiments and while this one may be more organized through a petition, there certainly have been a lot of advocates for expansion. Unless we are going to take those with the same kinds of consideration and really step into, gosh, we're forming opinions or making recommendations and findings on expansion related topics. I'd also recommend that we just take Darren's recommendation and just remove these from this document.

Sam: Okay. So final thing I'll say [inaudible 04:22:40]. Final thing I'll say, and I'll ask Louisa to talk is that this is not about expansion or not expansion. This is simply a legal question about to what extent, if any, can the county legally do with the petition is asking it to do or not. It's nothing about, it has nothing to do with the merits or demerits of it. It's simply what the process is going to look like. I'll end there, Louisa?

Louisa Shelby: Well, I think that my thoughts, feelings were that we probably don't need it, but if there was more information on why we did do need it, I wasn't convinced on that. But if there was more information on that, I don't see why we need it, I guess.

Sam: Okay. Let's take a poll. Is there a specific proposal that someone is making on 25 A, B and C?

Marge: I propose we eliminate it.

Sam: There's a proposal on the table that we'll pool on, which is on, we eliminate 25-A, 25-B, and 25-C. We have that written down...

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Sam: 25B and 25C. You got that written down. Joe.

Speaker 38: [inaudible 04:24:06] they're eliminated.

Sam: The proposal is to eliminate draft findings F25 A, B, and C. All right. We have all members present, voting the one to eliminate. Louisa? Okay. F25 passes unanimously. We're eliminating 25A, B, and C. F25 D.

Ed: This again the three, I have in there, and quite frankly, it was late at night and I think I had my coffee column to column going too far. This should've been one.

Sam: Okay. Let's take a formal poll on 25D with the language added that is in blue. 25D, with the language added in blue. Yes, Marge?

Marge: Okay, didn't we just make a proposal to delete it?

Ed: No.

Sam: No, he changed his vote from a three to a one.

Marge: Based on what?

Sam: It was something to do with coffee.

Marge: [inaudible 04:25:44].

Speaker 38: So, is the one in blue [inaudible 04:25:47] or not?

Ed: The line in blue is [inaudible 04:25:51].

Sam: He screwed up.

Speaker 38: Oh, the line in blue is a link.

Marge: [inaudible 04:25:52]. Oh, okay.

John: We all agree, Ed screwed up.

Sam: All right. One, two or three please? Polling on F25 D. Chuck? One. Liz, one. Marge?

Marge: I'm not ... Oh, okay. Present for now.

Sam: Present. Everyone present in the room is voting a one. Louisa is voting a one. [inaudible 04:26:37].

Speaker 38: [inaudible 04:26:38].

Sam: Marge, you'll remain present unless you tell me different.

Marge: I know.

Sam: 25E.

Catherine: [inaudible 04:27:00]. 25E.

Ed: 25E?

Catherine: Yeah, [inaudible 04:27:05].

Ed: Oh. Yeah, D, E, and F I perpetuated by mistake.

Catherine: [inaudible 04:27:13].

Speaker 39: What kind of coffee was it, Ed?

Ed: I think there was some brandy in that coffee or something. It's the only logical [inaudible 04:27:25].

Sam: All right, so we're voting simultaneously on F25 E and F, under the Patera principle. Marge, one, two or three?

Marge: Present.

Sam: Present. Everyone in the room is voting one. Louisa is voting one. So, those two. F26. So, this is new. One person voted a three. Can be seen with the naked eye. There are significant wetlands in the Wilson Wildlife area. So, I think the big concern here is this language that says, "No significant wetlands are identified in the vicinity on the county's adopted inventory." That's the distinction, Greg-

Greg: Right.

Sam: ... you are making. It's yes, there are wetlands, but they're not identified on the county's inventory. So I think that could be made read clearer, because a couple

people have been hung up by this. It almost should say, "While wetlands exist in the vicinity of Coffin Butte Landfill, they have not been formally identified in the county's adopted inventory." Isn't that what you're trying to come across and say? Or whoever [inaudible 04:29:46].

Marge: Can we discuss this also relative to the earlier wetlands mentioned?

Sam: Yeah.

Marge: It's [inaudible 04:29:53] in the recommendation.

Speaker 38: [inaudible 04:29:58]. Yeah.

Sam: So Greg, is that language change accurate? I think the part that's confusing is because it leads with, "No significant wetlands identified in the vicinity," people stop listening at that point because they know there are. And so, I'm suggesting someone edit this in real time, who's ever up on this. Instead of saying, "No significant wetlands are identified," I would say, "While wetlands are identified in the vicinity of Coffin Butte Landfill, they do not currently appear on the county's adopted inventory."

Marge: And that should be changed.

Sam: Okay, that would be a recommendation. We're dealing with a finding at this point.

Greg: Sam, I just feel like the word "appear" implies that maybe that's an error. It's not an error. It's the adopted inventory. But I agree with what you're trying to say, absolutely, that they have not been... There are wetlands in the vicinity. They have not been listed on the county's adopted.

Sam: Okay, well, put the right verb in there that you want to put in. I'm just trying to [inaudible 04:31:26].

Greg: [inaudible 04:31:26] inventory.

Sam: So, what is the word that we have up here on this?

Greg: I think [inaudible 04:31:28].

Sam: Not been listed on the county's inventory. All right. Now, you wanted to talk about the relationship to something, so go.

Marge: Yeah, but actually, are you acknowledging that there are significant wetlands and that they just simply are not-

Sam: Please listen to Marge.

Marge: Are you acknowledging that-

Greg: Yes.

Marge: ... there are significant wetlands, they just have not been identified within the county?

Greg: So they're as significant as we as lay people think of it. And yes, I agree in that regard. And then they're as significant as statewide planning who apply and lays out a process for determining whether a wetland is "significant." And those wetlands in that area have not been inventoried, have not been evaluated.

Marge: They have not been inventoried.

Greg: Or evaluated in terms of the Goal 5 definition of significant.

Marge: Oh, okay.

Greg: So, I agree there are. I would call them in a layperson's language "significant wetlands", but by Goal 5's definition, they have [inaudible 04:32:53]-

Marge: They have not been evaluated.

Greg: ... been evaluated and determined to be.

Marge: Okay, so that is really different than that there are none based on that jurisdictional meaning. That's a very different statement. They have not been evaluated.
Greg: Sure.
Sam: That's why I'm making the change-
Marge: Can we say that? [inaudible 04:33:13].
Greg: That, he's working on.
Sam: That's why I put up here, "While wetlands are..." It's not, "While wetlands are identified in the vicinity," because you're using ...
Marge: It's obvious there are wetlands. There are-
Greg: You can just say "present". Wetlands are present.
Sam: Wetlands are present. So, while wetlands are present in the vicinity of Coffin Butte landfill, they have not been listed on the county's adopted-
Marge: [inaudible 04:33:41].
Greg: Yeah. They have not been-
Marge: Evaluated.
Greg: ... evaluated.
Catherine: And identified.
Greg: And determined to be significant.
Speaker 38: Isn't it a [inaudible 04:33:53]?
Marge: And no determination has been made regarding their.
Catherine: [inaudible 04:34:01] say it.
Sam: So, keep working on it.
Greg: Yeah. I'm [inaudible 04:34:06].
Sam: While we have three people talking. So, come up with what language you think is best and then we'll see if the work group thinks it's best. So what is accurate from that perspective, and then we'll see if the work group agrees with you.
Catherine: So Greg, could you comment or [inaudible 04:34:22] whichever all of your [inaudible 04:34:23] over there, could somebody comment on what is that process to evaluate, identify or determine significant wetlands as it relates to Oregon's land use goal number five?
Greg: It's a comprehensive land amendment process. It's a typically extensive, region-wide evaluation and assessment of first identifying wetlands and then rating them on a variety of factors to determine whether they rise to the level of significance as is defined in the state-wide [inaudible 04:34:58].
Catherine: And is that consultant work to Benton County only, or would that ... we partners with adjacent counties also?
Greg: Well, typically it's on a county basis.
Catherine: Okay.
Greg: Or a county and a city [inaudible 04:35:11].
Sam: So, this language has to be fixed here. Let's get it narrowed. Majority, are you content with the language that's on the screen here?
Greg: It's repetitious from what we said in the previous sentence.
Speaker 38: How about in accordance with state land use-
Sam: [inaudible 04:36:22]. Put a period on it?
Speaker 38: Seemed like the words are interpreting two different [inaudible 04:36:33]. Significant in size versus significance. [inaudible 04:36:33].

Greg: So [inaudible 04:36:33] your suggestion?

Speaker 38: [inaudible 04:36:33] not been evaluated and determined to be significant in accordance with state land use [inaudible 04:36:33]. Or in accordance with state policy on [inaudible 04:36:53]. I think that it [inaudible 04:36:53].

Greg: So right there [inaudible 04:36:53].

Marge: I just want to say again that I think the significant thing here is that they have not even been evaluated. And so we can't judge what policy [inaudible 04:37:07] that. We can only say that we have not done the evaluation.

Sam: Tom. We need for you guys to come up for the language, then I'll facilitate the rest of the conversation here.

Greg: How about that?

Speaker 38: Should the 19 be review? It really didn't include those wetlands at all, because I would've thought the entire county's wetlands would have been ...

Greg: Yeah. I don't know the inventory process that went on at that time. Probably not [inaudible 04:37:53] limited result. The key thing ... So, there's two points to this finding, I think. One is that yes, there are wetlands in the area and they have not yet been identified and determined to be significant on the county [inaudible 04:38:17].

Sam: Right. And that's the missing word is yet. Not yet.

Greg: And because of that fact, the county cannot regulate it at this point. [inaudible 04:38:27] the county cannot regulate.

Sam: So we have to add the word "yet" in there. So, they have not been evaluated. Not yet been evaluated and determined. Then you can have the sentence you have now. Conduct comprehensive [inaudible 04:38:49] analysis, then you can then put until then, they cannot be regulated. Cannot be. That's fine. Okay? So, comments before we move to polling on the clarified language that shows there are wetlands, they haven't yet been evaluated. Until they are, they can't be regulated by the county. The state can still do their thing. Correct?

Catherine: Yes.

Greg: Correct.

Sam: All right. One, two, or three, please. Chuck is a one. Liz is a one. Marge is a one. Everybody is a one. Louisa is a one. Great.

Speaker 38: LLUs are done.

Speaker 39: Now we can go out to Chicago.

Sam: All right, let's take a five-minute stretch break and come back and get the CUP findings. [inaudible 04:40:24]. Twelve more to go. [inaudible 04:40:30].

Speaker 38: We can do it. We can do it. [inaudible 04:40:41].

Sam: All right. Next up, our friend the CP. F2. CUP F2.

Male: [inaudible 04:40:57].

Sam: All right. So, you can get it on the screen when you guys are ready. So, in informal polling we had nine ones, one two, and a three. Propose three says Benton County is not monitored compliance with XXX. Who is the proponent of the three here so you can translate the XXX for us? [inaudible 04:42:19] present? Who had the suggestion about ... I'm just trying to understand what the suggestion is. Anyone? I'm looking at a two said does it strictly pertain to the landfill or in all cases projects that have conditions of approval across the board? Clarification would be helpful. So, CUP subcommittee folks, why don't we deal

with the clarification first? The statement on its face is pretty clear. Benton County has not and does not actively monitor compliance with many conditions or approval, nor does it proactively act to enforce compliance. And so the question is, does this pertain to the landfill or in all cases projects that have conditions of approval across the board?

Ed: We were told it pertained to everything.

Sam: Yep, that was my recollection of that statement. But conditions of approval only exist when there's a CUP. Is that correct?

Greg: Most land use. Most land use approvals of any time have conditions of approval.

Sam: Okay. [inaudible 04:44:08]. All right, let's take a poll as written on CUP F2. Louisa? All members voting one. Let's move on to our friend, F3. Then county relies on complaints to initiate actions to enforce conditions of approval. The person that voted a three wanted to say Benton Country relies on complaints as a way to prioritize the initiation of actions to enforce conditions of approval for the landfill. Would the person present with that suggestion care to enlighten us? Help? [inaudible 04:45:08]. No one present. Let's vote as written. Benton County relies on complaints to initiate actions to enforce conditions of approval. One, two, three. Every member is voting one, including Louisa. All right. F10.5. The three person ... It was informal polling was six ones, four twos and one three. The person voted three wants to change the word recommendation on a finding. Benton County ...

Speaker 38: Right.

Sam: Is the person with a three there? I'm missing the word recommendation here where finding would be preferred.

Greg: No, it's not a word. It's that it should be a recommendation instead of a finding.

Speaker 38: It should be CPR.

Sam: Oh, oh, oh, oh, oh, oh, oh. That clearly is a recommendation, it seems to me, not a finding. Let's go on and talk about the twos here. Haven't had time to discuss [inaudible 04:46:52] recommendation saying it seems like we're [inaudible 04:46:56]. All right. So, the proposal is CUP F10.5, little i, little c, sub one, 37 hike is being converted to a recommendation that is as close as possible to where this would fit in the recommendations, unless anyone has a specific spot right now.

Greg: I would point out there is a somewhat similar recommendation in the legal land use section. I don't think they're necessarily in [inaudible 04:47:46] but they do cover similar territory.

Sam: Well, I suppose taking the time to reconcile the two, let's add it as a CUP recommendation. Ed, Catherine, do you have any specific suggestion where you might like it?

Catherine: Could look while we move on to the next thing, but I agree with it moving to a recommendation by effect and wondering how it ended up here, because I remember the discussions here. But ...

Sam: Yeah. Well, it could have just been transposition of the document. So, we're changing it. CUP F10.5 to CUPRX.

Catherine: Something.

Sam: X, and we'll figure out where it is. One, two, or three, please. Marge?

Marge: [inaudible 04:48:36].

Sam: Okay. All members present including Louisa on the Zoom are voting one, and we're moving it to a recommendation. All right. [inaudible 04:48:52]. F12. It seems like a similar recommendation to the person who voted three in one of the most recent ones. It's XXX name of specific ...

Ed: Can I kind of respond to both of them?

Sam: Yeah, go.

Ed: I read it as we should have done this. We should have had specifics, and we did. They're in the appendix. So, we went document by document and there's a list of 39 instances that we used to come up with these kinds of findings and recommendations. So, our homework was done. [inaudible 04:49:54] take a quick look or you're [inaudible 04:49:57] having too much paper.

Sam: So, [inaudible 04:50:06]-

John: See, that might've been me that I ... It was a while ago, but I think I may have done that because it seemed like a blanket statement. That's why I might've put that. So, what Ed just said makes sense to me.

Sam: So you feel now that you're retiring like confessing now? Is that [inaudible 04:50:23]?

John: Yeah, I want to get it all out.

Ed: [inaudible 04:50:27].

Sam: All right, so I'm going to make a facilitator suggestion here on this F12 that after the word "other government agencies", put see comma appendix X, whatever that's going to be. Are you [inaudible 04:50:50] Greg?

Greg: Yeah.

Ed: So it's the table numbers on that piece of paper so you can get the right reference table [inaudible 04:50:57].

Sam: So it's appendix something, table five.

Ed: Yeah.

Sam: Okay, so we'll have to have that filled in. And then make that same change to the one that John first confession. Going to cover all his sins, so where was that? That must've been ...

Ed: Was it F3 or 2 or something?

Sam: No. It wasn't 10, I don't think.

John: F2.

Sam: F2?

Ed: Yes.

Sam: Yeah? Okay.

Ed: And that was [inaudible 04:51:53].

Catherine: So I can poll on that one.

Sam: F12. So with that ...

Ed: [inaudible 04:51:58] I guess mine. CUP 12.

Sam: All right, we're going to pull on CUP F12 with the inclusion of the cross-link to the appendix and the table number. All members present including Louisa are voting a one on F12. Next up is F14.5. F14.5. So we have two twos here.

Greg: Sam, can I ask a quick question? On the last one, did you need to re [inaudible 04:52:55] two or should we just add the appendix?

Sam: We're adding that on. No one's opposing that.

Greg: Okay. I'll do that now.

Sam: All right. So, this is new. Two people voted three.

Speaker 40: Yeah, Sam, we could get to a one, removal of the last two sentence. [inaudible 04:53:16] opinion based.

Sam: And those last two sentence are this has resulted in a sense that the rules of the game have changed without notification or that what was authorized to occur at the landfill was altered without a public review process. This says undermine public trust. So ...

Catherine: [inaudible 04:53:41].

Sam: So, as I understand it, Ed and Catherine, your motivation for the last two sentences was simply more of a communication piece that things that were done back in 1983, they got superseded if you will by the 1992 Supreme Court case. Correct?

Ed: Well, that was only one of them. It was just three [inaudible 04:54:28] identified. The Supreme Court case was one of them. But it's [inaudible 04:54:41] can be that ... Something goes through a public process, has a lot of attention and gets agreed to, and then everybody goes their separate ways and then something happens. So the folks that went away don't necessarily get the information that things have changed and superseded or deleted. And that's I think [inaudible 04:55:23] is probably something that sounds a little bit underhanded, and that's not what the intent was. It [inaudible 04:55:35] something in ... changes over time that had not necessarily been noticed in public [inaudible 04:55:50] undermine public thought. Of course I could see where some of these words would be troublesome now.

Speaker 40: If I may, Ed, is there any consideration here to maybe working that into your member statement? I presume you're going to do one?

Ed: Oh yeah, it's going to be in there anyway. Yeah.

Speaker 41: Or the part of the education piece. Right? Because it's-

Ed: Part of what?

Speaker 41: Part of the education piece because really, this is just a communication issue. This isn't really anybody knowingly being distrustful.

Ed: Oh, no. No.

Speaker 41: It sounds like a communication piece issue. And I think it need to just either push it to the education portion or soften that whole thing, because it does sound a little bit like ...

Catherine: So would it be okay to eliminate the rules of the game, then have it state, "This has resulted in ..." Oh. A sense that the rules of the game. So, let's amend this. This says resulted in changes. Okay, so [inaudible 04:57:01]. Sorry, guys. Especially the [inaudible 04:57:03].

PART 9 OF 13 ENDS [04:57:04]

Katherine: Blue on pink is hard. Sorry guys, especially [inaudible 04:57:05] This has resulted in changes with notifications that what was authorized to occur at the landfill was altered without public review process. I think that's safe to say in testimony that the records that we have reviewed, but that's not an opinion, that can be a finding. I think we could eliminate the "in a sense that the rules of the game have changed" and just compress that sentence. I'm not necessarily, I think that this will support the communications space, but I don't know that I... Knowing how

we came to the conclusions of this finding, I'd be hesitant to just eliminate the statement.

Sam: So what is the specific sentence you're proposing in lieu of the sentence that begins "this has resulted"?

Katherine: So this has resulted in changes, I think it's supposed to be without notifications. Hang on. Sam, it's not my fault. This has resulted in, so strike "in a sense that the rules of the game" and state, "This has resulted in changes without notifications of what was authorized to occur at the landfill without a public review process." I think we've been strike also the "has altered." So it's really condensing the sentiment of there's been a series of changes and there is no record of notifications or public, and there are raising concerns or rising concerns intermittently throughout the record and certainly at present point. So this would just support any, if we were to leave this, which would be my preference, having reviewed the documents that came to this finding, this would support any similar outreach and engagement type recommendation.

Ed: In the court that this has undermined public trust is kind of like based on, what do we have at four and a half, six hours of public testimony? Probably 90% of it has been, I don't believe you. [inaudible 04:59:26]

Russ: So that's totally there the I don't believe you. But I don't know that we can say 51% majority of undermining public trust. [inaudible 04:59:35] if there's any measurement of that. So I think if we can just drop the "public trust" and work a little bit more on Catherine's proposed languages, language changes, we probably get the other thing. I don't know. You guys may know. I personally don't know if there were notifications before, maybe people just missed them, or I don't have that information. And so this sort of reads as if definitively there were not notifications.

Katherine: So if I can just comment on this space too. In observing the last few meetings where we are trying to come to some consensus on this, what's very evident to me is that because we worked, I would say, for most part successfully in our subcommittees, in this particular case, no one has the benefit of the breadth of the work that has gone in from our specific subcommittee, and that's true for any of the other subcommittees. I would just say that based on this work, we have been asked to give deference to each of the subcommittee members and their recommendations that this stay in place. I'm good with that amendment. I think we're okay with dropping "this is undermine public trust," meaning it doesn't necessarily need to be in the finding. It's evident but I will say that the public notification process and the engagement with the community and notifications of changes including ones that are bullet pointed here are not in the record. And that's what this is really about is a set of findings and recommendations to address.

Russ: That makes sense.

Sam: Okay. So I think the key is, and maybe this has been doing it here on the screen, we're removing the words "this has undermined public trust." The proposal is this has resulted, that's the back lady that's killing me, and changes without notification of, I would say, surrounding what was authorized to occur at the landfill without a public review process. So I think we're getting there, and that statement is true but changes happen with that. There would never be a public

review process that we're talking with the U.S. Supreme Court comes down and overrule something that didn't proceed a public review process in the sense of community involvement in a board hearing and what have you. I think what your people are trying to get across is when there are meaningful changes, let people know and tell them why, right? I mean things change. Let them know and tell them why. And depending on what is the motivating factor, there may be a public review process, there may not be, and it's a function of what it is. So I would think just taking them one at a time.

Katherine: So is your statement to the phrase "a public review process," are we better to look at that as a public engagement process?

Russ: Communication.

Sam: All right.

Speaker 44: Communication education.

Sam: Yeah. What I'm hearing-

Daniel: [inaudible 05:02:59]

Sam: Okay. What I'm hearing everyone say is that look at when the county takes an action, it creates an expectation. When a subsequent action either motivated by the county or external the county happens, that changes an expectation. Notification of that should be made. And when there is already established opportunity for a public review, that be part of it, right? That's what you're trying to say here. So I think it's without a public review process, if one is available.

Katherine: Are you recommending a significant change to this language, because this language does support what you're saying? I don't know how I would rephrase this, how much time I want to spend wordsmithing it. I think we're saying the same thing. If we want to spend time nuancing it, I think we can. It is about communications. It is about public review also where appropriate. It is about public engagement generally.

Sam: Okay. But I was just trying to tee off what other people were saying about changing into notification to do it. So let's vote on it as it is on the screen here.

Katherine: Sam, you might have a public notification process.

Sam: Pardon me?

Katherine: A public notification process. Is that must get word?

Russ: I think that's stronger. I think it captures kind of both sides of this coin.

Speaker 44: Louisa's trying to tell you something.

Sam: It is. Why don't we just let Louisa tell us orally because the screen flashes in the chat too quickly for us to read unfortunately?

Louisa: You might be doing just what I was going to say. I just don't think we should take the public trust part out, but the undermined word needs to be changed. So it sounds like you're now doing what I wanted to say maybe. Definitely acknowledge that the public trust part.

Sam: To ensure public trust, you can frame it positively.

Russ: That works.

Sam: This has resulted in changes without notification what was authorized to occur at the landfill... Well, we didn't-

Katherine: Without a public notification process to ensure public trust.

Sam: Okay, put that in. So I guess what I'm saying is this is stating it in the negative, and I'm hearing other people around the table saying, wanting to state in the

positive to make the same point and it is. When there are changes that are made, the public needs to be notified and have an opportunity to be heard when appropriate in order to propose public trust.

Louisa: Except is that a recommendation though?

Sam: Well, it would be. Okay. So on this one, I'm currently brain-dead. So someone who wants to make some change, otherwise, we're going to vote on it as it's on the screen.

Katherine: So Sam, that seems to lean more towards recommendations future. It does take out the past review of this subcommittee where we came to the conclusion. So it becomes more present tense in that recommendation, which is okay, but I don't know that I want to erase that historically where we looked this is what we found. And I don't know that it's enough to bring it to a whole nother finding as much as we could capture it here.

Sam: It's on suggesting that unless someone has a different language, we vote on it as it is on the screen.

Louisa: It doesn't really make sense though totally so.

Sam: How would you have it make sense Louisa?

Louisa: Well, can...

Katherine: [inaudible 05:08:28]

Louisa: Could we just say it weakened public trust or something like that? I'm trying to look for a synonym.

Sam: Under this new formulation, you wouldn't need a synonym because that word is gone. It would be a process to ensure public trust. This has resulted in changes at to what was authorized to occur at the landfill without notification or a public review process that would ensure public trust.

Katherine: This was...

Sam: All right. Let's go with if you can highlight that last sentence there.

Daniel: Yeah, I'll put it on together.

Sam: Okay. All right. What's the whole thing? We're pulling on all that. And that is F14-5, F-14-5, one, two, and three. Marge, all members present voting one, including Louisa on Zoom. Thank you. F-18.

Katherine: Oh Sam, can I interject just briefly? So the moving of the finding 10.5 would fit very nicely in recommendation 18.5 slot. It comes right after recommendations that have to do with similar assignment.

Sam: So you would put it right after 18, would become 18.5.

Katherine: Correct. So right between 18 and 19.

Sam: Thanks, Marge. All right. Our friend, F-18.

Russ: Yeah, to go from three to a one and drop last sentence beginning about 10. It's just we couldn't read consensus period.

Ed: Yeah, because it's already addressed by the legal subcommittee? Is that...

Russ: Well, it's a perspective that others don't share and so it sort of reinforces that we couldn't reach consensus, so why is it needed? We've got a sentence that says we couldn't reach consensus, say period after decisions and what's poll? And that would takes to one.

Ed: Well, the way we get at that is we took the number of cases that we had up until the 2002 date and said well, all of these are decided or governed by the MOU now as opposed to the individual case. So that's how we got to the 10 land use

matters and we had reviewed about 20 and the conditions of approval were just what's associated with it. So it was just more just fact-based.

Russ: Listen, I'm not challenging your math. I'm just saying there are people that disagree with the assessment about what's applicable, what's not, and we're among that group. And so in spirit, trying to reach consensus quickly, this is our suggestion. I mean, I'd fully respect this, that's your perspective and totally get you guys put countless hours, thankless time into it. Perhaps that could also go in your member statement.

Sam: Okay. So just to be clear, everyone agrees to the first sentence.

Katherine: So Sam, I'd just like to say that I think that that second sentence is our finding.

Sam: Okay. I promise to get there, all right. The first sentence everyone agrees to. So all the second sentence is doing that says depending on how you rule if you will on the 2002 MOU, it has a potential of impacting 10 land use matters and 53 Conditions of Approval. So Russ, you're not disagreeing on the second sentence. I mean that is the math. It's not saying that, and I think it is as a matter of fact true that if you interpret the 2002 MOU differently than the legal subcommittee did, then that is the impact.

Russ: Then let's say that. Let's say if interpretations are different than LLU number, whatever, then that's the impact.

Sam: Okay. So perhaps the... Threading the needle here is keep the first sentence as it is. The resolution of this issue potentially impacts, and then about 10 land use matters. This is awkward, matters decisions over half the decision. I'm not sure what that's trying to say or is it affects 10 land use matters, which is over half of the decisions and 35 Conditions of Approval. Is that the fact of the accurate statement as for Catherine?

Katherine: So I apologize, I thought you were finished when I interjected earlier, but I guess my point is this, the legal land use subcommittee has their platform to express their interpretation of this. I believe that between these two committees, we were reviewed at different set of documents that lead us to perhaps different conclusions. And we don't have the luxury of coming to consensus with all of those materials in front of us. This is the CUP finding. I do not think that we need to acknowledge another subcommittee's findings in our own conclusion. And I do support generally where you're leaning in that rephrase a little bit, but to me, especially the folks that is public, our Benton County commissioners, any members of our community that are going to be looking at this document later, going to come to that conclusion about how many land use decisions were impacted potentially here. And it seems important that we just capture it as a matter of a CUP finding irrespective of the disagreement about that MOU and the impacts of it.

Sam: That's exactly what this proposed language is doing is just rephrasing it. So no one's arguing against that. I think Russ said he was open to this treatment of it. So you would build beginning to a place that you could say yes, the resolution of this issue potentially impacts 10 land use matters, which is over half of the decisions containing 35 Conditions of Approval.

Russ: Can we do one small tweak between issue of potentially just say like comma, well a subject of debate, comma.

Katherine: We've already stated we have not reached a consensus on this.

Sam: That's the first sentence. Everyone has agreed that the first sentence is okay. The resolution potentially impacts them. That's the true statement. We doesn't say which way. It just is saying the point that I understood the CUP subcommittee trying to get across is the resolution of that MOU affects a whole lot of things, over half of the decisions which are 35 Conditions of Approval. So what was your suggestion, Russ?

Russ: You're correct, Sam. It doesn't specify how it impacts.

Sam: Yeah, it's your holiness. I'm bask in your brilliance and glory. You are correct, again. Thank you for enlighten me as to the way the truth and the life. Was that basically what you just said?

Russ: A little generous.

Sam: All right. One, two, or three as put on the screen. Mark one, two, or three on this. Everyone's voting one. That's what I heard, Russ.

Russ: That gets us to the end.

Sam: You'll agree? Is that what I'm hearing? Yeah, we'll wait after this. Okay we are on, are we at 19 now? Our friend 19. Is this a republic three that's suggesting a two or potentially one?

Russ: It is Sam, but I'm sorry, I need a quick second. Can you jump to the next example?

Sam: Excuse me.

Russ: Can we jump to the next one? Come back to that. Just kick it out of order from home.

Sam: [inaudible 05:19:39] our cheat sheet here so we know. That was 25. And so those three basically said I haven't had time to vet or review is the person who voted a three because they didn't have time at least as of the informal polling to vet or review here and ask.

Russ: Yeah, we can go in poll set.

Sam: All right. Are we on F-25, right?

Russ: That's correct.

Sam: All right. F-25, one, two, or three mark.

Katherine: Present.

Russ: Present.

Sam: Every member is voting one. We have Mary, Russ, and Sean voting two. You want me to go on 26th or are you ready to hop on that?

Russ: I'm not yet. I'm still...

Sam: F-26, new. Okay, so this is basically the same comment twice. So this must be a republic comment. That's going to be to three. So would you like to speak to that?

Speaker 42: Yeah, so I'll take the next one. The concern with finding 26 is that it leads the impression that we reduced our closure fund in the 1990s and does not address the bigger picture of how closure and post-closure funds work and what has subsequently happened over the last 30 years. So yes, on its phase, F-26 is accurate. However, when we closed a cell, we shipped money from the closure fund to the post-closure fund, because the cells closed so the money is not reflected in that area anymore.

So what actually happened in this situation is that the closure amounts were reduced in the closure fund but they were increased in the post-closure fund. In

addition, we update both the insurance and the amounts in the closure fund and the post-closure fund every single year. And those amounts are sent to DEQ and then subsequently approved by DEQ. So as a result the post-closure and the closure fund have in fact increased significantly from the 1990s. And now sit at 16.2 million for the closure fund and five point something million. I have it here for the post-closure fund, and I feel like this finding as written does not reflect the bigger picture of how post-closure and closure funds work. Closure funds go up every time we build a cell. Post-closure funds go up every time we closed a cell.

Sam: Okay, Audrey, listening to that, your comments on the general procedure.

Speaker 43: Well, this one and the one that Russ is working on, I mean if you want clarification, the clarification is that I mean the one Russ is working on, it's not funding that's necessarily given to DEQ if the landfill owner or operator can't afford to its money set aside for the landfill owner or operator to use if they have to do a worst case closure and then also to ensure they can close and maintain in post-closure a landfill.

So that's one suggestion for the one Russ is working on. And then for this one, you could add some clarification along the lines of what Ginger is just talking about, but I mean this is actually factual. I think the concern is that overall the thoughts about financial assurance are not really clear in site closure plan. So I'm not sure how to address it. Maybe it's adding a sentence that says something along the lines of every year as cells are closed or opened, the financial assurance adjusts to operate, close, maintain in post-closure. And if ever corrective action is needed, make sure there's funding for all of that. I don't know. That was a big long statement.

Speaker 45: That's what we needed, one sentence. Daniel, got it.

Daniel: Okay. I missed after, if ever...

Speaker 43: Well, what you could say is every year a landfill owner or operator has to identify the money needed to operate, close, maintain in post-closure, or if there's ever corrective action, have money set aside to handle all of that. The owner-operators responsible for making sure everything about the landfill can be accomplished with sufficient funding.

Katherine: So if I could comment on that.

Sam: Okay, let's capture it before we comment on, because I'm not sure [inaudible 05:27:00]

Katherine: The comment on specific to capturing it, that is not our finding. So what I would suggest is that we, I'd like what Ginger said and I think that this is a far greater topic that requires more than just a single statement that we did not find in our review. So it wouldn't fit in a CUP finding, but that we put a link to explain the greater context of closure and post-closure requirements, and we allow, whether it's Ginger or the republic team to develop an appendix, either statement or set up, whatever. Whatever you said would be great because most people do not understand post-closure, closure, or any of those requirements of financial assurances. Certainly outside of this group would likely to find you. So I am not comfortable with this being a finding. We did not conclude this, but I do think that pointing folks to more context to this is really important as we navigate this topic publicly moving forward.

Sam: Okay. So either way we still have to capture that concept so we don't lose it before we get to where it goes or doesn't go or anywhere in between. So Daniel, where are you other than putting in ellipses?

Daniel: Yes. All right my favorite, favorite technique. Two versions going furnaces every year. The cells are opened, closed or opened. The financial assurance adjusts to operate, close, maintain in post-closure, and if ever corrective action is needed, ensure ... I didn't get the rest of that. The alternative option was every year landfill owner-operator has to identify the money needed to... The landfill owner-operator I think needs to ensure... I'm not sure. I couldn't capture everything.

Sam: Well, and now she's being...

Speaker 43: Oh, Ed was first.

Sam: We'll come back to that Ed.

Ed: Yeah. What Catherine is suggesting is separating the concept because they're once fact based. And when you get to the every year part, I was trying explain the process and they should be separate. And as you pointed out to go to an appendix, where that came from was a review of DEQ files. When you start going through this, you see letters from a bank. What is a letter from a bank doing in this file? And it's approving the transfer out of the financial assurance fund to pay for the cost of closing a portion of the landfill in 1994 maybe. It was just a recognition that that money can come out and it was reduced because...

PART 10 OF 13 ENDS [05:30:04]

Ed: ... and it was reduced because the landfill owner at the time said, "I've closed a portion of it. The EQ agreed." The bank said, "Okay, you satisfied it. Here's your money." I think it was like a million four, or something like that. That's all I was trying to convey, that this goes back and forth. It was just a simple finding. So I can give you the paperwork if you want it, but I don't have it in that-

Katherine: I don't think anybody's questioning the validity of this particular statement and finding. I'm just pointing out that because it ends with, "These amounts were reduced in the 1990s," it can lead, and it does leave in my opinion the impression that the funds have been reduced and stayed reduced, because we don't reflect the fact that they're updated every year per requirements with DEQ. So every year, as Audrey just said, we are required to identify the money needed to be solvent in the closure and the post-closure fine.

Ed: And that's where Catherine's suggestion of putting it that explanation somewhere. Put something in. The amounts are adjusted every year. Please see such and such for an explanation, just kind of-

Sam: Timeout. Okay, there's three actual conversations going on at the same time. All right, but before I try to wrap this up and put forth a suggestion that I think could work, I saw Liz's hand up, and then John's hand up.

Liz: I think it's completely fair for us to add to your findings. I think we've been adding and expanding on people's findings or doing links. I think it's okay. It doesn't disrupt your overall message, so I disagree with that point, Catherine. I think we can clarify a little bit more. We understand what your point is, but I do agree that it leaves us hanging, looking like maybe the funds were spent and never replaced. I don't think that that was your intention. So I think we can update a little bit-

Katherine: It's just an indicator of what documents we were tasked with reviewing. It's not a matter of whether or not it fits here. It's literally, these are the findings of which we were tasked to review.

Liz: But you guys did the same thing to our findings too, right? We reviewed what we did and found our findings and you-

Ed: Oh, you did it first.

Liz: I'm not saying it's tit for tat. I'm just saying this is part of the process. This is what we've been doing, is finding compromises. Right? Allow us to have compromise.

Katherine: This is not a finding from within our review of documents, and that's the challenge.

Sam: Okay.

Ginger: So Catherine, just for clarification, are you saying-

Sam: Wait. Ginger, it's not your turn.

Ginger: I have one question. It really speaks to what Catherine's talking about here. Are you saying that you did not see or have the ability to review any closure or post closure reports for financial assurances from sometime in the 1990 throughout 2000 to 2010 into 2020? Because that's 30 years more of documents that could have been reviewed.

Katherine: So I'm saying that this is the conclusion of our group with the documents of which we reviewed. Some of the documents came on Wednesday before the Thursday when we started this process. I think it's very appropriate for us to link to another set of, really the broad scope of what you're talking about, because it's an important part of your narrative to explain to the public what are concerns that we're hearing are landing in this space.

If we can use this finding, here's the finding that we've included based on our assigned work on the documents that we were given over 50 years, which do not include what is now being proposed to be added. It's not a finding. This is everybody else's interpretation. But I think this is the perfect opportunity to take that finding and point to something that we could never capture in this finding, which is all of the nuances and all of the details that you are talking about, because it's an important answer to the question of closure and post closure, which continues to show up.

It's not just in this finding. So I don't have an issue with us pointing to that space, and in building a broader set of context and documents. I do have an issue with us placing it as a finding when in fact our subcommittee did not conclude that finding. This is just a finding. So using it as a tool. Right?

Sam: Okay. John?

John: How about landfill closure requirements are complicated or something? Or something. "See appendix," whatever. I'm kind of trying to get in the middle here. I'm okay with this language if it was somehow condensed. But I'm also understanding, I'm trying to compromise over here. So let's lead to a appendix that really has the full explanation of how landfill closure happens, and what are the... all the different way the money goes and all the details. So if someone really wanted to find out how that works, they could. But say it here, because it's important here. Okay?

Sam: The problem with that is I'm understanding that there is no explanation in the appendix anywhere of what there's any. We would have to create that, right?

Katherine: So even what Ginger said was super helpful. Is that not something that could be drafted for this purpose? That would be-

Ed: Yes, we're all about public education. Yes.

Katherine: I mean it would be far greater than anything you could land here, and a greater context or a greater explanation of closure and post closure processes is provided here. Is very appropriate in this. That's not a finding statement. That's leading people to other information and understanding of this process.

Sam: So let me try to help. I promise to get you, Audrey. What I was trying to do, because that didn't work because of the passion apparently surrounding this, is simply get Audrey to finish her sections that Daniel didn't catch up with. That does not mean that they would be added to that finding.

It simply was a process technique to figure out what could work. Then the next question is, where does it work and put into it. Second macro point, because this has come up and I wish I had done this sooner, is that at this point, these findings and recommendations are of the work group. They're not of the legal subcommittee, the CUP subcommittee, the LLU subcommittee. They are what you as a team are putting together.

I'm hearing no one say that whatever we give out by way of findings, that they'd be accurate and tell a full and balanced story. The only issue is, how do we go about doing that? So my plan, which I hope you give me some indulgence on, is to first get Audrey to write down what she believes the process and procedures are. It just happens to be on this piece of paper, because that's what we have on the screen. It doesn't tip our hands to inclusion or exclusion. Get that nailed, and then we can proceed and see how to go. So, Audrey.

Audrey: Daniel, are you ready?

Sam: Okay. And do this at half speed.

Audrey: It's a suggestion starting over. I suggest saying something along the lines of closure in the 1990s met DEQ closure requirements utilizing the financial assurance available to the landfill owner.

Sam: Okay, slow down a little bit, because he can't type as quickly as you can talk. Met DEQ closure requirements.

Audrey: Utilizing financial assurance that the landowner had. That's the bank statement you saw. I think the next piece is to say ongoing construction, operation, maintenance of the landfill has to meet DEQ requirements and maintain financial assurance. For explanation on financial assurance, see appendix. What do you think?

Sam: Okay, just take this one at a time. My first question is, is there anything in the appendix that we're likely referring to? Because I'm not seeing anything.

Ed: Yeah, it's like when you're referring to appendix, actually, there's nothing in the appendix.

Liz: There isn't an LLU2.

John: LLU3 finding 3B has a brief explanation of what these funds are going for.

Sam: Okay. So you would have to, instead of saying "See the appendix," you would say-

Liz: LLUF3.

Sam: ... "You would put the specific finding," which is then linked to an appendix for other purposes. I'm just trying to-

Ed: Just there's even more, because Brian addressed this issue back October ish. So in the appendix for the CUP, there's an appendix that goes through all of that.

Sam: Okay. So let's just-

Ed: I just can't find it fast enough in the paper copy, but I'm going to find it.

Sam: Okay, so we're going to put, "For explanation of financial syringes is see LLUF..." is that 30 B or 3B?

John: 3B.

Sam: "3B, and..." Then we'll do it.

John: Well, I mean, it'll take a while.

Sam: Yeah, and we'll put "Dot, dot dot, see Ed. Go see Ed. Go see Ed. Go see Ed."

Katherine: Yeah. Three sentences isn't very good.

Sam: All right Catherine, while he's looking, one of the points I heard you say, and I'm trying to make sure I heard it correctly is, you believe it's important to keep this... Financial amounts were reduced to reflect closure, because that's all you found in the documents. That's what you found in the documents. Ginger asked you a question. Were all the documents up to the present reviewed? Does that lead to a different finding or a different result?

Katherine: Well, so we're not making a finding on a presumption that there's documents we couldn't or did not review. Our subcommittee was a very different in that it was to review compliance of past land use decision conditions of approval generally. That's what we did. We didn't choose to interpret them. We didn't choose to... I mean we looked far, and deep, and wide, and I think you can speak to that. The amount of work that Ed in particular did in working with DEQ to go through and look at documents, there is no way for us to conclude solidly that we've looked at every document, because we wouldn't necessarily even know where to ask for every document.

But what is important about this subcommittee is that we weren't coming up with proposals, or ideas, or recommendations. We were literally looking at the publicly made available record of the land use process. This was just a simple finding that we came to. It isn't really a debate issue, and I think it's really useful for us to point to further resources on closure and post closure. It's literally the finding that we came to a conclusion of.

Sam: So the pushback you're getting... and my job is to try to get you together as much as possible, is that this statement on its face doesn't say... Which may help, may not. "Based on the records the CUP subcommittee reviewed, we believe this statement is true."

Katherine: Mm-hmm.

Sam: If you have other records, or DEQ has other records, that come to a different conclusion on this, then I think if you cite them like we used the citation to solve other findings and recommendations earlier, that is something we should consider. But it's the absence of the statement. On the face, the statement says, "Period." What I'm hearing is, based on the records you reviewed, this is accurate. It doesn't mean the opposite is inaccurate.

Katherine: This is all true. But as we were discussing, I forget which topic and subtopics we had that Greg was helping us with. In our introductory statements on all of our findings and recommendations, they're based on the review of the documents that we were provided. So unless we're going to make that statement because

we feel it's important for every one of our findings, because it is in fact the overarching statement and the task of this work group, it seems redundant to place it here specifically for a reason that I think we can point to the other materials to support this particular set of findings. This is all we were able to conclude.

Sam: Okay. Ginger?

Ginger: I would suggest that in the interest of not being... keeping all of these hardworking people here all night, we pull on this as is and following Catherine's suggestion, we can address this, and that person come up with additional citations.

Sam: Okay. What will be put in yellow is whoever is driving. Yeah, this is what's in yellow. It is the original statement, plus Audrey suggested two sentences. Ed, did you have time to find the CUP appendix so we can make that complete?

Ed: No. I'm three quarters bring dead.

Sam: Well you're more alive than me.

Ed: Yeah. I think we're making it too complex. Everything that Ginger said, these reports, there's other things that weren't part of the review, this was just part of what came out of the DEQ portion of it. Brian Fuller in October laid out the financial assurance thing. Then it goes up and down. It probably happens. We need to look at the numbers that closely.

In the discussion back in October about closure of... There was one [inaudible 05:46:05] that had closed cells on it. We talked about white men. I think it starts getting too key. I'd stop it at... there's addition. Stop it before you add the... Fine, closure in the 1990s and currently meet requirements for financial assurance. If you're trying to assure people that things... that there's financial assurance, then you can say something like that. We didn't review it for whether it's adequate. What we did review says it's inadequate, because it doesn't cover reclamations. It only covers reading DEQ's requirements, which are not the land uses that the comment required.

You see what it opens up when you keep hearing it back? That's what we're just trying to say, "Okay, this happened. I can see where you could be worried about it, because somebody would say, "Well what's happening now?" You've addressed it partially in the LLU.

Sam: F3B.

Ed: If you even just refer to LUFF3B in comp appendix, whatever I find. I think that's it. You're just going too far.

Audrey: Sam? Sam, can I make one modification based on what Ed just said? Take out the second last sentence.

Katherine: The "Starting with the closure"?

Audrey: Starting with "Ongoing." Because the closure was done. Your document said it meant DEQ's requirements, but just take out that.

Katherine: So that's an incomplete... What's that sentence starting with closure going to say then? Oh, there it is. Nevermind.

Sam: So hit Control Z and let's see it back what it was, because it's not making sense at this point.

Audrey: That makes sense. Well you could, to make it make sense, you could say the landfill owner utilized existing financial assurance to close to meet with DEQ requirements. That's what I was trying to say.

Sam: So what...

Audrey: And then take out that "Ongoing construction" thing, because that's where Ed said it went too far.

John: Is that what you said?

Audrey: Yeah, to meet DEQ closure requirements. Because what Ed's trying to say is it doesn't necessarily meet land use requirements, but it met DEQ requirements. Then take out the next sentence and... Except yes, yeah. There.

Sam: Okay.

Audrey: Is that better?

Sam: Catherine?

Katherine: Yep. Yes. Thank you, Audrey. I'm just... So when I see this for explanation of financial assurance, because again this is the opportunity to take somebody looking at this to the next space. So LLUF38 and the CUP appendix, will that include some of the narrative of what Ginger was sharing? Because I do think that really captured it really well. Put it together in a nice package with the bow on it. That might help support LLUF38 and the CUP appendix. Will we include that as well? I mean I guess that's an ask.

Sam: I don't know what is in the CUP appendix or LLUF3B. So-

Speaker 46: We were unable to find the appendix, but LLUF3B had a three paragraph general description of what closure, post closure and site maintenance, how that relates to financial assurance costs. So it's pretty general and pretty...

Ed: [inaudible 05:50:47] Luisa's poling. There's another question. Luisa, the poll is, does the facilitator look like George Clooney? We're saying he's voting-

Speaker 47: I just have to leave for a sec. That's my vote.

Ed: All right.

Katherine: That's it. That's it. Right.

Ed: You go, guys.

Speaker 49: What are we waiting for?

Sam: The poll.

Liz: I'm kind of just enjoying Luisa's number one up there. The whole green thing on them all.

Audrey: Well, if it's just getting to 100% on anything-

Katherine: I like the way she's thinking!

Liz: Me too.

Sam: Okay, we just have to move on. I'm going to suggest that you give staff license, that if there is a specific CUP appendix, that it'd be cited and put in there. We don't have to... because are anyone in the room going to go to that appendix tonight and look at it to make sure? No. So let's poll one, two or three on the language recognizing that staff has authority to fill in the appendix. So we have Chuck, Liz, Marge as ones. Russ and Sean as twos. We have John, Ryan, Mark, and Catherine as one.

Katherine: Wait, no. Wait. Yes.

Sam: As a one. Luisa as a one. Ed, what are you voting?

Ed: One.

Sam: One. Okay.
Ed: Thank you, Luisa. Sam, whenever you're ready we'll go back to it.
Sam: Thank you. Let's go back, find F19.
Audrey: So close.
Sam: Are you trading votes over here, or what are you doing?
Audrey: We're super into it, so I don't know.
Sam: All right. We're at F19. Republic?
Speaker 48: Yeah, originally three. Could go to a two, potentially one. It took a little bit. I appreciate the indulgence just to look at in the real time draft provisions. Basically, everything after for example, there's a lot there. A lot of it is sort of DEQ purview. We just needed a little bit of time to think that through.
Our issue is really just with the last line. In the interest of expediency, I think we found some language that we believe would move us to the left here. So the proposed language in lieu of the last sentence beginning "With the current proposed plan" would be "Republic prepares annual plans to verify there is sufficient financial assurance per DEQ requirements." Happy to read it again.
Sam: Go ahead and read it again to make sure we got it.
Speaker 48: Republic prepares annual plans to verify there is sufficient financial assurance per DEQ requirements.
Sam: Okay. Let us pull on the modified version of F19, which includes striking the previous last sentence and adding a new one. One, two, or three. All members present are voting a one, with Louisa voting a two. F26. F27.
Speaker 48: Yeah, that one was also me, and maybe I was drinking some of Ed's wine. Feel like it's unfair to be... I realized, it's a finding, it seems a little unfair to be calling something out 20 years ago. But in the interest of getting this done, we can move from a three to a two.
Sam: Okay, we'll need to poll on CUP F 27.
Ed: Does anybody want the background information?
Sam: No.
Audrey: No.
Sam: Apparently not would be my sense of room.
Speaker 49: What a facilitator.
Sam: Okay, we have-
Katherine: Oh, wait.
Ginger: 27 and 26.
Katherine: 27, right? We're talking 27?
Sam: Yeah.
Katherine: So our task was to review the compliance of the record of the application decisions approval. Calling out something 20 years ago was part of our charge.
Speaker 48: I'm aware of that.
Katherine: So with respect to that space and trusting and stating with assurance that Ed has done his homework in this space, and I don't know if even those of us on the subcommittee have the same depth of knowledge, and certainly not this work group not having had the opportunity to review what we have had.
Sam: Catherine, you're about ready to win this one.
Ed: Yeah, you know it's all your head.
Sam: At an old trial, a judge once told me when you're winning, stop talking. So now-

Katherine: I just want to make sure that we're not making a statement that 20 years ago, compliance issues were not part of this task. They were.

Sam: It's being voted on literally as it is on the screen here.

Katherine: Excellent.

Sam: Everyone is voting. Well Catherine, you haven't voted yet.

Katherine: Me, and myself and I.

Sam: Okay, so everyone is voting in one, including Luisa with Russ and Sean voting two. F29.

Speaker 48: Yeah, so on that one, we were... It's kind of the spirit of the same thing. I get it. You guys were reviewing one particular document. There's been updates to include most recently in 2020 DEQ. So again, just taken out a context, a little unfair. But in spirit of getting done, we will move to a two.

Sam: Okay, let's poll on CUP F29 as written. So we have everyone voting one with three twos. We have the twos being Luisa, Russ and Sean.

Ed: Actually, that's a good story for the rental operator.

Sam: Good.

Katherine: Ed, also, this was a space... And so Russ, I know we had this conversation just in the interest of addressing potential concerns preemptively. On this particular finding was some sort feedback about hazardous materials that might be required to go to [inaudible 05:59:46] that wouldn't normally be part of our acceptance policy, but might fall under other authorities. We were talking specifically about the contaminated waste and soils that these replace.

Speaker 48: We did. I love to talk hazardous waste, but I think I'll get death stares this late.

Katherine: The only reason I bring it up is you were going to come back with that.

Speaker 48: You are correct. Would everybody like a paragraph written summary to tie that off, versus elaborating now? Or do you want me to go there?

Sam: A paragraph summary on what?

Speaker 48: On hazardous waste. She's correct that we talked about hazardous waste, and it was two, three meetings ago. There was on the homework assignment saying that you gave me at that meeting, that was one of them. The conversation never came back around to it. Catherine's not incorrect. We did say that we would talk about it. I'm just saying how about I submit a paragraph or two.

Katherine: A paragraph sounds great.

Speaker 48: Thank you.

Sam: You're submitting that for purposes of putting it where?

Speaker 48: It doesn't matter to me if it goes anywhere other than your email inbox, because we committed to responding. I don't care if it goes in [inaudible 06:00:56].

Sam: It's going to go in the email because this thing's getting out to the people that do making it pretty later. Somehow, I have F20 on my list, but I'm not seeing-

Liz: It's 30.

John: 30.

Sam: It's a typo. F30.

John: Those are the records that were available for review on the two days that I looked at them. So yeah, the other title reports are submitted quarterly. I just couldn't grab paper copies or electronic copies at the plant.

Sam: So I'm still trying to find it on my list here. F30? So is that what...

Ed: The wording problem is... I'm sure they're available because they've been submitted in DEQ's files. That section of the files was not available the day that I was reviewing.

Speaker 48: So point of just frustration. Had I known that, I'd have figured out a way to get them to you. I mean, again, it feels like a little unfair that there's a knock as if we are somehow-

Ed: It's not a knock.

Speaker 48: That's how it reads. A year or two from now, somebody new comes to county staff and reads it-

Ed: But we have to-

Speaker 48: Then that's how it's going to read. And so again, it falls in the category of unfair in my opinion.

Sam: So could we add, "Republic is willing to provide them"?

Speaker 48: Sure.

Sam: To that language.

Liz: My father's waiting to park.

Audrey: I sent him to Inga.

Sam: So that was the other-

PART 11 OF 13 ENDS [06:03:04]

Catherine: ... I sent them to Inge.

Sam: That was the other thing that I was following up with. Ed, you had sent an email last ... I'm making this up, Wednesday, asking if those files arrived. You sent all of those files to Inge-

Catherine: Yeah, twice.

Sam: ... by what mechanism?

Catherine: The FTP site, and through a public records request we made them available.

Sam: You did that roughly when?

Catherine: December or January.

Sam: No, this is stuff ... There's two things going on here.

Catherine: Okay. Maybe I'm not understanding you.

Sam: There's two sets of DEQ records. The one that I'm referring to is ... Ed went down to Eugene and looked at a bunch of things that someone was going to copy or electronically put together and send to Inge so they are uploaded to the website for cross-referencing.

Ed: Right, and those are partially received. Some of the older ones haven't been scanned yet. These were, if anything-

Catherine: These were not what you looked at.

Ed: Right.

Catherine: These were not what you looked at, because I got our stormwater staff to send me the last few quarterly reports. I uploaded it on the FTP site to Inge, and we also put it in the public records request on DEQ's website. The air permit is available on our website already, and the reports for the air permit are on the website.

Ed: Can we just get rid of this? It's causing too much [inaudible 06:04:52]

Sam: Okay, so the motion is to ax F-30. Any disagreement? I hear no disagreement-

Catherine: I'm feeling uncomfortable that I caused-

Ed: No, it's just that [inaudible 06:05:07] we'll fix it.

Sam: All right, so-
Audrey: [inaudible 06:05:11]
Sam: No ... Well, yes.
Audrey: I'm sorry.
Sam: No, don't be sorry. [inaudible 06:05:21] we vote F-30. I was just getting too exhausted.
Daniel: The removal of F-30.
Catherine: Yes.
Sam: F30, begone. This is the proposal ... Louisa, what was your vote, please? Everyone voted 1, including Louisa. Thank you [inaudible 06:05:40] all right. Let me just take a second here ... We have dealt with any findings and any recommendations where someone has voted in the preliminary poll a 3 and resolved them. Apparently, we have one left, and what is this now ... CUP-
Audrey: I believe Ed was going to work on some edits and we were going to circle back to that one.
Sam: Okay. Ed, you were supposed to work on some edits on CUP R-7?
Ed: [inaudible 06:06:28]
Daniel: Do you promise this is the last one?
Sam: No. We have a couple other quick things ... We have to do the history piece, we have to do the executive summary, and I have to do a ... Let me do that while Ed's looking for that.
Daniel: LSCL [inaudible 06:06:48]
Sam: LSCL-
Daniel: [inaudible 06:06:48]
Audrey: No, we did that one.
Speaker 50: We did that one.
Audrey: We agreed.
Sam: Let's look at our polling to see if they have it.
Audrey: We voted. [inaudible 06:07:29]
Sam: Okay. [inaudible 06:07:29] get some polls out here, some new polls [inaudible 06:07:29] question one. Is there any member present that wants to change any informal polling, meaning where you voted a 1 on findings, to something that's a 2 or 3 based on what you heard today? Is there any person here that, now that they've heard all the 2s and all the 3s, wants to change their mind on any informal polling? I'm seeing no one. Just to make the record pristine in its clarity, to the extent we did not cover a recommendation or finding because there was a 3 or a 2, you are converting your informal polling on all other issues to permanent polling because nothing has changed? I need affirmative yeses from everyone. Jack?
Speaker 52: That's fine.
Sam: Yes.
Speaker 52: Yes.
Sam: Liz, yes. Marge, yes. Russ, Sean, yes?
Speaker 53: Yes.
Sam: Ryan, yes. Mary, yes. Ed, Catherine, and Louisa ... Okay. While Ed is working on that, we need-
Ed: I think I have it.

Sam: You have it?

Ed: Yeah. It's the same one we added before. In 1983, the one that Catherine gave you the ... where to insert it. It just goes in the ... It goes in R7, and it goes in the legal findings. I guess you put it in the legal findings already. It goes at R-7 [inaudible 06:09:28]

Sam: Let's just make sure everyone's on the same page. CUP R-7 is what's at issue.

Ed: Yes.

Sam: That is, "Determine if the site narrative included in the applicant submittals," dah dah dah, "are regulatory conditions the landfill is required to follow." We have had an informal poll on that ... We have not had a formal poll on that.

Speaker 50: Yeah, we did.

Speaker 53: We did last time.

Speaker 50: We did last time. That's why [inaudible 06:10:11] in purple.

Speaker 53: [inaudible 06:10:11]

Ed: Down below.

Sam: Okay. What is your proposal, Ed?

Ed: It was that ... That wording right there inserted as ... Is that already inserted?

Sam: It's inserted in another one.

Ed: Okay. That would come into the CUP finding, also.

Sam: Okay. The proposal is that you would ... What section are you in? Whoever's driving-

Daniel: I'm just taking this into CUP R7, the language proposed by 3s, I'm typing this in ... I'll probably make it a new row if it's going to be a new vote or a finding.

Sam: Yes, it is going to be a new ... because he's suggesting it go in-

Ed: [inaudible 06:11:09]

Sam: ... at the location you're about to tell me, Ed.

Ed: It would go at R-7.1.

Daniel: Do you want it in the recommendation or a finding?

Ed: I think we had it as a finding.

Sam: It is a finding.

Audrey: [inaudible 06:11:45]

Sam: Until you get to where you need to be, Daniel, that you can capture it ... I can't track as the screen is moving.

Daniel: I'll just try to make it a new CUP finding row, is that the idea? We can add this new language and poll on it?

Sam: I thought Ed wants to have that-

Ed: [inaudible 06:12:03] closely coupled?

Sam: I thought Ed wants to have that CUP finding added to the legal subcommittee findings.

Ed: I thought we already did that?

Sam: Where did you copy that language from?

Daniel: Ed sent an email with that language, so I copied it from that email and pasted it into this row for our reference purposes.

Sam: We already voted on this language once tonight already, correct?

Daniel: I thought we did. We talked about putting it in two locations.

Sam: Right, so we have-

Ed: [inaudible 06:12:47]

Sam: We have it in one location, and that is ... What is this? I can't see-

Daniel: Sorry. This is just the language that he sent that we're still looking at. I haven't added it anywhere else besides the notes for R7, because that was the request.

Audrey: Can we just [inaudible 06:13:04] reference to it that this particular ... the added language from earlier, rather than copying the entire language and adding it again?

Sam: That's the mechanical piece. Just really trying to make it clear, are you suggesting that this language be added as a finding in the legal section?

Ed: Yes.

Sam: Okay. This language needs to be copied or referenced, however you want to do it, and then placed in an LLU finding.

Ed: [inaudible 06:13:47] LLU F-22.

Sam: It goes in LLU F-22.

Daniel: All right. This is the language that already appears in LLU F-22 from earlier. We made a row and polled on this language specifically. I made a note to add a new finding LLU F-22a, so we polled on that [inaudible 06:14:19]

Sam: It is already in an LLU, so then the question becomes ... Are you asking it to be included in CUP R-7?

Ed: Yes.

Daniel: In CUP R-7?

Sam: As well. Both places.

Daniel: So added to the existing Recommendation 7 language for a new finding, for a new recommendation? That's the question.

Ed: It makes no difference. Whatever you would like. Whatever is easiest-

Sam: We'll do the same format that we did here, which is ... Is this an addition to or a separate finding?

Daniel: We polled to add an additional finding called F-22a.

Sam: Put it as an additional finding in the CUP language. We have to come up with a location.

Daniel: [inaudible 06:15:19]

Ed: That would be CUP R-7. It's to help explain R-7.

Daniel: So it is a recommendation, not a finding?

Ed: That's correct. [inaudible 06:15:45] acknowledging the discrepancies.

Daniel: Yeah, I [inaudible 06:15:49] the notes that we added [inaudible 06:15:52] so I'm just going to add a new row ... Well, this is 22 instead of 22a.

Sam: Note we haven't polled on it yet. All right. The proposal is ... We're adding a new recommendation to CUP F-22a ... Well, it's not F-22. It would be R whatever.

Audrey: [inaudible 06:16:52]

Sam: Okay. 1, 2 or 3 on that? Chuck, Liz, Marge are 1s, Russ and Sean are 3s, John is a 1, Ryan's a 2, Mary, Ed, Catherine are 1, and Louisa is a 2. All right, so that includes ... Just, again, to state the obvious, we are not going to have time to go through the 2s. All the findings and recommendations that we haven't already discussed where people voted a 2, we are not going to be able to attend to those, so I am proposing for your consideration that on our hit list here, any recommendations where at least one person voted a 2 and any findings where at least one person voted a 2 that you will maintain the same voting you did in your

informal polling, because we did not discuss them, so they have to stand as they are.

Chuck, do you agree? Liz agrees. Marge agrees. Russ, Sean agrees, John agrees, Ryan agrees, Mary and Ed and Catherine and Louisa agree those informal polls now become the final poll, with a big note that we did not have time to discuss them [inaudible 06:19:02] we have to make that real clear in the body of the report that we overtly polled to convert informal polling to final polling because we did not have time to [inaudible 06:19:19] accordingly.

All right. The history document ... If someone could put that up on the screen, please? As I mentioned [inaudible 06:20:01] email that Darren put forward a bunch of track changes before the last meeting. Those have since been quote-unquote accepted in track change language, and then there were three sections that garnered additional interest after that. [inaudible 06:20:29] it should be in track changes, the first of those three ... Oh, wait a minute. Look at that. I want to see that picture. What's going on here? We have two stars in the making. They paid the advertising fee, $29.95, to get their picture in there? That got snuck in.

Speaker 50: [inaudible 06:21:03] that's not in my copy.

Sam: Pardon me?

Speaker 50: That's not in the copy I'm looking at.

Sam: Yeah, I just saw it for the first time just now, too. We'll go back-

Speaker 50: [inaudible 06:21:19] incorrect.

Sam: A picture of you is incorrect?

Audrey: Are we voting on that?

Speaker 50: Yeah. There's a picture in there that was not in the document that we constructed.

Sam: Okay. Let's take them one at a time. I won't miss that. Let's take these three things, and then we'll have to look at the photos that were entered.

Speaker 50: [inaudible 06:21:40]

Sam: All right. This was the subject of email communications over ... I'll say starting on Thursday or Friday and through the weekend. There are ... Option one is the language in green, "A household well in sediments west of the landfill on the former Helms home site received sufficient contamination from the landfill site that the well had to be decommissioned under DEQ supervision." Option number two ... I'm going to get to you in a second, Marge, I promise. I know you had a subsequent conversation. Option two in striking the word "in sediments." "A household well west of the landfill on the former Helms site was decommissioned under DEQ supervision." It's my understanding that Marge and Audrey talked about this at a break or something. Did you come up with a third option, and does someone have that so we can type the magic words in there?

Audrey: Yeah. If you take out-

Daniel: [inaudible 06:23:25]

Audrey: ... add back in "received sufficient contamination from the landfill site" and "was decommissioned."

Sam: Okay. Let's find a place to put this in so we have it clearly typed in.

Speaker 50: You could just remove "in sediments" and "sufficient" I think were fine, right, Audrey?

Sam: There's two options. One-

Audrey: And was decommissioned. Just take out the sediments, because it's not sediments, and the rest was just [inaudible 06:24:04]

Daniel: All right. This is in strikethrough format, because there was [inaudible 06:24:08]

Audrey: Yeah, sorry. I did it in an email.

Sam: Okay, so highlight this in yellow so we know.

Daniel: You want me to highlight the whole thing?

Sam: Yeah, so we can see what options ... Well, not that part, because ... just the new sentences. Nothing else got changed.

Daniel: Okay.

Sam: Please highlight the words "a household" through "under DEQ supervision." That is the proposal that Audrey and Marge talked about at the break, so we'll start with that proposal.

Speaker 50: Can you repeat that sentence, please?

Sam: "A household well west of the landfill, on the former Helms home site, received sufficient contamination-"

Speaker 50: No. Take sufficient out. She didn't want sufficient.

Audrey: No, but I did take it out, because ... The idea is that there was [inaudible 06:25:24] landfill entered the aquifer and may have impacted the adjacent wells, and the wells were decommissioned. That's what happened. People were concerned that I was trying to make it sound better than it really was. I don't care if you leave sufficient.

Sam: What is the most ... not about feelings, what's the most accurate statement that you believe-

Catherine: [inaudible 06:25:52] aquifer and the adjacent well.

Sam: Catherine, I can't hear you-

Audrey: I don't want to edit it that much, because somebody else spent time on it. I think "A household well west of the landfill on the former Helms home site received sufficient contamination from the landfill site and was decommissioned under DEQ supervision" is-

Sam: Is accurate?

Audrey: It's accurate enough.

Sam: Okay. We've thought about this so long ... This has been the subject of ... You had some concerns about the word sufficient. What do you, Audrey, believe is the most accurate-

Audrey: I don't have the record of decision in front of me, and I don't want to edit it too much.

Sam: You want to keep the word sufficient in it?

Audrey: That's fine.

Sam: Okay. We're going to vote 1, 2 or 3 on that sentence as it is written. All members voting 1, including Louisa. All right.

Daniel: Can I delete the first option, then?

Sam: Delete the first two options, please. All right. Let's go to whatever the second highlight [inaudible 06:27:26]

Speaker 50: The second thing is to add the transfer of responsibility of solid waste management from Health Department to Community Development Department,

and you added it on page ... I'm sorry, I don't have a page number here, but you added it after a [inaudible 06:27:55] oh, you've got that? Okay.

Sam: Yeah.

Speaker 50: I'm fine with that, adding it right there.

Sam: Okay, so again, part of the offline meeting, not the formal meeting, but that BCTT email was copied on all this back-and-forth ... I think it started on Friday, does that make sense? Thursday or Friday-

Catherine: Thursday or Friday-

Sam: ... and went to yesterday. All right. It reads, "The Benton County Commissioners chose to transfer responsibility for solid waste management from the Health Department to the Community Development Department, effective July 1, 2019, as negotiations over the 2020 franchise agreement were underway." Any further discussion? Please poll 1, 2, or 3 on that statement. All members voting 1, including Louisa on screen.

Right, then. That should be ... The one right below it is the third and final one, as I recall. "In an email exchange with Republic Services representative Julie Jackson on October 14th, 2020, county counsel Vance Croney sought to clarify how the expansion across Coffin Butte Road would affect the lifespan of the landfill and also noted that Republic Services 'has many acres of EFU-zoned land that certainly can be used for additional cells but would require rezoning,'" and then a footnote would be that the County Talks Trash, or wherever Croney placed that ... Marge is going to help me with this. I'm going to say there's like eight back-and-forth emails over the course of this day in question.

Speaker 50: I just want to say that I have not seen ... Tonight is the first time I've seen this wording.

Sam: This is what Mark Henckels suggested in the compromise that he and Ginger agreed with. This is a quote from Mark Henckels.

Speaker 50: I object to it.

Sam: Okay.

Speaker 50: I have alternate wording. The reason that I object to it is that it mischaracterizes what happens here, that Vance Croney says ... "sought to clarify how the expansion across Coffin Butte Road ... " That's an opinion. That is not a fact. The way I would state it is it was noted in an email exchange uncovered during a public records request. This is another thing I have a problem with. It had to be uncovered in a public records request. The county and Republic Services never came forward and said, "We have been actively discussing the possibility of multiple expansions south of Coffin Butte Road." That was never acknowledged in the workgroup process, and I think had that been acknowledged six, nine months ago, whenever this started, discussions would have been different. I think that's a serious issue.

How I would say it is, given that it's 8:00 or 8:30 or something, "It was noted in an email exchange uncovered during a public records request that County Counsel Vance Croney discussed expansions south of Coffin Butte Road with Republic Services representative Julie Jackson on October 14th, 2020. They discussed how such expansions might affect the lifespan of the landfill and noted that Republic Services 'has many acres of EFU-zoned land that certainly can be

used for additional cells, but would require rezoning.'" Is everybody okay with that? It's 8:34.

Sam: I'm sure not everyone is okay with that is my sense. Ginger?

Ginger: I would just propose that we go with the language that is in there, since we've had multiple individuals agree to this compromise language and, as Sam previously hinted about 12 different email exchanges ... It was actually provided by Mark Henckels, who was one of the lead authors, along with Marge, of this subcommittee document. I agreed to it. The other members of the subcommittee agreed to it. Vance agreed that it was accurate. I see no reason to change it into something lengthier at this eleventh hour as we approach 9:00 PM.

Sam: For clarification, I did not hear an affirmative agreement or disagreement from Louisa or Mary on this point. That's the only correction that I would make to what Ginger said. They may have agreed-

Speaker 51: I sent you guys an email. I sent out an email at 5:00 yesterday.

Sam: Okay. Was it agreeing with this language or disagreeing with this language?

Speaker 51: It was agreeing with it. I actually liked Joel's suggestion of it being more broad rather than naming people's names, but someone would have to write that, so I said, then, "Mark's version is fine."

Sam: Okay. Before we poll on something here, the question is, what are the footnotes? You can do this without footnotes or you can do it with footnotes, and if we're doing it with footnotes, then I think it's the full email exchange between Vance Croney and Julie Jackson plus Vance Croney's explanation of his issues with [inaudible 06:34:49] the record so that people can make their own determination as to what was said.

I'll first ... just a quick ... taking a pause. How many people would like those emails attached or referenced as footnotes? Just raise your hand if you think they should be attached. We have enough people that ... I'm going to ask you, whoever's driving this, to put, "Add footnotes that link to the full email exchange and Vance Croney's email of X date ... " I'm going to say this was Thursday or Friday or something, and the staff has authority to go in and fix that, but it's not the ... There's two versions of the email exchange between Vance and Julie. One has like four-

PART 12 OF 13 ENDS [06:36:04]

Sam: ... One has like four back and forths and the other roughly has eight, and so I'm suggesting the full one because that has everything in it, then you can all decide.

Marge: Including the dates and times?

Sam: Oh yeah, it's that thing, it's a PDF right now that has like eight different-

Marge: Well, I think it should be back on this [inaudible 06:36:24].

Sam: All right.

Speaker 54: Sam, could you clarify what's the intent of this particular statement? Is it about extending the life of the landfill? Is it about additional lands that could be expanded upon? Mark brings up some good points, that we're not betting, and I would just say if it was 3:00 today, we'd be looking at it differently versus, gosh, it's 8:30 and in the interest of time for that aspect, I think it's fair to acknowledge her concerns. It sounds like, are we overlooking the perspectives that she has, which is obviously a broader whatever, a broader relationship with this? I don't

know what we're aiming at here, why do we have this statement in here? That's my question. Is it about a public records request? Is it about conversations between the county and republic services that may or may not have been made publicly?

Sam: I'll let Marge speak for herself, obviously.

Marge: It's mainly about a conversation between republic services and county council [inaudible 06:37:33]. That was not revealed [inaudible 06:37:39], that was revealed through a public records request, and that particular aspect was something that would've been interesting within this [inaudible 06:37:53] process, but it was not revealed by either the county or republic services that this level of communications took place, and so that's why we felt that it was valuable to put it in here. Now what I want to say is that I want to withdraw the objections that I made, because I hate it when people at the last minute bring up something and it hasn't been ... And Ginger has assured me that this is something that we all agreed upon, so I should have, if I was going to change the wording, I should've done it at that point rather than now.

I do think it's important that we do acknowledge that there was some communication between the county and republic services that could have been important, especially to the [inaudible 06:39:01] subcommittee, that was not made public. That's all I'll say, all I have to say.

Sam: The poll is on the language as it appears on the screen, with the footnote to add the information that it notifies. Chuck?

Chuck: How can one vote on this when you have access to the information? I don't know if it's critical mass or not, so I'm trying to stay here, or what intent is or what the support is or what the [inaudible 06:39:45] here is.

Speaker 56: I agree, and I thought Marge just withdrew it.

Sam: No, she withdrew her objection to change the language here. If I'm understanding her correctly, she is supporting what's in green on the screen, she did not withdraw it.

Marge: Yes, and as Sam described, exactly what would be going in the footnotes.

Sam: Last call.

Liz: Are we suggesting that there is something improper about this conversation?

Sam: Okay, so the backstory here, the best I can do it at this hour with everyone around, is that a former member of the work group suggested that this language be added, and it went through sub-E 'cause the sub-E group was doing the history section. I heard it initially as two prongs, one, as Marge just said, that this information was not shared by the county or republic until Becky Mursia, as I recall, did a public records request, got a cache of emails, and found this email exchange on October 14th, 2020. The concern expressed was that should've been disclosed sooner, because there was information in that public records response that included information that would've been helpful to the site life and capacity committee.

The second reason it was included is to deal with the assertion that, is this one expansion that is going to be happening or is it really the first of a series of expansions that would be happening? That was the background story, the best I can summarize at this moment.

Liz: Whether republic wants to do one expansion or multiple expansions, that's still not what we're supposed to do here at this interview, right?

Sam: This charter clearly says we are not opining on the merits of any future CUB expansions.

Liz: I'm confused as to why this has any effect on the work we're doing here.

Speaker 55: Well, [inaudible 06:42:49].

Sam: This is the history, this is in the history document.

Speaker 55: The history, okay.

Chuck: So is this relevant to the history? That's what I'm going by, is it relevant to the history of landfill? That's what the question is.

Liz: Thank you for the clarification.

Sam: We're going to poll on this-

Ed: [inaudible 06:43:11] Question.

Sam: Okay, just a second, I have Louisa and then Ed.

Louisa: Just to comment on the questions, this is under the title "current political and social contexts of Coffin Butte landfill", so that is probably where the history writers, they felt it was part of information needing to be added because of the political and social content.

Sam: In fairness and full disclosure, they did not suggest a specific place for it, I took facilitator privilege and added it there 'cause that's where I thought it best fit if it was being moved. All right, so Chuck?

Chuck: Who has received the public document, and has it been clear to the body or anybody?

Sam: I'm trying to ... Can you guys find that document? I sent it-

Liz: Probably under the subcommittee.

Sam: I sent it in subcommittee as a copy to BCTT.

Liz: Yeah, it's probably under the subcommittee, I would guess.

Sam: And so I'm going to say, if anyone can help me remember, that went on a Thursday or Friday, that document, and we can put it up on the screen and you can see it.

Liz: Well, we did refer to the subcommittee in the document.

Chuck: I saw that [inaudible 06:45:23],

Speaker 56: Can that document be emailed soon?

Sam: It is a PDF of about eight email exchanges.

Speaker 55: I've got it here, [inaudible 06:45:49].

Sam: Can you keep going, scrolling down? This is the big one, I'm just trying to think. When you start at the top, it should be about eight exchanges, one, two, [inaudible 06:46:19] that has to be it.

Speaker 55: Yeah, this is it.

Sam: This is it, okay. Why don't you start and let people read it?

Speaker 55: You can start at the bottom and go up, I think there's [inaudible 06:46:34]-

Liz: It can't just be added.

Speaker 55: But are we reading it for the purpose of changing the document?

Liz: Yeah, I think we're-

Sam: No.

Liz: ... Deferring to the subcommittee on this one.

Speaker 55: I thought we were just going to put it in the footnotes [inaudible 06:46:48]-

Sam: Well, that was on the table, Chuck asked ... He hasn't seen it, and there was a request, as I understand, to look at this, correct?

Chuck: Yeah, just make sure it did exist. I'm sorry, I didn't see it.

Sam: It does in fact exist.

Liz: Is that enough for you, Chuck, that you can see it on the ...

Chuck: Yeah.

Liz: All right.

Sam: All right, so let's close that, and then there's one more and it's Vance's email in response to the sub-E email chain, where he puts his perspective on that conversation.

Speaker 56: This was on Friday?

Sam: Thursday or Friday.

Speaker 54: Sam, did we finish the vote on the email chain with Vance and Julie? We got like most-

Sam: We're not there yet, I haven't even called the question yet. All right, so that has to be on the screen, please, as to what we're voting on. That's Vance's email, "As a co-author of the email in question, Mark's revisions below more accurately reflect the brief conversations between myself and Julie Jackson than the original proposal. Thanks, Vance." That will be added to that chain. Now I need to see the history document with the language that we were polling on, so you can take a poll on history revision number three. All right, one, two, or three for what you see on the screen from in-email exchange, all the way staff to concurrent day. Chuck, Liz, and Marge are one, Russ, Sean is one, Catherine is a two, Ed [inaudible 06:48:52] had a comment, I forgot, I apologize. Go ahead, talk.

Ed: The problem I'm having with this is anything that goes in this document gets presumably reviewed by BCTT, and I get that from listening to the podcast and the news show that Greg participated in, where he references landfill life and then ECT, how we did it. Quite frankly, I don't want to be associated with this letter. I think acknowledging that it exists is fine, and saying something, "BCTT has not reviewed this material," or just stop there, "BCTT has not reviewed this material."

Liz: The subcommittee has.

Sam: Excuse me, Liz?

Liz: The subcommittee has reviewed it, right?

Sam: Yes.

Ed: Which subcommittee?

Sam: Sub-E.

Liz: That's what he said, the subcommittee reviewed it.

Ed: As of when they got the public records request?

Sam: The public records request was responded to, member or members of the community went through those documents and pulled out the conversations on this particular day, October 14th, summarized them into the PDF that we had on the screen about a minute and a half ago, and they were all reviewed by subcommittee E.

Ed: Where I'm uncomfortable with this, this defines as an expansion that was added, expansion beyond cell six is being contemplated on lands that are not within the

current footprint, and that is just a very different message than everything else in this document.

Sam: When you say "not on the current footprint", this email exchange talks about an expansion or expansions, depending on how you want to read it, south of Coffin Butte road, and makes a distinction between property currently zoned for a landfill and EFU property, for which it would require rezoning.

Speaker 54: Are those BFU zoned lands additional from the land zone of the landfill?

Sam: Pardon me?

Speaker 54: Are there two statements here, as in, are the EFU zoned lands that certainly can be used for additional cells, is that one and the same of the proposed expansion across Coffin Butte Road on the south side of the current landfill properties?

Sam: We don't know what the proposed expansion is going to be, and so if the proposed expansion only includes lands that are currently zoned for landfill use, you would proceed under a conditional use permit with conditions of approval or denial. If it includes lands that are currently zoned EFU, you would first have to rezone that land to landfill, correct, before you could go through the CUP on that property.

Speaker 55: [inaudible 06:52:56].

Sam: All right, I'm just responding to that question.

Speaker 54: Can I just respectfully ask again, what is the message that we are sending by including this in this document as a work group? I am not clear on that question, which is why I'm asking. Like there's many numbers of ways for this to be interpreted, including the fact that it came from a public records request process. I'm just not sure where to land this, I don't know where it fits, is the question, maybe.

Sam: Marge?

Marge: I can respond to where I think it fits. Is this information that came to light in a public records request within the last month or two? I personally feel like it's important that we have that in our records somewhere, and to me, the logical place to put it is in the history document. This is part of the history of the landfill and of our process, I believe. I just think that it's important that it's known that these conversations took place, and I'm sorry that this was not revealed before, because it's an important piece of information if the county and republic services have for two years already been discussing in detail, I can't say how much detail, but in concept, conceptually discussing not just an expansion to the landfill zone area south of Coffin Butte, but even further expansions on and on.

This is not the way it had been portrayed to a lot of people, this is not the situation as it was portrayed, and I think it's an important part of the history that that occurred.

Speaker 54: That's helpful clarification, and is that part of the narrative that should be included here, to connect it to the history piece?

Sam: Right now we're voting on this, and if we'd like to do another vote that includes something more, we can do that, but I need to take them sequentially so the record showed what you voted on, and it eventually will end somewhere. What we have right now is everyone voting a one, Ed, you're voting a-

Ed: One.

Sam: A one?

Ed: Yes.
Sam: Catherine is voting a two, and Louisa is voting a two. If anyone wants to make a motion to add a concept or sentence to this, this would be the time and place to do so.
Chuck: I'll make a motion, just preface this statement with, "In response to a public information request, an email exchange, blah blah blah blah blah," that goes through the rest of it, but just putting those few words at the beginning.
Sam: Can I affirm the amendment, "public records request"-
Chuck: "Public records request".
Sam: ... I think more accurately reflects what that is.
Chuck: Or you could even put, "In response to a citizen's public records request ..."
Sam: "In response to a resident's," not citizen, "A resident's public records request," I'm sure that person is a citizen, but the proper term I believe is to call folks residents.
Speaker 56: We use "community members" typically in that, but-
Sam: "To a community member's public records request ..."
Speaker 55: Do you want to reference the date of the request?
Sam: If we have it. At this point, I think we're going to poll on-
Chuck: It would say, after Croney, "council, Vance ..."
Speaker 54: "Was found".
Chuck: "Was found".
Speaker 54: Or discovered-
Chuck: After Croney, "Was found, which clarifies how the expansion across ..." and then finish off.
Sam: [inaudible 06:58:30] I'm not tracking, and so let's get it on the screen here.
Speaker 56: I'm sorry, I'm not tracking either. What are you asking to do?
Speaker 54: After Vance Croney, it's comma ... Well, maybe not comma, but, "Was found seeking to clarify how the expansion ..." so that the action part, through the public records request, this was found.
Sam: I'm not sure, Vance Croney was found seeking to clarify?
Speaker 54: Maybe it should go, "An email exchange was found," in like [inaudible 06:59:08]-
Speaker 55: I don't think we should change it much more.
Sam: Let's be clear about this, the language that said-
Speaker 55: [inaudible 06:59:22].
Sam: ... "In response to a community record ..."
Speaker 54: It's not grammatically correct without something like "was found" or some sort of connecting to those sets of emails, like something's missing.
Chuck: "was found, which clarifies".
Sam: It's not two sets of emails, it's one set of emails that went back and forth.
Speaker 54: "An email exchange was found" or a similar phrase.
Chuck: Discovered?
Speaker 54: Discovered?
Sam: Okay, so, "In response to a community member's public record request, an email exchange was found between republic services representative ..."
Louisa: And after the 2020, "and county".
Sam: It would be, "Between Julie Jackson and county council, Vance Croney, on ..." the date is that. Okay? "In response to a community member's public records

request, an email exchange was found between republic services representative Julie Jackson and county council Vance Croney on October 14th, 2020, and where county council sought to clarify how the expansion across Coffin Butte Road would affect the lifespan of the landfill, and also noted that republic services has ..." See two ons there, whoever's typing, "Vance Croney on on", take out one of them, and then does that work for whoever's making this proposal?

Chuck: Yes.

Sam: Okay, so let's now poll on option two, one, two, or three on option two. Louisa? All members vote one, so is it the work group's option to use this option two as the language, and the prior vote becomes nullified, given the fact that we have a consensus? What are you doing, Russ, with your card there?

Russ: That's a great question, Sam.

Sam: Okay, keep me posted if there's a great answer.

Speaker 56: [inaudible 07:02:14] option one?

Sam: Just hold on here, Russ is at one with his duality right now.

Russ: Fine.

Sam: Okay, and two republic folks voted one, so everyone voted one. All right, that concludes the history piece. Don't be standing in here now, we've got a little bit more, we're getting close.

Liz: I need to get the bloodflow moving back in my seat.

Sam: That's another worker's comp claim. All right, the executive summary, did anyone have any comments or concerns about the executive summary?

Russ: Quite frankly, I didn't get a chance to go through it [inaudible 07:03:05].

Chuck: I read it, it was great.

Speaker 56: [inaudible 07:03:10].

Sam: I'm hearing no, and no one's voting a three on any section of the executive summary, is that fair? I need some form of communication.

Liz: Yes, yes.

Sam: Grunt in my general direction, do anything, wave, if you do a wave, that's fine too. All right, now we can go to the agenda, please, a few wrap-up things and we'll be done. We can go to next steps.

Speaker 56: I have a question though.

Sam: Yes, sir.

Speaker 56: Chuck, you sent something out today that was pretty long about the intro into the sustainable material management plan, was that anything?

Chuck: Well, [inaudible 07:04:12] in our subcommittee we were starting with a committee executive summary, and there was some confusion if we were going to have that or not, and then we had one and then voted down to the initial survey. Since the sustainable [inaudible 07:04:35] now, if you will, and the pinnacle is within the sustainability, I was wondering if that needs wrote up on top there, just to give the readers an occurrence that what is a [inaudible 07:04:53] economy, what is a [inaudible 07:04:55]-

Speaker 56: Right, yeah, no, I read it. Right now it's really not a matter for this group to decide.

Chuck: No.

Speaker 56: Okay, good.

Sam: You're not making a proposal that that language be added.

Chuck: Not now.

Sam: Okay, [inaudible 07:05:10] thank you for your good judgment, [inaudible 07:05:23]. I'd bring a knife to it, but I digress. All right, next steps, so what's the final editing process? The report, which would include some changes to the executive summary, is going to include in the executive summary and in the report and in the attachment, the public survey, your informal polling will be added, the final polling that we did at our last meeting and this meeting will be added. Member statements are due this Friday at noon. You will receive tomorrow a process evaluation on SurveyMonkey, the results of that will be included. We'll update the webpage and add links the best we can, and there may be one last run using a program called Grammarly, but not on any of the findings and recommendations, just to do any grammar checks.

There will be no changes to the history or findings and recommendations. Is that okay with you, that those things be added? Everyone is nodding affirmatively. We hope to get that-

PART 13 OF 13 ENDS [07:06:59]



Appendix C: Subcommittee Reports

1. Sustainable Materials Management Plan (SMMP)
2. Landfill Size/Capacity/Longevity
3. Legal Issues & Land Use Review
4. Past Land Use Application Conditions
5. Community Education & Outreach

Note that Subcommittee reports may differ in places from the Findings and Recommendations of the BCTT Workgroup as shown in the main body of this report. The Subcommittee reports reflect the work of each Subcommittee as it was submitted to the BCTT Workgroup. The Workgroup discussed and, in many instances, revised findings and recommendations with the goal of achieving a consensus.

Appendix C1: Subcommittee Reports: Sustainable Materials Management Plan (SMMP)

Key Findings

SMMP F-1: Many Sustainable Materials Management Plans (SMMPs) and related Request For Proposals (RFP)s have been formulated, executed, and are in use in Oregon and beyond.

SMMP F-2: The charges of the SMMP Subcommittee are intimately related to and should be embodied when scoping the necessary tasks to start a Long-Term Sustainable Materials Management Plan process.

SMMP F-3: Contracting-out processes often include a Technical Advisory Committee (TAC), which vet technical information in the RFP, and a Community Advisory Committee (CAC), which review the RFP from the community perspective. Institutions of higher learning, including Oregon State University has a large population of faculty, faculty emeriti, staff and students that are subject matter experts in many of the technical areas that the SMMP will address.

SMMP F-4: The overall length of the project can be heavily impacted and defined by the level of public interaction/engagement included in the project. The consultant

may help define the scope of public engagement, including engagement in rural areas of the

county and in communities outside the county.

SMMP F-5: There are aspects of the work to be performed that are technical in nature or lend themselves toward extensive research, that the consultant may conduct at the same time as public engagement. In order to expedite the process, certain procedural elements can be done concurrently. The timeline can generally be defined throughout the process.

SMMP F-6 – The SMMP aims to reduce the full lifecycle impacts of materials management practices in Benton County and where other jurisdictions' practices overlap with Benton County. Addressing only materials from Benton County would have limited impacts compared to that of all of the materials from neighboring counties, as Benton County's waste contribution to the landfill is relatively small. SMMPs are not specifically about landfills, but about materials management across the full lifecycle of materials, including addressing impacts from production, transportation, use, reuse, recovery, and disposal.

SMMP F-7 - Benton County has limited control over the waste management practices of the counties that emplace the vast majority of the annual landfill waste intake, and the volume of waste material they haul to Coffin Butte Landfill, however, the county and its infrastructure is impacted by other counties' waste stream contributions to facilities within Benton County (via Coffin Butte Landfill, Pacific Region Compost, and transportation methods through the county).

SMMP F-8 – The 2040 Thriving Communities Initiative identified our communities' Core Values and has been adopted by Benton County government which is used as a benchmark or lens for initiatives such as the Benton County SMMP.

Key Recommendations

SMMP R-1: Benton County Sustainable Materials Management Plan should be developed within a Sustainable Materials Management framework, reflecting full lifecycle impacts. The

development of a Sustainable Materials Management Plan should consider, 1) the 2040 Thriving Communities Initiative and our communities' Core Values, 2) national, State and local goals, vision documents (DEQ's Materials Management in Oregon 2020 Framework for Action), plans, policies, ordinances, etc. relating to materials management and climate change, 3) examples of values and goals expressed in state and local jurisdiction materials management plans, and 4) long-term strategies (to 2040) with short-term action items (5 years or less).

SMMP R-2 – Benton County should use the 2040 Thriving Communities Initiative as a high-level lens to frame our communities' Core Values in developing the SMMP.

SMMP R-3: The SMMP should not just be about how Benton County can better manage materials, but to also address how to approach inter-county collaboration from a regional perspective. The RFP should indicate the need for researching and exploring opportunities for a regional multi-county approach to achieve the goals of sustainable materials management. RFP firms with experience with Oregon's materials management legislation, policies and other county materials management plans may have the capability to address this need.

SMMP R-4: Counties impacting Benton County through their materials management practices (including by contributing materials to Coffin Butte Landfill) should have an SMMP in place. The SMMP should have a perspective on how to strategize this.

SMMP R-5: SMMP content should incorporate the sustainability of materials management strategies/tactics. The result of the process should give us a method of measuring costs and benefits to evaluate the impact on economic, social, and environmental indicators. Specific goals should be included of how materials in Benton County can fit within a circular economy, cradle-to-cradle, or similar framework.

SMMP R-6: The SMMP should clarify Benefit-Cost perspectives being addressed through an equity analysis, including, 1) financial cost impacts associated with materials management and outcomes, 2) the equity of circular economy, how it engages and impacts consumers, 3) a perspective that goes beyond landfilling, and 4) a "who's at the table" list of stakeholder perspectives.

SMMP R-7: Bring "lessons learned" into the process from other sources, including international examples as well as other counties, lessons from past Benton County experiences, and West Coast states. See full report for more sources.

SMMP R-8: Beyond those in the County, a wide assortment of stakeholders should be brought to the table. Stakeholders include community members, advocacy groups, businesses and industry, local and state government, and resources for innovation. See report for full stakeholder list. The consultant should provide recommendations based on analysis and extensive outreach and engagement with community stakeholders from the "who should be at the table" list. These stakeholders should represent a broader area than Benton County.

SMMP R-9: Benton County should use an RFP to find consultant(s) for developing a Sustainable Materials Management Plan.

SMMP R-10: The SMMP subcommittee researched other jurisdiction's plans, compared and aggregated a list of subjects, and the SMMP should evaluate and address the subjects listed in the full subcommittee report, answering the 117 questions listed as RFP priorities allow, and include recommended courses of action.

SMMP R-11: Recruitment for the RFP needs to be extensive, and selection of successful proposal should be careful and thorough. Qualities of a successful applicant should include those listed in the full subcommittee report.

SMMP R-12: The scope of work for this project is expected to be broad and comprehensive, with specific goals recommended for the County to consider as milestones.

SMMP R-13: The RFP development process should: 1) provide details about the Workgroup process and its findings to RFP applicants, 2) prioritize topics, adding additional topics that are important to consider, and 3) communicate accurate priorities to applicants.

SMMP R-14: Members of this BCTT SMMP subcommittee should be offered to participate in subsequent stakeholder group meetings for RFP development and review. Benton County's Advisory Committees related to SMMP work should have an advisory role during the development of the plan.

SMMP R-15: The RFP Release/Announcement should 1) communicate an expectation that this plan can be approached by teams (multiple firms), instead of just single firms, 2) put guidelines on the size/length of proposals and sections of proposals, and 3) be distributed to allow enough time for it to be posted to various trade groups, shared with underrepresented groups, and internationally minded outlets.

SMMP R-16: The County should share the various steps of the process with the public, making updates available, and demonstrating transparency (cross-referencing subcommittee E.1. work).

SMMP R-17: The RFP should demonstrate flexibility in allowing further work plan development after applications are reviewed and accepted.

SMMP R-18: The SMMP Timeline should allow for extensive public interaction and engagement. In order to expedite the process, procedural elements should be done concurrently as possible. The timeline should generally be defined throughout the process.

SMMP R-19: Applicants should include various scope/cost options for one year, two years, and three-year timelines. The report should be released in sections, based on timeline and content priorities.

SMMP R-20: It's important that the SMMP process include extensive public outreach and engagement. In addition, a Technical Advisory Committee (TAC) should vet the consultant's technical work (SMMP development) and a Community Advisory Committee (CAC) to provide more general review. SMMP Sub-Committee members should be included in the CAC. The TAC should include subject matter experts from Oregon State University, and other regional academic institutions. Many of the subject areas of central importance to the SMMP are characterized by fast-moving science, and a SAC could help the SMMP consultant to navigate to the best available data and knowledge.

SMMP R-21: Proposals contain the following information, with parameters around each of these items in terms of document length. Requested information includes project team experience and qualifications, understanding of the project, approach to the scope of work, cost of the proposal, the project schedule, social/environmental responsibility, and references. Each criteria includes a total set of points the proposal can be awarded. See full report for more information.

SMMP R-22: An evaluation team consisting of County staff and members of the stakeholder group should determine the best proposal deemed most qualified based on the above criteria.

SMMP R-23: The SMMP should emphasize impacts of the results of the RFP on social equity, innovation, to understand and emphasize the upstream aspects of material sustainability, and creative solutions that provide pathways for tangible long-term outcomes.

SMMP R-24: The workplan should include ongoing adaptive management and refinement and include a timeline for completion. The sections of the workplan outline include RFP development and release, a webinar for prospective consultants, a pre-proposal Q&A period, a period for application submittal, and the selection committee to identify shortlisted firms who are given time for additional presentation. The committee then evaluates proposals, selects a consultant, and develops a workplan with selected consultant. See full report for more information.

SMMP R-25: The County should evaluate if it would be in their best interest to have an SMMP in place prior to any major materials management decisions.

SMMP R-26: The county should consider using alternative funding mechanisms, including landfill revenue, to support the SMMP recommendations.

SMMP R-27: A complete materials audit is highly recommended as both a benchmark and a way to measure progress. Benton County should initiate a Waste Audit to characterize more precisely what is in the waste stream of Coffin Butte Landfill. The SMMP consultant can use this audit information when formulating this plan, and there is no up-to-date information specific to the landfill currently available. The benchmark audit should be completed as soon as possible, along with recommendations for follow up audits.

Long Term Sustainable Materials Management Plan (SMMP) tasks

1) Topics covered in recent similar planning efforts across the state

2) Subjects to be covered

3) (New) Add in Vision 2040 and related County documents with similar from other counties referenced

4) (Moved from Common Understandings) Benefit-Cost Topics are only Outlined

5) What “lessons learned” should be brought forward in this process

6) Who needs to be at the table beyond those in the County

7) A workplan outline with a timeline for completion

8) Contracting out

Includes necessary foundational “common understandings” and protocols needed before beginning the actual planning process.

NOTE: This charge does not include completing the plan. It only includes a discussion of the preliminary scoping to start that planning process.

Possible Amendment for BOC Consideration: If there is sufficient time to complete the original Charge and the following activities, subcommittee to provide recommendations on:

1) the most important topics/subjects from the draft of the SWMP Table of Contents;

2) the brainstormed options for those topics/subjects; and
3) the reasoning, both pro and con, for their selection.

Common Terms and Definitions

What is circular economy?

A circular economy is an economic system where the waste and pollution generated by society is minimized, and resources are conserved and regenerated by reusing and recycling materials and products. It aims to reduce dependency on finite resources, eliminate waste, and create a more sustainable economy. The circular economy model is in contrast to the traditional linear economy, which operates on a "take, make, use, dispose" model.

What is a sustainable economy?

A sustainable economy is an economic system that meets the needs of the present without compromising the ability of future generations to meet their own needs. It is characterized by the efficient use of natural resources, reduced waste and pollution, and equitable distribution of wealth and opportunities. A sustainable economy prioritizes long-term economic, social, and environmental well-being and aims to balance economic growth with environmental protection, social equality, and preservation of natural resources for future generations.

What is net zero emissions?

Net zero refers to the balance between the amount of greenhouse gas emissions produced and the amount removed from the atmosphere. It means that the total amount of emissions produced is equal to the amount removed, resulting in no net increase in atmospheric greenhouse gas concentrations.

What is carbon neutral?

Carbon neutral refers to a state where the amount of carbon dioxide (CO2) emissions produced is balanced by an equivalent amount removed from the atmosphere. This can be achieved through reducing emissions as much as possible and balancing any remaining emissions through offsetting activities, such as planting trees or investing in carbon capture and storage technology.

What is a solid waste management plan?

A solid waste management plan is a comprehensive plan for the collection, transport, processing, and disposal of solid waste, such as household trash, industrial waste, and construction and demolition debris. The purpose of a solid waste management plan is to ensure that waste is managed in an environmentally responsible and sustainable manner, while also considering economic and social factors.

The goal of a solid waste management plan is to minimize the environmental impact of waste, reduce the dependence on landfills, conserve resources through recycling and composting, and promote public health and safety.

What is a Sustainable Materials Management Plan (SMMP)?

Sustainable Materials Management (SMMP) plan is a comprehensive approach to managing the entire lifecycle of materials, from extraction of raw materials, through production, use, and disposal, with the goal of reducing their environmental impact. It seeks to conserve resources,

reduce waste, and minimize the environmental impacts of materials use, including greenhouse gas emissions, water and air pollution, and habitat destruction.

A SMM plan typically includes the following elements:

1. Materials Inventory: A comprehensive inventory of the types and quantities of materials used in a community, including data on generation, use, and disposal.
2. Materials Reduction: Strategies to reduce the amount of materials used, such as reducing packaging, promoting reuse, and designing products for recyclability.
3. Materials Recycling: Programs and policies to promote recycling and composting, including collection systems, processing facilities, and market development.
4. Materials Disposal: Strategies to minimize the environmental impacts of waste disposal, including reducing the use of landfills, promoting the use of incineration, and new technologies for waste conversion.
5. Monitoring and Evaluation: A plan for monitoring and evaluating the effectiveness of the SMM plan and making changes as necessary to ensure sustainability.

The goal of an SMM plan is to create a more sustainable and environmentally responsible materials management system, reducing waste, conserving resources, and minimizing environmental impacts.

What is an engineered sanitary landfill?

An engineered sanitary landfill is a type of landfill specifically designed and constructed to meet technical and regulatory standards for the safe and efficient disposal of solid waste. The design and construction of an engineered sanitary landfill typically involves several key components, including:

1. Base and bottom liner systems to prevent the release of waste into the environment
2. Collection and removal systems for leachate (liquid that has filtered through waste)
3. Gas collection and control systems to minimize the release of landfill gas (primarily methane) into the atmosphere
4. Final cover systems to prevent the escape of waste and landfill gas, and to promote drainage and evaporation of leachate.

The goal of an engineered sanitary landfill is to manage waste in a way that minimizes the risk to human health and the environment and provides a long-term solution for waste disposal.

What are landfill alternatives?

There are several alternatives to landfills for waste management, including:

1. Incineration: burning of waste to convert it into ash and gases
2. Recycling: process of collecting, sorting, reusing and reprocessing materials into new products
3. Composting: biological decomposition of organic matter to produce a nutrient-rich soil amendment

4. Anaerobic digestion: breaking down organic matter in the absence of oxygen to produce biogas
5. Mechanical biological treatment: a combination of mechanical processes (e.g. sorting, shredding) and biological processes (e.g. composting, anaerobic digestion) to treat waste
6. Waste-to-energy (WTE) plants: facilities that burn waste to generate electricity or heat
7. Solid waste gasification is a process of converting solid waste into a gas called synthesis gas (or "syngas") through high-temperature heating in the absence of oxygen.
9. Plasma gasification is a thermal waste treatment technology that uses high temperature plasma to convert waste into a syngas (synthesis gas), which is composed mainly of hydrogen and carbon monoxide. This syngas can be used as fuel for electricity generation or further processed into chemicals and fuels.

Each alternative has its own advantages and disadvantages, and the best option will depend on factors such as the type of waste, local infrastructure and resources, and government regulations.

What is an intermodal transfer station for solid waste and recyclables?

An intermodal transfer station for solid waste and recyclables is a facility where solid waste and recyclable materials are temporarily stored and transferred from one mode of transportation (such as a truck) to another (such as a train or barge) for disposal or processing. The purpose of this type of transfer station is to provide an efficient and cost-effective way to manage and dispose of solid waste and recyclables, and to minimize the impact of waste transportation on the environment.

What is public policy of Benton County to regulate solid waste management?

BCC 23.010 Purpose. Solid Waste Management Program.

In order to protect the health, safety and welfare of the people of Benton County and to provide a solid waste management program, it is declared to be the public policy of Benton County to regulate solid waste management to:

1. Provide for a coordinated solid waste management program and administration with cities within Benton County and with other counties or cities under existing and future regional programs.
2. Provide for cooperation and agreements between Benton County and cities and other counties involving joint or regional franchising of solid waste service.
3. Provide standards, regulations and franchising to ensure the safe and sanitary accumulation, storage, collection, transportation and disposal or resource recovery of solid wastes and ensure maintenance of solid waste collection, resource recovery and disposal service.

Introduction

Benton County is seeking a new Sustainable Materials Management Plan (SMMP) that will guide decisions and policies for future generations. The main theme of this subcommittee's findings and recommendations are that the plan should help transition our re-focus from the

linear, end-of-life waste management to a more holistic, systemic, circular approach with the materials involved. The many positive impacts of this transition include:

- Efficiencies derived from full life cycle/cradle-to-cradle principles of sustainable material management
- Savings from waste reduction
- Creating opportunities for efficient circular economies both locally and regionally
- Better inclusion of Equity and shared prosperity in waste Considerations
- Recognizing and encouraging innovation

Traditionally, Benton County has managed waste materials with an end-of-life approach – largely by landfilling them locally in Coffin Butte Landfill, but also by recovery, recycling, and composting. This has presented challenges, which include, but are not limited to, the landfill's limitations environmentally and economically. In our work we have sought to chart the expectation and aspirations for a longer-range vision that will guide the County towards more sustainable materials management. Our report advises the County on the parameters for a Request For Proposal (RFP) that will bring in consultants to develop a Plan that enables the County to achieve that longer-range vision.

Based upon the magnitude of ideas and possibilities we have encountered, it is anticipated that the SMMP could usher in a paradigm shift in how we view and interact with materials we use in our everyday lives. In addition to Findings and Recommendations, we have recorded a list of Questions the consultants and the County can use to frame their thinking about this new paradigm, its benefits, and the practical path to get there.

One task of the subcommittee was to develop a "table of contents" outlining the subjects to be covered in an SMMP. The group started by looking at examples of Solid Waste Management Plan (SWMP) documents from various Oregon counties, listing, reviewing, and comparing the topics covered in each. The group was able to add to and edit that list, creating a "table of contents" of topics to cover in a future SMMP, as well as an associated list of questions for the SMMP to answer. Benefits and costs were covered throughout the as it related to various topics and discussions, and are largely included in the overall approach of sustainable materials management approach, which evaluates the impacts across the full life cycle of materials, weighing the "costs and benefits" in the decision-making process.

The group also reviewed Benton County's 2040 Thriving Communities Initiative and examples of values and goals expressed in other planning documents to develop overarching framework to be considered for developing an SMMP.

The more recent subcommittee work has focused on future next steps and recommendations around the RFP process, including contracting out, workplan and timeline, and who's at the table. The group has included considerations of lesson's learned from outside of Benton County, including neighboring county jurisdiction presentations provided to the full work group.

How to read the document:

The document is split up into the following major sections, each containing various related work group charge element. Each charge lists key findings and/or key recommendations. These key findings and recommendations summarize more complete content found in the rest of the report.

Development of Sustainable Materials Management Plan (SMMP)

Topics covered in recent similar planning efforts across the state

One task of the subcommittee was to develop a "table of contents" outlining the subjects to be covered in an SMMP. The group started by looking at examples of Solid Waste Management Plan (SWMP) documents from various Oregon counties, listing, reviewing, and comparing the topics covered in each. Subcommittee members reviewed and discussed pros and cons, and the differences between the various approach's frameworks. Subcommittee members identified key topics to include on Benton County's plan, including aspects of climate change, equity, health impacts, economic opportunities, and many others. The group was able to add to and edit that list, creating a "table of contents" of topics to cover in a future SMMP, as well as an associated list of questions for the SMMP to answer.

Among the planning documents referenced in the development of the "topics to be covered", the subcommittee reviewed topics covered in the following recent similar planning efforts across the state:

- Materials Management in Oregon 2020 Framework for Action
- Materials Management in Oregon 2050 Vision and Framework for Action (2012)
- Deschutes County Solid Waste Management Plan (2019)
- Lane County Solid Waste Management Plan (2019)
- Lincoln County Integrated Solid Waste Management Plan (2004)
- Marion County
    - Marion County, Oregon Solid Waste Management Plan Update (2009)
    - Marion County Solid Waste System Assessment Report (2016)
    - Marion County, Oregon Solid Waste and Energy Final Report (2017)
- Metro:
    - Metro 2030 Regional Waste Plan (2019)
    - Waste Prevention & Environmental Services Regional Waste Plan Progress Report (January 2022)
- Tillamook County Comprehensive Materials and Solid Waste Management Plan (2012)

As an outcome of the discussion reviewing other plans, members organized the topics into an aggregated framework, including the questions below, as well as a "table of contents" in the appendix.

Subjects to be covered

Our expectation is that the consultant will perform an analysis and provide recommendations based on robust outreach to the stakeholders listed in this document. The RFP should ask "how will the applicant address this, and what is the applicant's outreach plan?"

Questions that should be considered in the SMMP development

INTRODUCTION

- What is the context of the plan?
- What are the purpose and goals of the plan?
- What issues are addressed by the plan, and what issues are excluded?
- What is the new approach to managing waste: sustainable materials management framework vs. solid waste management framework?
- How does this plan lead with equity?
- What are the values, principles, and vision of the plan?
- How do these values translate to measurable criteria for evaluating and analyzing the full life cycle impacts of materials and the management system?
- What are the goals and actions of the plan across the material lifecycle, including shared prosperity, product design and manufacturing, product consumption and use, product end-of-life management, and disaster resilience?
- How do readers navigate the plan?
- How does the county measure progress on the plan?
- How will Implementation, compliance, and amendments to be plan work?
- What are the roles and responsibilities of the various agencies and stakeholders?
- What are the state and local requirements?
- What is the management planning process?
- How is stakeholder input used in the planning process?

CLIMATE CHANGE

- What climate change policies impact materials management?
- What materials management practices impact climate change?
- What are the waste stream impacts from climate change policy/shifts?
- What are the social, political, legislative dimensions of climate change as they relate to materials management?
- What are the possibilities for transition assistance from state and federal initiatives addressing climate change related to disposal alternatives?
- Climate change is associated with an emerging set of values and imperatives. How do the county's values adapt as these new values and imperatives evolve, when evaluating waste management alternatives?

LIFE CYCLE IMPACTS OF MATERIALS

- What is the scale of impacts (regional, state, national)?
- What are the full lifecycle/net environmental impacts of materials/systems?
- Which materials are most impactful?
- Which disposal methods are most impactful?
- What are the impacts of generation sources (industries, large quantity generators)?

BACKGROUND AND WASTE STREAM ANALYSIS

- what are the characteristics of the planning area?
- What is the description of the materials management system?
- What are the community impacts from the materials management system?

- What is the summary of annual solid waste generation across Benton County wasteshed (disposal and recovery)?
- What are the current and projected waste stream composition and quantities?
- What is the waste stream generation by economic sector/industry?
- What unique waste streams exist in Benton County?
- Where compared to waste management hierarchy is Benton County?
- What is the waste stream generation forecast, including economic, environmental, and material trend factors?

WASTE PREVENTION/REDUCTION/ REUSE AND RECYCLING ANALYSIS

- What are the existing waste reduction and reuse programs, their effectiveness, and needs and opportunities?
- What is the future potential for waste reduction and reuse programs, especially given its synergy with climate change initiatives?
- Equity and livability costs/impacts? How equitable are the current waste/recycling/prevention services provided in Benton County to traditionally underserved populations and all communities, and what are the standards to strive for?
- Can we foster legislation to encourage building codes that support recycling capabilities and other sustainable materials used in construction? Can we require a level of waste reduction and re-purposing of building materials and demolition debris?
- What is the most impactful approach to construction and demolition materials and deconstruction?
- What are the alternatives for increased waste reduction, reuse, and recycling?
- What are the potential impacts/benefits of utilizing alternative options, and what is needed to accomplish effectiveness?
- How do recommendations from advisory groups and public impact options?
- What are the analyses and recommendations for policy as related to increased waste reduction, reuse, and recycling?
- What are options for supporting circular economy?
- What are options for integrating extended producer responsibility?

RECYCLING AND MATERIALS PROCESSING

- What are the existing collection and processing services and facilities?
- What are the bottlenecks relating to expanding recycling and materials processing? What are the ways around those bottlenecks?
- How are food waste and organics treated?
- What are the needs and opportunities?
- What are the alternatives for processing recyclable materials, sorting technologies and MRF options?
- What are the proven vs. unproven alternatives?
- What are the recommendations for collection and recycling/processing?
- How can we encourage local construction companies to provide recycling facilities for tenants with the use of building codes, subsidies or penalties to encourage responsible construction that will continue to be viable in the future?

WASTE COLLECTION AND TRANSFER

- What is the regulatory framework?
- What is the local authority?
- What are the existing collection services?
- What is the commercial waste collection approach?
- What is the current transfer station operation approach?
- What are the waste and vehicle volumes to each recycling depot and collection event?
- How are unique wastes collected?
- What are the transfer station Facility benefits and costs related to disposal options?
- What are other operations-related requirements?
- What are collection considerations for specific wastes?
- What are the needs and opportunities for collection and transfer services?
- How to increase commercial waste collection of recyclable materials?
- What are the options, benefits, and costs of regional intermodal transfer station(s)?
- What are the comparative costs of landfilling vs. waste to energy vs. recycling?
- What is the comparison of different waste disposal and material management governance models?
- What European/global strategies to consider?
- What options are there for multiple franchised collection service providers?
- Can the issues of a franchise permit for an intermodal transfer station be compliant with BC 23.220 by a qualified third party compliant with BC 23.210 (1) (2), or
- b. Can the intermodal transfer station be enjoined with the current Holder (hauler) franchise agreement (discretionary), or
- c. Can the intermodal transfer station be enjoined with the current disposal site agreement party (discretionary)?
- What are the potential transportation and truck traffic impacts of the current disposal system, as well as alternative disposal options and recovery methods, across major impact areas both inside and outside of Benton County?

ALTERNATIVE TECHNOLOGIES AND SOLID WASTE DISPOSAL

- What are the alternative waste technologies available to lessen or replace landfilling?
- What options are there for material flow control?
- What are the waste disposal projections?
- What are the needs and opportunities?
- What are the alternatives and evaluation?
- What are the alternatives for municipal solid waste (MSW) disposal?
- What are the options for mixed waste processing?
- What is the technology summary?
- What is the evaluation of options?
- What are the findings and recommendations?
- What are disposal methods are utilized in Benton County and elsewhere – slash burning, open burning, etc. and what are their impacts?
- What means (funding, regional collaborations, etc.) are necessary to bring these technologies into Benton County or the region?

HAZARDOUS WASTE

- What is the existing collection and processing system?
- What are the collection and processing services?
- What are the processing/collection facilities?
- What are the needs and opportunities?
- What are the alternatives?
- What are the recommendations for collection /processing services and facilities?

LANDFILL DISPOSAL OPTIONS

- What is the county authority for waste disposal?
- What is the description of the existing landfill disposal system/process, and what are the pros and cons?
- What are the waste stream projections?
- What are the projection scenarios - climate change, regulatory environment, costs, etc.
- What is the landfill lifespan?
- What is the env. impact assessment of the landfill?
- What are the needs and opportunities?
- What are the landfill disposal options, including long-haul waste to out-of-county landfills and alternatives?
- What are the waste disposal recommendations?
- What are the true environmental impacts of landfilling for Benton County? Especially: what is the greenhouse gas footprint of the landfill? What do these impacts look like when projected into the future?
- What are the true economic costs and benefits of landfilling for the County? What do these costs and benefits look like when projected into the future?
- What are the various paths that the County can take to transition away from landfilling at Coffin Butte Landfill?
- What means (funding, collaborations, etc.) are necessary to make to embark upon these paths?
- Are there landfills other than Coffin Butte Landfill that should be considered? What are the tradeoffs (economic, environmental)?
- What is the path forward that balances these competing interests: reducing waste generation/increasing recovery vs. economic interests of landfilling?
- What is the risk assessment of the landfill? How can the County best manage these risks?
- What is the long-term outlook for the landfill? What is its best closure plan? What measures should be in place to manage the landfill's impacts after closure?
- What is the impact of leachate from the landfill site?
- How would closure of Coffin Butte Landfill, or use of alternate disposal sites, impact solid waste collection rates in Benton County?

ADMINISTRATION AND ENFORCEMENT

- How can we use government grants and programs that are being set up to combat the effects of climate change to create a truly unique and innovative program that makes the best use of the resources available in our county and highlights our most valuable

assets to enable our residents to 'be their best selves' in terms of living a sustainable life?
- How can the county explore potential for conflict between income from the landfill and the approach of reducing waste to the landfill?
- How will the county fund and/or support ongoing sustainable materials management recommendations of this plan, including an evaluation of funding options, for systemic longevity? Is there a possibility to use landfill revenue to support the SMMP recommendations? Currently landfill fees go into the general fund.

GENERAL

- Which options for addressing the above issues best reflect the County's (and the State's) stated values?
- How are each of the plan recommendations centered in equity?
- What are the details of the analysis, investigation/evaluation, and recommendations for each topic?
- How do we support and extend the Oregon 2050 Vision for Materials Management?
- How do we support Oregon SB 582, the Plastic Pollution and Recycling Modernization Act, in our county?
- What is a practical, economically feasible, and innovative path for our county to move from where we are today to a responsible and sustainable community?
- How can we use our unique assets and any economic benefits we might glean from our county natural resources? Can we use our rivers and forests to foster more sustainable local practices?

2040 Thriving Communities Initiative and related County documents with similar from other counties referenced

Benton County Sustainable Materials Management Plan should be developed within a Sustainable Materials Management framework, reflecting full lifecycle impacts. The development of a Sustainable Materials Management Plan should consider,

1) the 2040 Thriving Communities Initiative and our communities' Core Values,
2) national, State and local goals, vision documents (DEQ's Materials Management in Oregon 2020 Framework for Action), plans, policies, ordinances, etc. relating to materials management and climate change,
3) examples of values and goals expressed in state and local jurisdiction materials management plans, and
4) long-term strategies (to 2040) with short-term action items (5 years or less).

Benefit-Cost Topics are only outlined

Benefits and costs were covered throughout the as it related to various topics and discussions, and are largely included in the overall approach of sustainable materials management, which evaluates the impacts across the full life cycle of materials, weighing the "costs and benefits" in the decision-making process. The following list benefit and cost considerations are represented as more of an analysis of pros and cons, and not as an economic analysis in most cases.

- SMMP content should include cost-benefit analyses in the evaluation and recommendations of major topics.
- Circular economy costs/benefits should be addressed in the SMMP.
  - Description of different approaches (sustainable, cradle to cradle, circular economy) should also be outlined.
- The SMMP should clarify Benefit-Cost perspectives being addressed through an equity analysis, including:
  - Financial cost impacts associated with materials management and outcomes
  - A perspective that goes beyond landfilling
  - Equity of circular economy, how it engages and impacts consumers (product/material oriented)
  - "who's at the table" list of stakeholder perspectives

What "lessons learned" should be brought forward in this process.

Staff invited members of various jurisdictions to share their experiences and processes in solid waste/materials and materials management during the "Benton County Talks Trash" Workgroup meeting #4 on October 27, 2023 (BCTT Meeting #4 Recording, starting at 01:34:45).Here is a brief summary of the feedback received:

- The public engagement process is very important. The Solid Waste Advisory Committee can help with the planning process, including representatives from incorporated cities, franchised haulers, professionals with experience related to solid waste (local trucking companies), and the public. Ione jurisdiction experienced relatively low initial public engagement, which increased towards the end of the process with an Open House event, which was critical. Subcommittees of the committees can help with the process.
- The RFP process for another jurisdiction's plan was competitive, with several qualified firms. Having a well-defined scope of work after embarking on negotiations was helpful.
- The process can take over two years from start to finish, including RFP, scoping and outreach. Creating and distributing an RFP, up to the point of hiring a consultant can take at least three months. Negotiating the contract can take another month. The report can be developed and drafted in sections, with an approximate 18-month timeline before a full draft is reviewed by the Board of Commissioners.
- The solid waste industry is changing and shifting towards full lifecycle approach.
- Oregon's Recycling Modernizations Act should be a focus area for the SMMP.
- The plan can be integral to address key challenges, like landfills reaching capacity.
- Address new housing types for recycling, for example ensuring adequate space for recycling in increasing multi-family housing. A jurisdiction can work with building code requirements to ensure space is available for recycling.
- Planning and codes should have common grounds where roots can cross over between county and city planning and solid waste staff.
- Solid waste is a transportation issue, and changing transportation should be addressed in planning.
- Emerging technologies can be considered during the planning process, particularly established technologies that are already being used in the United States. The planning should pay attention to the experimental process underway at the Georgia Pacific plant in Toledo, OR.

- Policy analyses were not included in the planning process for some Oregon jurisdictions.

In addition to those "lessons learned", the group recommends considering the following:

- Feedback from other counties who have developed materials management plans
- International examples of landfill alternatives (such as Germany, Finland, Sweden, and South Korea)
- Examples from California and Washington
- Lessons from past Benton County experiences with contracts with Republic, engagement,
- Lessons from individual processes vs. integrated systems
- Workgroup process and its findings

Who needs to be at the table* beyond those in the County**

Subcommittee discussed and identified stakeholders that we felt needed to be included in various aspects of the SMMP process. This list is not prioritized in any way. These were presented to the full work group, and their feedback was incorporated into the list, including local and state agencies, non-profits, advocacy groups, communities, equity and health advocates, key private sector companies and industries, and more below:

Governmental Agencies

- DEQ
- Economic Development Office County/Corvallis
- Small Cities
- Government advisory groups relating to the subject matter
- Neighboring counties
- Equity, Diversity, Inclusion coordinator
- Waste generation sources (jurisdictions) – how much weight should non-county members be given? Economy of scale?
- Tribal governments

Community

- Community Members
- Low-income populations
- Multi-family residents
- Diverse Language Representation and underserved communities not speaking English as first language
- Residents and businesses from rural areas of the county

Advocacy Groups

- Local Advocacy groups (Willamette valley) – sustainability coalition, river keepers, watershed councils
- National Advocacy groups
- Youth organizations - civics/schools

Business and Industry

- Larger industry groups
- Large waste generators
- Building industry - USGBC
- Architecture (AIA) American Institute of Architects
- Designers – various materials, products, etc.
- OSU – Business/Administration
- OSU – Innovation, science around materials
- Hospital/medical,
- Business community
- Restaurants,

Materials Management and Processing

- Disposal sites
- Collectors/haulers
- Materials processors - MRF's
- End users of secondary materials)

*At the table - meaning who to be consulted for feedback through the development of this plan, discuss regional coalitions/partnerships/collaboration
**County government/staff

RFP Process

A workplan outline with a timeline for completion

Staff used Deschutes County RFP as an example and starting point for this discussion. Subcommittee brainstormed different components that they concluded should be in the RFP process and hiring of a consultant. The recommendations are as follows:

- RFP Development
  - RFP Development feedback opportunity from Technical Advisory Committees (TAC) and Community Advisory Committee (CAC)
  - Consider DEQ's RFP Process for Modernizing Oregon's Recycling System as an example
- RFP Release/Announcement
  - Distribution to allow time for it to be posted to various trade groups, equity-minded sharing to underrepresented groups, internationally-minded
- Webinar – interact ***live***, field questions, make presentation
- Pre-proposal/bid/RFP Q&A opportunity for prospective applicants – possible to make this element required/mandatory
  - Early in the RFP release period
- Opportunity for respondents to express interest as primary or sub-contractors
- RFP Response Due Date
  - At least 4 weeks' time that the RFP is available prior to application deadline.
- Review committee to shortlist firms
  - 2 weeks

- Shortlisted firms awarded additional time for presentation with optional funding for expected presentation/deliverables
  - Additional month (within 1 week if no work product/report is due, just an interview).
- Evaluation and Selection Timeline
  - Evaluation team review period
    - Including Technical Advisory Committees (TAC) and Community Advisory Committee (CAC) review opportunity
  - Presentations/Interviews
- Develop work plan further with contractor selected
- Length of overall project
- Plan Development
  - Technical Advisory Committees (TAC) - Vet technical information from consultant, get to a place of consensus
  - Community Advisory Committee (CAC) - Review in areas of disagreement for technical experts
  - SWAC/DSAC advisory role during the development of the plan
- General public meetings – number of meetings
- The plan-making process should prioritize completeness over promptness, i.e., a complete plan is more important to us than it being ready by any particular future date, for example.

Contracting out

There are many topics being recommended, which are likely beyond the capability of any single party. Multiple parties could be involved in the SMMP development process.

Benton County should use an RFP to find consultant(s) and/or other stakeholder groups to assist Benton County in developing a Sustainable Materials Management Plan.

Qualities of a successful applicant should include:

- Technical Knowledge and Abilities
  - Demonstrated familiarity with international examples of reduced or eliminated reliance on landfilling.
  - Conversant in the design and implementation of these alternative waste technologies, be able to evaluate their suitability for use in Benton County, and be able to map out rough timelines for their deployment
  - Demonstrate their ability to design a well-imagined and resilient Plan that can assess the likelihoods of such climate-impacted events as wildfires, floods, population migrations, unprecedented disruptions to energy and transportation infrastructure, and so on
  - Show their ability to map out the County's changing social, economic, environmental and regulatory landscapes, and ability to develop a Plan to navigate the County through them
  - Ability to show Economic/Env/Social impacts, and comparative analysis
  - Be able to suggest programs and ways in which the community could participate, and measure their participation

    - Be able to answer (most, almost all) questions (below table of contents) – RFP process, applicant
    - Be able to map out the social, ethical and environmental landscape of climate change
- Experience
    - Experience with inclusivity, outreach campaigns
    - Experience in such community engagement.
    - Have some experience with large university communities
    - Experience with jurisdictions with non-standard waste streams – like high-tech industries, labs, forestry
    - Experience in analyzing policy impacts of materials
    - Have experience in SMMP development in the past (traditional and innovative)
    - Demonstrated experience with jurisdictions like Benton County (rural areas for example, industries)
    - Demonstrated experience showing Economic/Env/Social impacts, and comparative analysis
- Values
    - Show their understanding of the importance of the values listed in Benton County's "Core Values" and the State of Oregon's "Materials Management in Oregon 2050 Vision and Framework for Action," and will describe how these values will permeate the process and the product of the SMMP.
    - Be able to keep 2040 Thriving Communities Initiative core values in mind during the entire process of formulating an SMMP plan, and trace each recommendation back to the values expressed in the initiative
    - Be able to lay out innovative pathways for the County to reduce negative environmental impacts in keeping with county and state values
- Work Plan and Process
    - Able to incorporate measures into its Planning process and product that will help the County respond to various trends affecting current and projected waste streams
    - incorporate a map of social, ethical and environmental landscape of climate change into its Planning process and product
    - Able to allow and encourage community involvement in the development process, and demonstrated experience
    - Ability and willingness to communicate with the community
    - Be able to engage with the community throughout this process with any innovative measures on how this can take place, either virtually or with town hall type gatherings. Consider using the Justice System Improvement Project (JSIP) as a model of best practices when engaging with the community on the SMMP
    - Look at the unique qualities of our community, not a one size fits all plan
    - Will be able to incorporate these evolving Social, Political, Legislative Dimensions around climate change into its Planning process and product
    - Consider materials and links to BCTT SMMP Subcommittee work
    - Early-stage outreach to community, including students, multi-family residential, single-family residential, rural residential, businesses, local builders, developers
- Plan Content

    - Will delineate paths for the County to establish clearer knowledge about and control over these environmental impacts (methane and other GHGs) by its franchisees, and incorporate these responsibilities into its Planning process and product
    - SMMP document to answer (most, almost all) questions (below table of contents)
    - Should be able to articulate a clear narrative or set of scenarios that describe how the Plan will be a resilient guide for the future
    - Will provide an analysis and recommendation for the "subjects to be covered", incorporating feedback from extensive public engagement and stakeholder engagement, SWAC/DSAC

RFP Development

- Provide details about Workgroup process and its findings to RFP applicants
- Prioritize topics, adding additional topics that are important to consider
- Communicate accurate priorities to applicants
- Members of this BCTT SMMP subcommittee should be offered to participate in subsequent stakeholder group meetings for RFP development and review
- SWAC/DSAC should have an advisory role during the development of the plan
- RFP Release/Announcement should:
    - communicate an expectation that this plan can be approached by teams (multiple firms), instead of just single firms
    - Put guidelines on the size/length of proposals and sections of proposals
    - Be distributed to allow enough time for it to be posted to various trade groups, equity-minded sharing to underrepresented groups, internationally minded outlets
- The county should share with the public the various steps of the process, making updates available, and demonstrating transparency (Cross-referencing subcommittee E.1. work)
- The RFP should demonstrate flexibility through allowing further work plan development after applications are reviewed and accepted
- Length of overall project:
    - Can be heavily impacted and defined by the level of public interaction/stakeholder engagement included in the project, and by requirements from the county
    - R&D from consultant can occur in the background
    - Applicants should include various scope/cost options for 1 year, 2 years, and 3-year timelines.
    - The report should be released in sections, based on timeline and content priorities.
- This RFP process should include Technical Advisory Committees (TAC), which Vet technical information from consultant, get to a place of consensus, and Community Advisory Committee (CAC), which Review in areas of disagreement for technical experts.
    - SMMP Sub-Committee members should be included in the CAC.

Proposal Format, Content, Review and Selection[74]

Proposal must contain the following information, with parameters around each of these items in terms of document length:

a) Cover Letter (P/F).
b) Project Team Experience and Qualifications.
    a. Experience, Capabilities and Resources of the Proposer. 25 points.
    b. Experience of project team members. 25 points.
    c. Experiences with other SMMP in the last 5 years
c) Understanding of Project.
d) Approach to the Scope of Work. 25 points
    a. Fully and completely address all of the questions listed
e) Cost Proposal (based on cost matrix)
    a. Reasonableness of the Cost Proposal. 15 points
    b. Various options based on timeline and scope
    c. Review committee is not given the cost information until initial review is complete
    d. Important consideration, but not the most important consideration
f) Project Schedule. 10 points
g) Social/environmental responsibility
    a. Use county values as evaluation criteria
h) References.
i) Interview/presentation (how important compared to other criteria?)
    a. Separate scoring criteria/process for the interview
    b. The group preparing the RFP will want to make sure that they set enough points with this process so that it can swing the point selection one way or another. The RFP group will want to prepare a list of questions or items they are wanting the interviewees to answer ahead of time and weigh out each question to ensure that it leads to a discovery of which consultant best fits the needs of the county.

An evaluation team consisting of County staff and members of the stakeholder group should determine the best proposal deemed most qualified based on the above criteria.

Conclusion

A good SMMP will serve the county and residents now and in the future – it will be adaptable to new technologies while aligning with clearly stated county/state goals.

The county should not rush the selection process or solicitation process – selecting the correct partner whose core values and vision align with what has been assembled will be a key component to getting the best outcome in this process.

[74] Source of some section content: Deschutes County 2017 SWMP RFP

SMMP Appendix A: Drafted Table of Contents Outlining Elements of Recommendations

TOPICS
INTRODUCTION
Context of the Plan
Plan Purpose and Goals
Issues Addressed by the Plan (include discussion of exclusions to the Plan)
A new approach to managing waste: Sustainable materials management framework vs. Solid Waste management framework
1) Addressing the full life cycle of materials
2) Moving From Where We've Been to Our New Vision (provide timeline)
3) The life cycle of products and materials
4) The garbage and recycling system
5) Leading with equity
Environmental impacts of products and materials
1) Measuring environmental impacts (Full Life Cycle Analyses)
2) Reducing our impact
Values, principles, and vision
1) Overview
2) Values
3) Principles
4) Vision
Goals and actions
1) Overview
2) Navigating the action tables
3) Shared prosperity
4) Product design and manufacturing
5) Product consumption and use
6) Product end-of-life management

TOPICS
7) Disaster resilience
Measuring progress
1) Plan Indicators
Implementation, compliance, and amendments
1) Overview
2) Roles and responsibilities
3) The County's Role in Solid Waste Management Planning and Operations
4) Oregon statutory requirements
5) Requirements for local governments
Address upcoming legislation, Oregon Recycling Modernization Act
6) Plan implementation
7) Plan oversight
Legal foundation and policy guidance
1) Overview
2) Legal foundation
3) Policy guidance
4) Plan Organization
Management Planning Process and Summary
1) Building On Previous Planning Work
2) Management Planning Process
3) Public And Stakeholder Input
4) Common Themes of Public and Stakeholder Input
6) Valuable Partnerships
Local Economic Development
Opportunities for innovation and entrepreneurship
CLIMATE CHANGE
Policy Impacts
Waste stream impacts from climate change policy/shifts
Social, Political, Legislative Dimensions

TOPICS
LIFE CYCLE IMPACTS OF MATERIALS
Introduction
Scale of impacts (Regional, state, national)
Which materials are most impactful
Which Disposal methods are most impactful
Impacts of generation sources (industries, large quantity generators)
Method and recommendations for ongoing analysis
BACKGROUND AND WASTE STREAM ANALYSIS
Introduction
Characteristics of the Planning Area
Description of the Solid Waste Management System
Analysis of community impacts from solid waste management system
Summary of Annual Solid Waste Generation
1) Refuse Collection
2) Transfer Stations
3) Disposal Facilities
4) Recycling Facilities
Current and Projected Waste Stream Composition and Quantities
1) Definition
2) Historical Solid Waste Data
3) Waste Stream Composition
4) Waste stream generation by economic sector/industry
5) Unique waste streams – timber wastes ex.
6) Disposal methods – slash burning, open burning, etc. and their impacts
7) Waste Stream Generation Forecast, including Economic, environmental, and material trend factors
WASTE PREVENTION/REDUCTION/ REUSE AND RECYCLING ANALYSIS
Introduction
Background
Existing Waste Reduction and Reuse Programs

TOPICS
1) Waste Reduction Programs, including food
2) Reuse Programs
3) Recycling Programs
4) Composting
5) Needs and Opportunities
Construction and Demolition materials and Deconstruction
Alternatives for Increased Waste Reduction, Reuse, and Recycling
1) Enhance Current Promotion/Education/Support Services
2) Target Certain Types of Generators or Waste Streams to Increase Diversion by Expanding Basic Services
3) Targeted high impact materials for Reduction, Reuse, and Recovery
Sorting at point of generation
4) Target Recovery of New Materials
Potential impacts/benefits of utilizing alternative options. How do these impact Benton County? What is needed to accomplish effectiveness?
Analysis of Recommendations from Advisory Groups and Public
Analysis and recommendations for policy as related to Increased Waste Reduction, Reuse, and Recycling
Options for supporting circular economy
Options for integrating extended producer responsibility
5) Recommendations
RECYCLING AND MATERIALS PROCESSING
Background and Existing Conditions
1) Existing Collection and Processing
2) Collection and Processing Services
3) Processing/collection Facilities
4) Yard Debris and Wood Waste Process Facilities
Food Waste - Organics
5) Needs and Opportunities
Alternatives
1) Processing Recyclable Materials

TOPICS
Sorting Technologies and MRF options
Proven vs. Unproven alternatives
2) Recommendations for Collection and Recycling/Processing
WASTE COLLECTION AND TRANSFER
Background and Existing Conditions
1) Regulatory Framework
2) Local Authority
3) Existing Collection Services
4) Commercial Waste Collection
5) Transfer Station Operation Approach
6) Waste and Vehicle Volumes to Each Transfer Station
7) Recycling at Transfer Stations
Unique wastes
Transfer Station Descriptions
1) Facility Needs
2) Disposal at a New In-County Landfill
3) Disposal at an Out-of-County Landfill
4) Other Operation Related Requirements
5) Collection Considerations for Specific Wastes
Needs and Opportunities
1) Collection Services
2) Need to Implement Transfer Station Capacity
Alternatives and Evaluation – Analysis and Investigation
1) Increase Commercial Waste Collection of Recyclable Materials
2) Develop Transfer Stations Capacity
Regional Intermodal transfer station
Comparative costs of landfilling vs. waste to energy vs. recycling
Comparison of different waste disposal and material management governance models
3) Recommendations

TOPICS
European/Global Strategies to Consider
Multiple vendor options
ALTERNATIVE TECHNOLOGIES AND SOLID WASTE DISPOSAL
Background and Existing Conditions
1) Introduction
2) Flow Control
3) Existing Landfill Disposal
Waste Stream Projections
1) Waste Disposal Projections
2) Needs and Opportunities
Alternatives and Evaluation
1) Alternatives for Municipal Solid Waste (MSW) Disposal
2) Mixed Waste Processing
3) Technology Summary
possibilities for transition assistance from state and federal initiatives addressing climate change
4) Evaluation of Options
5) Findings and Recommendations
HAZARDOUS WASTE
Background and Existing Conditions
1) Existing Collection and Processing
2) Collection and Processing Services
3) Processing/collection Facilities
5) Needs and Opportunities
Alternatives
1) Collection and Processing services and facilities
2) Recommendations for Collection /Processing services and facilities
LANDFILL DISPOSAL OPTIONS
Background
County Authority for Waste Disposal

TOPICS
Existing Landfill Disposal And list pros and cons of it
Waste Stream Projections
Projection Scenarios - climate change, regulatory environment, costs, etc.
Landfill Lifespan
Env. Impact Assessment
Needs and Opportunities
Disposal Options
1) Long-Haul Waste to Out-of-County Landfills
2) Alternative Options
3) Evaluation of Disposal Options
4) Recommendations
ADMINISTRATION AND ENFORCEMENT
Introduction
Background and Existing Conditions
1) Solid Waste Administrative Agencies
2) Solid Waste Advisory Council (SWAC) and Disposal Site Advisory Committee (DSAC)
3) Solid Waste Enforcement
4) Financing and Funding Sources
5) Economic footprint
6) Economic impact
7) System revenue
Monitoring plan progress
Ensuring Policies are followed
County community and business engagement
What grant opportunities, and how can county leverage them?
Needs and Opportunities
1) Management Considerations
2) Financing and Funding Considerations
3) Management Issues

TOPICS
Structure of Solid Waste-related governmental and decision-making bodies
Policy Development
Alternatives and Evaluation
Basis for deciding franchise contracts; annual renewals; capital costs
1) Administration/Management
2) Finance and Funding
3) Recommendations
CONCLUSION
RESOURCES

Appendix C2: Subcommittee Reports: Landfill Size/Capacity/Longevity

Background

Charge

Workgroup charter and bylaws 8-23-2022

From the "Benton County Talks Trash" Workgroup Charter and Bylaws document, Topic A:

A. Develop Common Understandings to form the basis of the work.

1) A chronological history of key Coffin Butte Landfill topics:

a. Size;
b. Specific locations;
c. Conditions of past land use approvals;
d. Compliance with prior land use approvals and SWMP;
e. Reporting requirements;
f. Assumptions (e.g. when will the landfill close;)
g. Economics (i.e. Benefit – Cost, etc.;) and
h. Examples from other jurisdictions hosting landfills, e.g.:
   i. Typical land use conditions of approval; and
   ii. Issue sequencing, (e.g. in what order are landfill versus hauling approvals done, etc.

Subcommittee A.1 charge

The A.1 subcommittee was charged with a subset of the tasks listed above. Specifically, per the A.1 Subcommittee web page:

Charge A: Common Understandings Tasks

1) A chronological history of key Coffin Butte Landfill topics:

1. Size;
2. Specific locations;
3. Assumptions (e.g. when will the landfill close;)

Thus the A.1 subcommittee addresses components 1(a), 1(b) and 1(f) of the workgroup charter Topic A tasks.

Charge 3 "Assumptions" is interpreted to mean estimation of the landfill operational lifetime including the assumptions behind this estimation.

Note that for the A.1 subcommittee, "chronological history" is limited specifically to these three topics; a more general history of the landfill will be addressed by another body.

Membership Composition

The A.1 Subcommittee membership is composed of four primary representative groups:

1. Franchisee: 3 members (Ian Macnab, Ginger Rough, Bill Bromann, all of Republic Services)
2. Benton County community members: 4 members (Chuck Gilbert*, Mark Yeager*, Ken Eklund*, Paul Nietfeld)

3. County governments: 3 members (Daniel Redick (Benton County), Brian May (Marion County), Shane Sanderson (Linn County))

Daniel Redick, a Benton County Community Development Department staff member, acts as Chair of this subcommittee.

Sam Imperati, the workgroup facilitator, normally attends subcommittee meetings and provides guidance in regard to aligning with workgroup objectives.

* Also members of the Solid Waste Advisory Council and the Disposal Site Advisory Committee for Benton County

Document Organization

This document is organized into sections that correspond to the "Charge" items assigned to the A.1 Subcommittee (i.e. Sections 1, 2, 3 correspond to Charges 1, 2, 3).

References to specific sections in this document are in the format <Section #>.<Subsection Letter>.<Subpart Designation>. Thus this location would be referenced as 0.C, and the A.1 Subcommittee Charge may be found in 0.A.ii.

Common Terms and Definitions

Landfill: Landfill means a facility for the disposal of solid waste involving the placement of solid waste on or beneath the land surface. ORS 459.005(14)

Sanitary Landfill: Sanitary landfills are intended as biological reactors (bioreactors) in which microbes will break down complex organic waste into simpler, less toxic compounds over time.

Disposal Site: Disposal site means land and facilities used for the disposal, handling or transfer of, or energy recovery, material recovery and recycling from solid wastes, including but not limited to dumps, landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, transfer stations, energy recovery facilities, incinerators for solid waste delivered by the public or by a collection service, composting plants and land and facilities previously used for solid waste disposal at a land disposal site. ORS 459.005 (8)

Regional Disposal Site: Regional disposal site means a disposal site that receives, or a proposed disposal site that is designed to receive more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located. As used in this subsection, "immediate service area" means the county boundary of all counties except a county that is within the boundary of the metropolitan service district. For a county within the metropolitan service district, "immediate service area" means the metropolitan service district boundary. ORS 459.005 (22). From all particular measures, a landfill is a subset of a disposal site.

Landfill Cell: Landfill cell means a discrete volume of a landfill which uses a liner system to provide isolation of solid waste from adjacent cells of solid waste. (RI 250-RICR=140-05-1)

Coffin Butte Landfill: Coffin Butte Landfill is a regional disposal site and an engineered sanitary landfill in Benton County, north of Corvallis, located off Coffin Butte Road.

Landfill Life: Expected time remaining in which the landfill will continue to accept waste, typically in Years. Landfill Life (longevity) in a landfill linear economy model is the consumption of its resources in reserve as well as ancillary resources thereby extinguishing its maximum capacity to further dispose refuse?

End of Life (EOL): Expected calendar date when the landfill ceases to accept waste, typically in Calendar Years AD.

Remaining Landfill Life (longevity): The available timeline a landfill will remain open to accept waste placement into it's permitted capacity.

Franchisee, landfill owner, landfill operator: Republic Services/ Valley Landfills, Inc. Republic Services has been the owner/operator of Coffin Butte Landfill since 2008.

Intake Tonnage: The total quantity of solid waste accepted at the landfill in US short Tons (1 Ton = 2000 lbs.). Conversion to airspace volume in cubic yards (yd^3) is obtained by mathematically dividing the Intake Tonnage value by the density figure provided by the franchisee for the relevant period (stated in Tons/yd^3).

Permitted Airspace: The physical volume available for the placement of solid waste. Benton County approves the land use for the landfill's footprint. However, DEQ and the franchisee (Valley Landfills Inc.), approve the cell design that determines the physical volume available. "Airspace" is the resulting volume left within the permitted space for the disposal of solid waste. Permitted airspace refers to the maximum amount of space that is authorized by regulatory agencies for use as a landfill. It is typically specified in a landfill's permit issued by the relevant regulatory agency, and it represents the total volume of waste that the landfill is permitted to accept over its operating life. The permitted airspace takes into account various factors, such as the size of the landfill, the type of waste it can accept, the geology and hydrology of the area, and the potential environmental impacts of the landfill. It is important for landfill operators to carefully manage their landfill to ensure that they do not exceed their permitted airspace and to minimize the environmental impact of their operations. Exceeding permitted airspace can result in fines or other regulatory actions, and can also have significant environmental consequences.

Service Area: Total geographic area from which waste feeds into Coffin Butte Landfill. These areas represent the geographic area of the landfill's customer base, which is not constant and may change over time based on business choices of the landfill.

Landfill threshold: A landfill threshold, also known as a fill line, is the designated level or height within a landfill at which waste is no longer allowed to be deposited. It represents the maximum height to which a landfill can be filled, as determined by regulatory agencies and landfill permits. The threshold is typically marked by a physical barrier or layer of soil, and is designed to ensure that the landfill does not exceed its permitted airspace or pose a risk to public health and the environment.

2000 Landfill Franchise Agreement: The 2000 Landfill Franchise Agreement between Benton County and Valley Landfills Inc., signed December 31, 2000 and effective from December 31, 2000 until December 31, 2020.

2000 Intake Threshold: The intake tonnage level specified mathematically in the 2000 Landfill Franchise Agreement. If the volume of solid waste accepted at the landfill in any calendar year exceeded the annual level, or if the cumulative volume of solid waste accepted at the landfill in any two consecutive calendar years exceeded the two-year level, the County was allowed, at its expense, to perform a new Baseline assessment, and if the County determined this assessment indicated an adverse impact relative to the 2001 Baseline Study an immediate renegotiation of the Franchise Fee and/or Host Surcharge was required.

2001 Baseline Study: The assessment of environmental and infrastructure conditions and areas of potential impacts from the volume of solid waste accepted at the landfill, as mandated in the 2000 Landfill Franchise Agreement. This assessment was completed by the Benton County Health Department with results documented in a report released in 2001. This study included the following elements: Traffic, Soil Conditions and Contamination Levels, Air Quality, Surface and Groundwater Conditions and Contamination Levels, Noise, Odor, Visual Screening, Litter, Hours of Operation, Solid Waste Control Systems and Compliance with all Solid Waste Permits.

2020 Landfill Franchise Agreement: The 2020 Landfill Franchise Agreement between Benton County and Valley Landfills Inc., signed December 21, 2020 and effective from January 1, 2021 until December 31, 2040.

Tonnage Cap: The 1.1 M Tons/year "Limit on Solid Waste" defined in the 2020 Landfill Franchise Agreement, in place until "Franchisee's governmental applications to expand the landfill onto the Expansion Parcel are granted" and stipulated as the level which the total tonnage of solid waste deposited by the franchisee "shall not exceed" during any calendar year, with exceptions for fire, flood, other natural disaster or any Force Majeure event.

Expansion Parcel: As specified in the 2020 Landfill Franchise Agreement, the "expansion parcel" is tax lot 104180001107, listed as 59.23 Ac.

Circular Economy:

An expansion of a landfill alone without a circular economy would only consume valuable landfill reserve resources in a traditional linear economy model, which operates on a "take, make, use, dispose" model.

A circular economy is an economic model where the waste and pollution generated by society is minimized, and resources are conserved and regenerated by reusing and recycling materials and products. It aims to reduce dependency on finite resources, eliminate waste, and create a more sustainable economy. The circular economy model is in contrast to the traditional linear economy model.

In Republic Services 2021 Sustainability Report, Jon Vander Ark, President and Chief Executive Officer reports, "This is our company vision, which is intentionally ambitious because we believe we are uniquely positioned to help our customers achieve their own sustainability goals. That commitment begins with our Elements of Sustainability – Safety, Talent, Climate Leadership and Communities – and these elements anchor our 2030 sustainability goals".

A solid waste management plan is a comprehensive plan for the collection, transport, processing, and disposal of solid waste, such as household trash, industrial waste, and construction and demolition debris. The purpose of a solid waste management plan is to

ensure that waste is managed in an environmentally responsible and sustainable manner, while also considering economic and social factors of a circular economy.

In the 2020 landfill franchise agreement under article 5a Benton County and the Franchisee acknowledge that there may be adverse effects to the County's infrastructure and environmental conditions due to increased annual volumes of solid waste accepted at the landfill.

In other words, a solid waste management plan needs to work shoulder to shoulder with sustainability goals in a circular economy within Benton County's proposed sustainable materials management plan and transportation plan.

What is the economical principal of demand and supply equilibrium?

The economic principle of demand and supply equilibrium is a fundamental concept in economics. It states that in a free market, the price of a good or service will settle at a level where the quantity demanded by buyers is equal to the quantity supplied by sellers.

What are the economics of a franchise?

A franchise is a business model in which a franchisor grants a franchisee the right to use its trademarks, products, services, and business methods for a specified period of time in exchange for an initial fee and ongoing royalty payments. The economics of a franchise depend on various factors, including the type of franchise, the market conditions, and the terms of the franchise agreement.

What is the economics of a landfill?

The economics of a landfill refers to the financial costs and benefits associated with operating and managing a landfill. Landfills are a type of waste management facility where garbage and other forms of solid waste are buried underground in order to minimize their impact on the environment.

The economics of a landfill can be broken down into several components:

1. Capital Costs: These are the costs associated with building the landfill, including site preparation, infrastructure development, construction of waste cells, and installation of monitoring systems.
2. Operating Costs: These are the ongoing costs associated with running the landfill, including labor costs, equipment maintenance, waste collection, transportation, and disposal costs.
3. Revenues: These are the revenues generated from the landfill, which may come from tipping fees charged to waste generators or from the sale of recovered materials such as metals, plastics, or glass.
4. Environmental Costs: These are the costs associated with the environmental impact of the landfill, including pollution, greenhouse gas emissions, and impacts on local ecosystems.
5. Regulatory Costs: These are the costs associated with complying with local, state, and federal regulations governing the operation of landfills, including permitting, monitoring, and reporting requirements.

Overall, the economics of a landfill depend on a number of factors, including the size, capacity and location of the landfill, the amount and type of waste it receives, the regulatory environment, and the cost of alternative waste management options. Proper management of a landfill can result in a profitable operation, but this must be balanced with the potential negative environmental impacts and the costs associated with mitigating them.

What are resources in reserve in a landfill?

In the context of a landfill, resources in reserve typically refer to the remaining capacity of the landfill to accept waste before it reaches its maximum capacity. This can be estimated by conducting periodic surveys and measurements of the landfill's remaining space, as well as assessing the rate at which waste is being deposited.

The resources in reserve of a landfill are a key consideration in waste management planning, as they determine how long the landfill can continue to accept waste before it reaches its maximum capacity and must be closed. Once a landfill reaches its maximum capacity, it must be closed and monitored for an extended period of time to ensure that it does not pose a threat to human health or the environment.

In addition to the remaining capacity of the landfill, other resources in reserve in a landfill may include materials that can be recovered and reused, such as metals, plastics, and other recyclable materials. Landfills may also be equipped with systems for capturing and utilizing landfill gas, which is a byproduct of the decomposition of organic materials in the landfill.

Overall, the resources in reserve of a landfill are an important consideration in waste management planning, as they determine the landfill's remaining lifespan and its potential for resource recovery and utilization.

What are ancillary resources in a landfill?

Landfill ancillary resources are the resources that can be extracted or generated from a landfill in addition to its primary function of waste disposal. These resources can include both tangible and intangible assets that have value for the landfill operator or for other entities.

Examples of landfill ancillary resources include:

1. Landfill gas: Landfills generate methane and other gases as waste decomposes. This gas can be captured and used to generate electricity, heat, or fuel.
2. Recoverable materials: Certain materials, such as metals, plastics, and glass, can be recovered from the waste stream and sold or recycled.
3. Compost: Some landfills may have the capability to compost organic waste, such as food and yard waste, which can be sold as a soil amendment or fertilizer.
4. Land: Once a landfill has reached the end of its useful life, the land can be repurposed for other uses, such as parks, recreation areas, or commercial or industrial development.
5. Environmental credits: Landfills that reduce their greenhouse gas emissions or implement other environmentally beneficial practices may be eligible for credits that can be sold on carbon markets or other environmental markets.

6. Water: Some landfills may have groundwater resources that can be used for irrigation or other purposes.

Overall, landfill ancillary resources can provide additional revenue streams for landfill operators, reduce the environmental impact of landfill operations, and provide value to the broader community.

What is a landfill linear economy?

A landfill linear economy refers to a waste management approach in which waste is generated, collected, and disposed of in a linear manner, without much emphasis on resource recovery or reuse. This approach is often characterized by a "take-make-dispose" model, where resources are extracted, processed into products, used, and then discarded as waste.

In a landfill linear economy, waste is typically sent to landfills for disposal, without much effort to recover or recycle materials from the waste stream. This can result in the depletion of natural resources and the generation of significant amounts of waste that can pose environmental and health hazards.

In contrast, a circular economy approach to waste management emphasizes resource recovery and reuse, with the goal of reducing waste and conserving natural resources. In a circular economy, waste is treated as a valuable resource, and materials are reused, recycled, or repurposed, rather than being disposed of in landfills or incinerators.

Overall, the concept of a landfill linear economy highlights the need for more sustainable waste management practices that prioritize resource recovery and reuse over disposal. By adopting a circular economy approach to waste management, it may be possible to minimize waste, conserve natural resources, and reduce the environmental impact of waste disposal.

What is refuse?

Refuse is a term used to describe any material or object that is thrown away or discarded because it is no longer wanted or needed. Refuse typically includes waste, garbage, trash, or other types of discarded materials, such as food scraps, old papers, empty containers, and broken household items.

Refuse can take many forms and can come from a variety of sources, including households, businesses, and industrial processes. Proper disposal of refuse is important to prevent environmental pollution, reduce health risks, and conserve resources. Recycling, composting, and other waste reduction strategies can help to minimize the amount of refuse that ends up in landfills or incinerators.

What is consumption of resources in a landfill?

The consumption of resources in a landfill refers to the use of resources, such as energy, water, and raw materials, that are required to operate and maintain a landfill. Landfills consume resources in several ways, including:

1. Construction and operation of the landfill facility: This includes the use of energy and raw materials to construct the landfill, install infrastructure (such as access roads and monitoring systems), and operate heavy equipment (such as bulldozers and excavators) to manage and compact waste.

2. Transportation of waste: Waste must be transported to the landfill from its point of origin, which requires energy and resources to operate vehicles, such as garbage trucks and hauling equipment.
3. Leachate management: Landfills generate leachate, which is liquid that is generated as water percolates through the waste. Leachate must be collected and treated to prevent contamination of the surrounding environment, which requires energy and resources.
4. Gas management: Landfills also generate methane gas, which must be collected and managed to prevent it from escaping into the atmosphere, where it can contribute to climate change.

The consumption of resources in landfills can have environmental impacts, including air pollution, water pollution, and greenhouse gas emissions. Therefore, landfill operators must carefully manage their operations to minimize resource consumption and environmental impacts. This may include implementing a circular economy using in part energy-efficient practices, which use renewable energy sources, and implementing waste reduction and recycling programs to reduce the amount of waste that enters the landfill.

Table of Findings

Key Findings:

Landfill Estimated Remaining Life, Projected End of Life (EOL)

LSCL F-1: In 2003 EOL was projected to be approximately 2074, with a Landfill Life estimate of 71 years (2003 East Triangle CUP document, Benton County file PC-03-11.pdf). Twenty years later EOL is projected to be 2037-2039 with a Landfill Life of 14.5-16 years, a reduction of approximately 36 years of estimated life in 20 elapsed years. In 2013 Valley Landfills Inc. reevaluated an area of Landfill Site zoned property in the northeast corner of the site for waste placement stability engineering. This area was removed from the landfill's site development plan based on updated state seismic guidance for landfill stability.

LSCL F-2: In 2013 EOL was projected to be 2053-2062, with a Landfill Life estimate of 40-49 years[75]. Ten years later EOL is projected to be 2037-2039 with a Landfill Life of 14-16 years, a lower and upper range reduction of approximately 16 and 23 years respectively.

LSCL-F-3: Current (1Q2023) estimate for landfill EOL = CY 2037 – 2039, with a landfill life estimate of 14-16 years, based on an annual intake level of 1.0 – 1.1 MTons/year and a density of 0.999 Tons/yd3, assuming the quarry area will be fully excavated by the time the current disposal areas are full. Valley Landfills, Inc. has represented that this nominal life projection ("baseline") is derived from a few data points in annual measurements, and is the product of a modeling process that is standard in the landfill industry. Valley Landfills, Inc. acknowledges that a variety of factors, including human factors, can impact landfill site life, but are not included in this baseline calculation. Valley Landfills, Inc.'s baseline projection of a 2037-2039 closure date is based both upon existing demand and Valley Landfill Inc.'s efforts to maintain and/or grow its service area and business in the market.

LSCL F-4: The 2021 Site Development Plan is a registered engineer of record stamped and dated plan set which includes but not limited to a projected a 2039 EOL based on an annual intake of approximately 846,000 Tons/year, but this intake tonnage is not considered binding or

[75] 2013 Coffin Butte Landfill and Pacific Region Compost Annual Report

controlling by either ODEQ or Valley Landfills, Inc. This is based on the best information available at time of approval by Oregon DEQ, which can change based upon service area impacts.

LSCL F-5: Under the 2020 Franchise Agreement, the 1.1M tonnage cap is eliminated upon Benton County's approval of a CUP (expansion). If intake volumes increase, an **expansion would not necessarily guarantee an increase in site life** or the extension of the Landfill's closure date. For example, if an expansion increases available airspace but intake volumes increase the fill rate even more, the overall life of the landfill could decrease. Republic Services said it was unlikely such a scenario would occur, due to operational limitations at the Landfill and in the Service Area [could not reach consensus].

Nonetheless, transitioning from the current linear landfill economy to a circular economy landfill can potentially extend the life of a landfill. This is because a circular economy landfill is designed to minimize the amount of waste sent to the landfill and extract value from the materials that are discarded. By recovering valuable materials through recycling, composting, and other forms of recovery, a circular economy landfill reduces the volume of waste that needs to be disposed of in the landfill. This, in turn, reduces the rate at which the landfill is filled up, which can extend its lifespan with or without tonnage cap limitation.

Notwithstanding, a landfill tonnage cap is a regulatory limit on the amount of waste that can be disposed of in a landfill over a certain period of time. The tonnage cap is typically set by the local or state government and is intended to prevent the landfill from becoming overfilled and causing environmental or problems such as contamination of groundwater, soil, air, or demand and supply equilibrium problems, while transitioning to a circular economy.

LSCL F-6: For purposes of this discussion, the subcommittee agreed to rely on data from the annual reports and other landfill filings with the county. EPA also provides data in in its greenhouse gas reporting webpage that uses different data from another source.

LSCL F-7: Factors such as population growth and debris from disasters may drive up intake rates and thus shorten landfill life; factors such as recycling and waste diversion, plus emerging factors such as extended producer responsibility (EPR) incentives and climate crisis legislation, may drive down intake rates and thus lengthen landfill life.

LSCL F-8: Landfill Life (longevity) is the availability of the landfill reserve resources and landfill ancillary resources that currently operates the landfill's demand, supply and equilibrium of refuse disposal in a linear economy model.

LSCL-F-9: The subcommittee identified these factors that could impact usable landfill airspace: Landfill expansion(s) and associated removal of tonnage cap; the quarry excavation schedule; water table concerns; disasters that happen to the landfill itself.

LSCL F-10: The subcommittee identified many factors that could impact the landfill's annual tonnage; i.e., the rate at which its usable volume fills up. These included: exceedance of the tonnage cap; recession(s); economic growth; structural and societal reductions in waste generation; disposal alternatives; transportation alternatives; global health issues such as pandemics; climate change and other environmental legislation concerning methane and other greenhouse gases; climate change and other environmental legislation concerning the reduction of waste and pollution in landfilled material; state and local legislation upgrading waste diversion efforts; environmental activism, especially about the climate crisis; wildfires

and other disasters that generate debris for landfilling; service area changes; changes in population in the service area.

LSCL F-11: Recognizing that the question "What factors could make the landfill close earlier than the Baseline Scenarios (by 2037–39)?" is of particular importance to this report's readers, the subcommittee has prepared a table that contains background information about each factor and proposes questions for the County and the SMMP to answer. This information can be found in Table 4.

LSCL F-12: Landfills are known to be major emitters of methane, but previously these emissions have typically been estimated through mathematical modeling, because the emissions themselves were hard to measure directly. The methane emissions from Coffin Butte Landfill have not been well-characterized, so the possible effects of methane-reducing legislation on the landfill's waste intake rates are also hard to characterize.

LSCL F-13: One proven way to reduce a landfill's greenhouse gas emissions is to divert organic material. Landfill gas collection systems are another tool to lessen the greenhouse gas impact but do not remediate it. In 2019 the EPA estimated that Coffin Butte Landfill's gas collection system operates at 57% efficiency.

LSCL F-14: The impetus to curtail methane emissions is focusing attention on ways to divert organic waste from landfill wastestreams. The 2023 Food Donation Improvement Act, for example, enables existing food donation organizations to expand operations and incentivizes the creation of new methods and innovations in preventing food waste, both to stop wasting a valuable resource and to reduce methane emissions.

Landfill Size: Capacity

LSCL F-15: A significant portion of the permitted airspace in the quarry area (also known as Cell 6) is currently unavailable for waste disposal due to unexcavated rock. As with other cells at Coffin Butte, permitted airspace is ultimately the result of two separate decisions by two separate entities. Benton County approves the land use for the landfill's footprint, while DEQ and the franchisee (Valley Landfills Inc.), approve the cell design that determines the physical volume available.

LSCL F-16: The addition of Cell 6 added approximately 13,400,000 cubic yards. Landfill total capacity increased by approximately 9,000,000 cubic yards in 2003 with the addition of the West and East triangle areas for a total of approximately 35,500,000 cubic yards. The formal County approval of Cell 6 as a disposal area has not been identified or confirmed. Since 2004, reported remaining airspace has decreased gradually, while total permitted airspace has remaining somewhat constant. As of end 2021 approximately 44% of permitted capacity remained unused.

Landfill Size: Intake Tonnage

LSCL F-17: The amount of waste placed into the landfill has grown dramatically over the past 40 years. In 1983, 375 tons per day were placed into the landfill (117,000 tons per year). By 1993, the tonnage volume increased to 310,000 tons per year. In 2003 550,000 tons were placed into the landfill. In 2013, the waste tonnage was 479,000, and in 2021, 1,046,000 tons were emplaced.

LSCL F-18: The official 2022 Coffin Butte annual intake tonnage is not available at the time of this report (February 2023). The size of the Host Fee payment to Benton County in January 2023 indicates a 2022 intake volume of 1,066,436 Tons. The actual tonnage figure should be updated after the receipt of the 2022 Coffin Butte Landfill Annual Report.

LSCL F-19: The 2000 Landfill Franchise Agreement stipulated that the County was to perform a "Baseline" study as a reference for measuring potential future adverse effects (completed in 2001), and defined a ramping intake tonnage threshold to be applied during the term of the agreement (CY2001-2019). Intake volumes in excess of this threshold granted the County clear right to pursue specific remedies: a) the County, at its expense, could perform an updated Baseline assessment, and b) if the County determined that the new assessment indicated an adverse impact on "the Baseline," the agreement stipulated that "the parties shall immediately proceed in good faith to negotiate an increase in the Franchise Fee and/or Host Surcharge…".

LSCL F-20: The 2000 intake tonnage threshold was exceeded in calendar years 2017, 2018 and 2019.

LSCL F-21: Washington County waste tonnage accepted at the landfill increased by over 400% between 2016-2017, with the increased tonnage continuing through 2019. Riverbend Landfill was a regional landfill that accepted waste from many counties, including Washington County. Riverbend's owner/operator diverted tonnage to Coffin Butte in an effort to extend Riverbend's site life.

LSCL F-22: Benton County did not utilize either of the contractual remedies available to it as a result of the intake tonnage exceeding the threshold in 2017-2019. No updated Baseline study was performed, and no renegotiation of the landfill fee structure was undertaken.

LSCL F-23: Benton County received approximately $3.1M of incremental revenue from the increased intake volumes over the 2017-2019 period. Of this, approximately $1.08M was the result of intake volume in excess of the annual limits over the three-year period. This equates to roughly $11.50 total per Benton County resident for the three-year period.

LSCL F-24: In an official 2018 presentation to Benton County Board of Commissioners, Benton County represented the 2000 Franchise Agreement intake threshold as "Annual Maximums Specified in Franchise Agreement." However, the 2000 Franchise Agreement does not describe the tonnage threshold as a "limit" or "maximum" and does not limit the number of tons that can be accepted.

LSCL F-25: Both the 2000 Landfill Franchise Agreement and the 2020 Landfill Franchise Agreement include a section stating that "The parties acknowledge that there may be adverse effects to the County's infrastructure and environmental conditions due to increased annual volumes of Solid Waste accepted at the Landfill." In both agreements this section of the agreement then stipulates terms regarding intake volumes.

LSCL F-26: The intake threshold defined in the 2000 Landfill Franchise Agreement and the Tonnage Cap defined in the 2020 Landfill Franchise Agreement were stipulated as contractual provisions, with consequences explicitly defined in the 2000 agreement and implicit (violation of contract) consequences in the 2020 agreement.

LSCL F-27: The 2020 Landfill Franchise Agreement defined a 2020 Tonnage Cap of 1.1 M Tons/year that the Landfill "shall not exceed." That includes 75,000 tons reserved annually for

Benton County. The Tonnage Cap does not apply to fire, flood, natural disaster, or Force Majeure event materials.

LSCL F-28: The 2020 Landfill Franchise Agreement also includes a provision that the tonnage cap would be eliminated upon governmental approval of an application to "expand the landfill onto the Expansion Parcel."

LSCL F-29: It is unclear if the 2020 Franchise Agreement's enforcement mechanisms are strong enough to prevent agreement violation or if the County will pursue the options at its disposal.

LSCL F-30: The landfill operator generally chooses how much tonnage to accept, based on demand and their contracts with various jurisdictions and haulers. Some of the increasing tonnage accepted at the landfill from 1993-2021 reflect the increase in business development.

LSCL F-31: The slow downward trend in intake volume in the 2006-2010 period is explained by the franchisee as resulting from the economic downturn of 2008.

LSCL F-32: Republic Services states that the drop in volumes to Coffin Butte in 2020 is due to the global COVID-19 pandemic, coupled with diversion of tonnage from Riverbend Landfill to other landfills besides Coffin Butte. However, tonnage volumes increased again in 2021 due in part to changes in lifestyle/development/at home shopping patterns as a result of the pandemic, as well as debris from the Oregon wildfires.

LSCL F-33: A range of human factors have been seen to influence the landfill's intake rate and therefore its operating life in the past. These include business factors such as expansions or contractions of the Service Area, social factors such as recessions and population growth, and environmental factors such as recycling and other initiatives that divert materials out of the waste stream.

LSCL F-34: More human factors are emerging that could influence the landfill's intake rate and therefore its operating life in the future. These include newly enacted state legislation assigning responsibility for disposal costs to the producers of waste material, newly enacted national legislation addressing food waste, and national legislation being rolled out that targets methane and other greenhouse gas pollution.

LSCL F-35: A 2016 MOU between Benton County and Republic Services acknowledged "Coffin Butte Landfill will be accepting municipal solid waste currently being delivered to Waste Management's Riverbend Landfill for a term of 1-2 years, beginning in January of 2017."

LSCL F-36: The 2016 MOU does not contain language preventing Benton County from exercising its rights under the 2000 Landfill Franchise Agreement (see Recommendations).

Specific Locations

LSCL F-37 : Valley Landfills Inc. anticipates it will no longer be able to place waste in Cell 5 by mid-year 2025. When Cell 5 is full, Republic Services is working on a plan to deposit waste in the permitted area of the landfill known as the quarry known as Cell 6. Excavation of the primary quarry footprint is scheduled to begin in Spring of 2023 with completion in Spring 2025.

LSCL F-38: Approval of the 1983 rezoning was recommended by SWAC and CAC with on the condition that "No landfill be allowed on property south of Coffin Butte Road."

LSCL F-39: The recommended condition prohibiting landfill south of Coffin Butte Road was not included in the 1983 rezoning ordinance through a change recommended by Benton County Staff, in which Staff noted that any new disposal area would require approval of the Planning Commission in a public vote. The process for approving landfill south of Coffin Butte Road was subsequently changed to "allowed by conditional use permit." This appears to be done via Ord. 90-0069 (BCC 77.305) This change was memorialized in the 2002 Memorandum of Understanding executed by Valley Landfills and Benton County.

Landfill Size: Footprint and Structure

LSCL F-40: The 1983 rezoning action defined 194 acres as Landfill Size (LS) zone. An additional 59-acre parcel south of Coffin Butte Road, while zoned LS, would not be used for disposal of solid waste unless approved by a conditional use permit and Department of Environmental Quality permit for solid waste landfill use. The site map attached to the 2002 MOU restricted "fill" activity to the north side of Coffin Butte Road.

LSCL F-41: Twenty-three tax lots are owned by landfill-affiliated entities. Six of these taxlots are zoned LS, and the 5 LS tax lots on the north side of Coffin Butte Road contain landfill cell disposal areas. The most recent tax lots associated with the landfill were purchased in 2001 (non-disposal areas).

LSCL F-42: The landfill has developed visually over time in accordance with site development plans. Coffin Butte Landfill has changed visually since it's designation as a regional landfill in 1974, growing in both height and size, and visual appearance. However, the overall landfill acreage hasn't changed significantly since 1983; it has filled in more of its footprint.

Table of Recommendations

Key Recommendations:

LSCL R-1: The Sustainable Materials Management Plan should further develop scenarios and factors that may impact the landfill lifespan, including detailed analyses of likely projections. The Commissioners and County staff should keep the questions about these factors and their effects in mind when making decisions affecting the landfill.

LSCL R-2: Benton County should create and share a plan for the enforcement of all franchise agreements.

LSCL R-3: Benton County should contract for an updated Baseline Study to evaluate the impact of the current intake level at Coffin Butte. As with the 2001 Baseline Study stipulated in the 2000 Landfill Franchise Agreement, this study should determine and measure adverse effects, including but not limited to: traffic, soil conditions and contamination levels, air quality, surface and ground water conditions and contamination levels, noise, odor, visual screenings, litter, hours of operation, solid waste control systems and compliance with all solid waste Permits. This baseline study could help inform Benton County in decision making and financial choices regarding how to use the income from the landfill.

LSCL R-4: The County should, as soon as possible, consider the public record of the deliberations leading to the execution of the 2020 Landfill Franchise Agreement in order to assess a) which party requested that the 2020 Tonnage Cap be eliminated if expansion was approved, b) if Benton County proposed the elimination of the 2020 Tonnage Cap, determine why this was done, c) determine the County's expectation for the benefit(s) to the County of accepting up to 1.1M Tons of waste per year when the County's reserve portion is approximately 6.8% of that

amount, d) interpretation of the “Tonnage Cap”, specifically relative to the 2020 Tonnage Cap, and e) expectations of both parties for future landfill site expansion, including any plans for multiple (repeated) future expansions. The county should then use this information to inform landfill-related decision-making. These negotiations were conducted privately (not in public meetings), and there are elements of these discussions that may be proprietary and/or fall under attorney-client privilege.

LSCL R-5: Benton County should clarify and document the process for officially establishing Permitted Space, including any and all required Benton County actions and regulatory agency approvals (ODEQ, EPA, etc.).

LSCL R-6: The County should clarify when formal approval of Cell 6 as a disposal area was granted.

LSCL R-7: The Benton County Solid Waste Advisory Council (SWAC) should review all future Coffin Butte Annual Reports relative to past reports and official approvals, in particular with regard to intake volume, landfill traffic volume (both Municipal Solid Waste and leachate transport), expected Landfill Life and EOL, and total and remaining Permitted Space. SWAC should report these findings to the BOC for consideration.

LSCL R-8: Benton County should secure information from Republic Services about the Annual Tonnage figures for presentation to SWAC/DSAC as soon as they are available, and not wait to include them for the first time in the Annual Report.

LSCL R-9: The baseline scenarios laid out in this report assume that landfilling will continue as it is doing today for the next 16 years. That expectation should be tempered by signals of factors that can reshape Coffin Butte Landfill's social and regulatory landscape, especially environmental considerations related to the climate crisis. This reshaping is something that Benton County can participate in, on behalf of its citizens, as the landfill’s permitted volume is filled.

LSCL R-10: Benton County should take steps to acquire better information about the methane emissions of Coffin Butte Landfill, because the landfill’s emissions are currently not well-characterized and use this information to guide diversion programs that could limit the amount of organic waste going to the Landfill.

LSCL R-11: In its current actions and in concert with its Sustainable Materials Management Plan, the County should be aware of and prepare for changes in Coffin Butte Landfill's social and regulatory landscape, as the future could hold significant opportunities for the County and affiliated organizations to bring waste management closer to the County’s goals and values.

LSCL R-12: Benton County should keep in mind that the most effective way to curtail a landfill’s greenhouse gas emissions is to divert organic material from being landfilled. This can inform County and area-wide decisions regarding recycling, composting, food waste, and other initiatives affecting how the landfill’s permitted volume is filled.

Executive Summary

The current landfill activities north of Coffin Butte Road consist of a total of 194 acres, with 6 cells currently slated or approved for disposal of waste.

In 2003 the End of Life “EOL” of Coffin Butte Landfill was projected to be approximately to year 2074, with a Landfill Life estimate of 71 years.

In 2013 EOL was projected to be years 2053-2062, with a Landfill Life estimate of 40-49 years.

In the current year of 2023 the EOL is projected to be years 2037 -2039, with a landfill life estimate of 14-16 years.

The above landfill progression is a linear economy model that represents a waste management approach in which waste is generated, collected, and disposed of in a linear manner, without much emphasis on resource recovery or reuse. This approach is often characterized by a "take-make-dispose" model, where resources are extracted, processed into products, used, and then discarded as waste by society.

The linear model of a landfill economy is being replaced by more sustainable models, such as the circular economy. In a circular economy, waste is minimized by prioritizing waste reduction and recycling, and by designing products and processes with a focus on sustainability and longevity. In this model, waste is seen as a valuable resource that can be reused, repurposed, or recycled, rather than being discarded into a landfill.

This approach supports the solid waste management plan of Benton County working shoulder to shoulder with a sustainable materials management plan being developed by Benton County Community Development in conjunction with Oregon Department of Environmental Quality, members of Benton County, as well neighboring Counties and municipality using Republic Services waste management services.

In Republic Services 2021 Sustainability Report, Jon Vander Ark, President and Chief Executive Officer reports, “This is our company vision, which is intentionally ambitious because we believe we are uniquely positioned to help our customers achieve their own sustainability goals. That commitment begins with our Elements of Sustainability – Safety, Talent, Climate Leadership and Communities – and these elements anchor our 2030 sustainability goals”.

The reader of this executive summary is encouraged to read further into subcommittee reports to appreciate the wealth of information the members of the community have brought forwarded in the short amount of time granted under the Benton County Talks Trash bridge approach into a needed sustainable landfill economy and transportation plan for waste disposal.

Landfill Life Projections

Coffin Butte Site Life Projection: 2023 to closure

The landfill life projections shown below are provided Republic Services. They are designed to establish a baseline – a simple operational projection that more sophisticated scenarios can be built upon.

It presumes:

a) A steady annual tonnage intake of between 1 million and 1.1 million tons for the duration of the landfill’s projected remaining site life.
b) Site life is currently projected by Republic Services to be between 14.5 and 16 years, with a closure date between 2037-2039.

Note: This also presumes that the landfill area known as “the quarry” can be fully excavated. A significant portion of permitted airspace at Coffin Butte is currently unusable due to unexcavated rock.

c) As indicated in the assumptions, this baseline is not a “default future,” in that it does not incorporate outside factors.

Scenario 1

Tons per Year	1,000,000	Tons
Projected Remaining Airspace 12/31/22	16,008,557	CY
2022 3-year Density Avg	0.999	Tons/CY
Site Life	15.99	Years

Scenario 2

Tons per Year	1,100,000	Tons
Projected Remaining Airspace 12/31/22	16,008,557	CY
2022 3-year Density Avg	0.999	Tons/CY
Site Life	14.54	Years

Definitions:

Tons per Year: Projected tonnage based off recent history*

Projected Remaining Airspace: Airspace remaining at the end of 2022 based off projected 2022 tons and 2022 3-year density average

2022 3-year Density Avg: Average density measured during 2020, 2021 and 2022 measurements

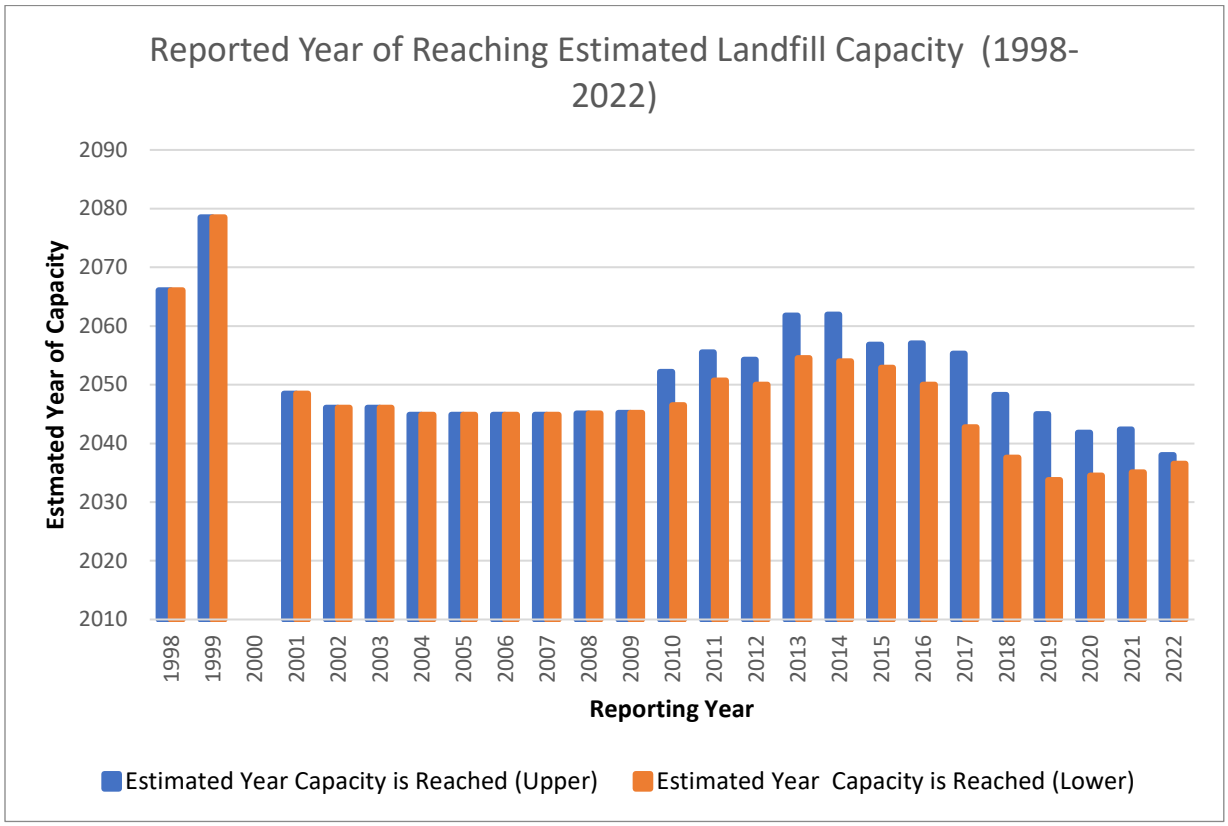
Site Life: Total site life including the fully excavated quarry area

*Variables can and do impact tonnage and available airspace, and can include changes in disposal and diversion rates, natural disasters and other unforeseen market changes, etc.

The table shown above represents industry-accepted modeling for estimating a Landfill’s remaining life. Modeling is based on three factors: remaining permitted airspace, volume, and density. As noted in the text below the graphic, Republic Services acknowledges that a wide variety of variables, independently or in concert with each other, can impact the baseline(s) enumerated above.

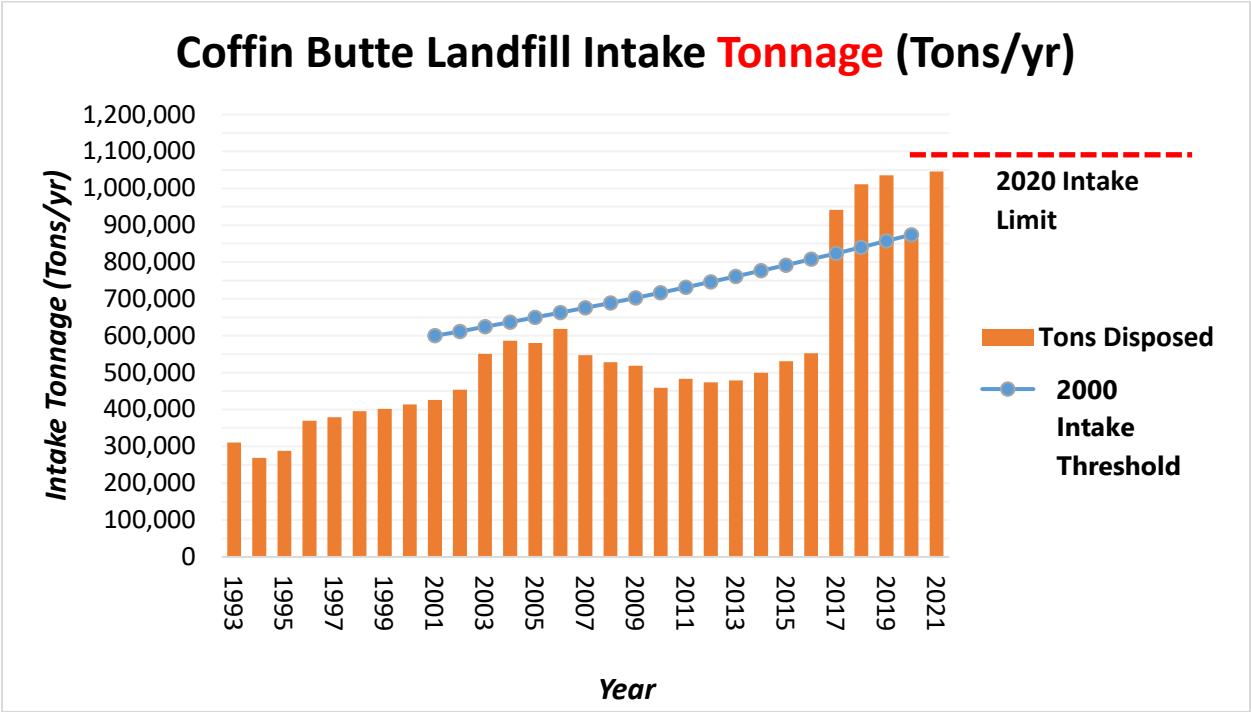
Historical Landfill Life Projections

Chart 4: Historical EOL Projections (source: Landfill Annual Reports)



Recent intake volume: 1993 – 2021

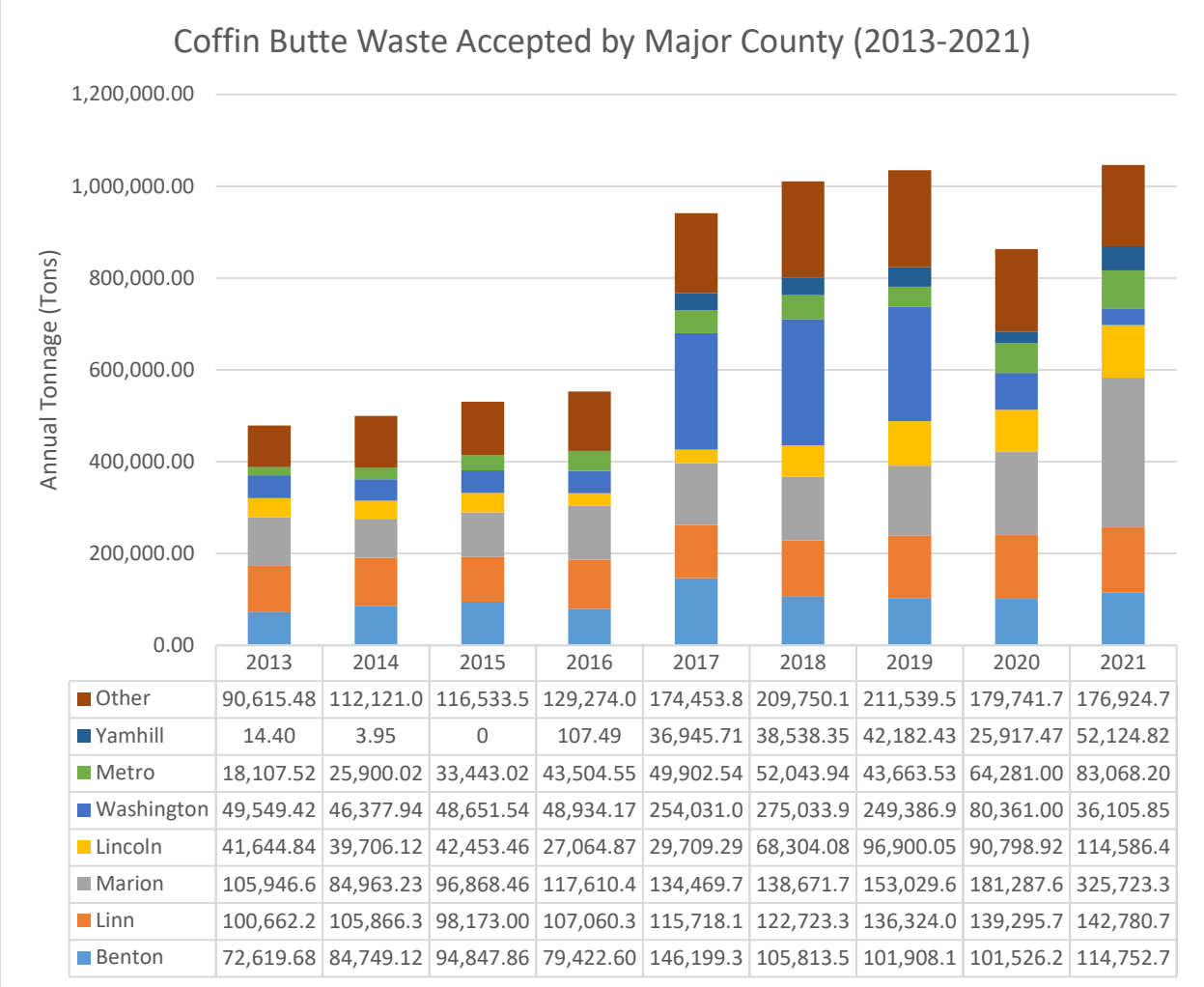
Chart 2: Coffin Butte Landfill Intake 1993 - 2021



Intake volume by source 2016 – 2021

See chart below for a breakdown of the Coffin Butte intake by source county for the period 2013-2021. This period includes the significant intake volume increase of 2016-2017. The intake shown for Benton County includes the volume of the landfill's daily cover, the soil used to overlay waste at the end of each day.

Chart 3: Intake by Source, 2013 - 2021



	2013	2014	2015	2016	2017	2018	2019	2020	2021
Other	90,615.48	112,121.0	116,533.5	129,274.0	174,453.8	209,750.1	211,539.5	179,741.7	176,924.7
Yamhill	14.40	3.95	0	107.49	36,945.71	38,538.35	42,182.43	25,917.47	52,124.82
Metro	18,107.52	25,900.02	33,443.02	43,504.55	49,902.54	52,043.94	43,663.53	64,281.00	83,068.20
Washington	49,549.42	46,377.94	48,651.54	48,934.17	254,031.0	275,033.9	249,386.9	80,361.00	36,105.85
Lincoln	41,644.84	39,706.12	42,453.46	27,064.87	29,709.29	68,304.08	96,900.05	90,798.92	114,586.4
Marion	105,946.6	84,963.23	96,868.46	117,610.4	134,469.7	138,671.7	153,029.6	181,287.6	325,723.3
Linn	100,662.2	105,866.3	98,173.00	107,060.3	115,718.1	122,723.3	136,324.0	139,295.7	142,780.7
Benton	72,619.68	84,749.12	94,847.86	79,422.60	146,199.3	105,813.5	101,908.1	101,526.2	114,752.7

Section 1: Landfill Size

Physical Real Estate Footprint

History

The Coffin Butte landfill was initiated in the early World War II era as a local burn dump for the Adair Air Force Base. The location was chosen because it was convenient to the Base, and was not necessarily the result of a careful selection and evaluation process.

Per the 2002 MOU Benton County & Valley Landfills MOU Relating to Land Use Issues (2002):

- 1974 CUP approved landfill activities on 184 acres north of Coffin Butte Road.
- 1983 rezoning added 10 acres for landfill activities north of Coffin Butte Road, for a total of 194 acres.
- The site map included in the 1983 rezoning consideration restricted "fill" activity to the north side of Coffin Butte Road.
- Since 1983, the total acreage of the permitted landfill site has remained largely unchanged.
- Franchisee (VLI) agrees that the approximately 56-acre parcel south of Coffin Butte Road, while zoned Landfill Site (LS), would not be used for disposal of solid waste unless approved by a conditional use permit and Department of Environmental Quality permit for solid waste landfill use.
- Total acreage owned by landfill franchisee unstated.

See Section 2 of this document for additional detail on land use and zoning actions impacting the landfill.

Images

Figure 1: Reported circa 1941 aerial view of Coffin Butte area, before Camp



Figure 2: Wide aerial view dated 6-10-63 (1963). Pond on south side of Coffin Butte was a result of military quarry operation.



Figure 3: Reported 1978 image of vehicles in line at the landfill.



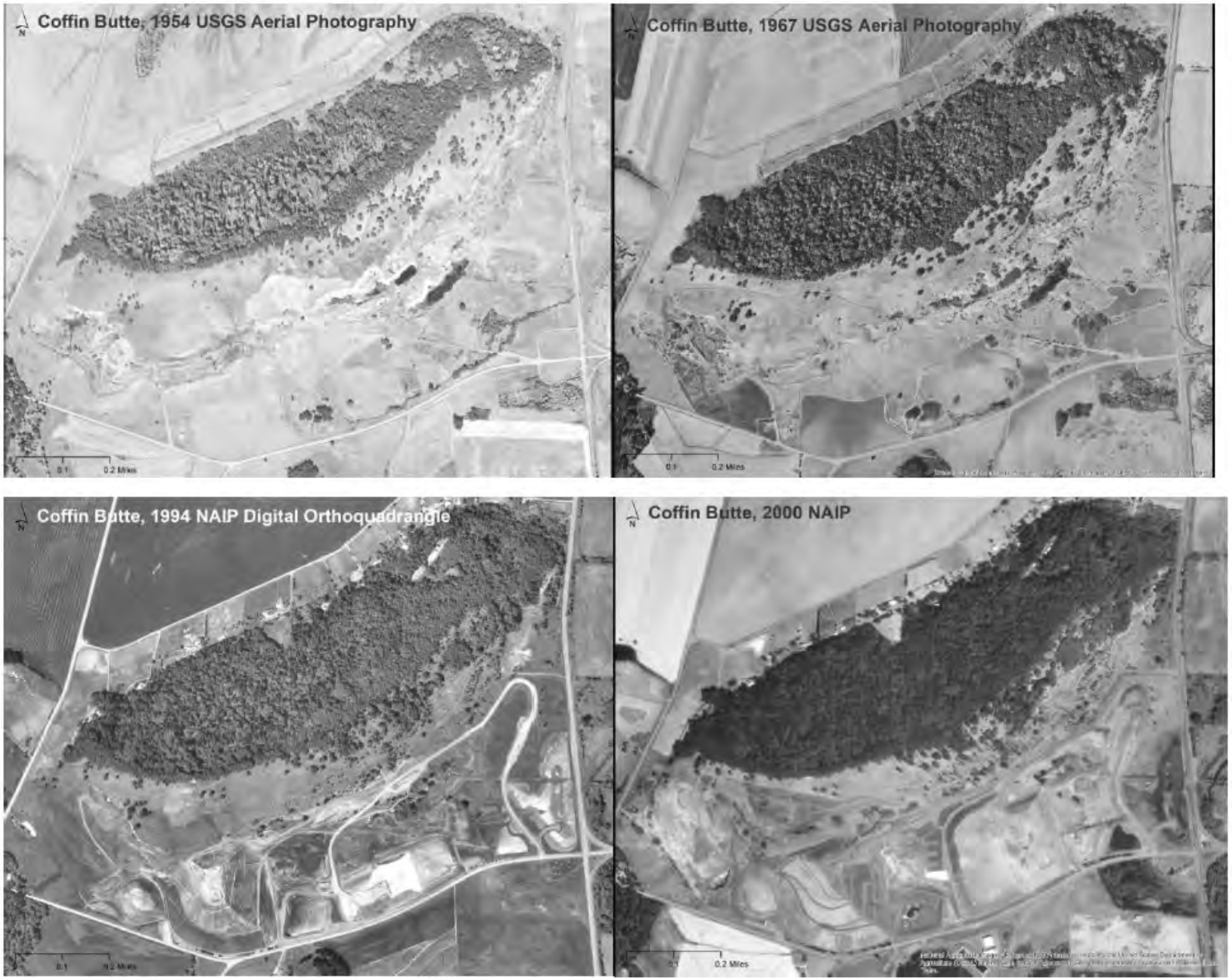
Figure 4: 2008 aerial view, from the 2008 Coffin Butte Landfill Annual Report, Republic Services, Inc.



Figure 5: Aerial image from Fall 2022



Figure 6: Additional Aerial Photography of Coffin Butte Landfill over Time (1954-2020)




Coffin Butte, 2005 NAIP


Coffin Butte, 2009 NAIP

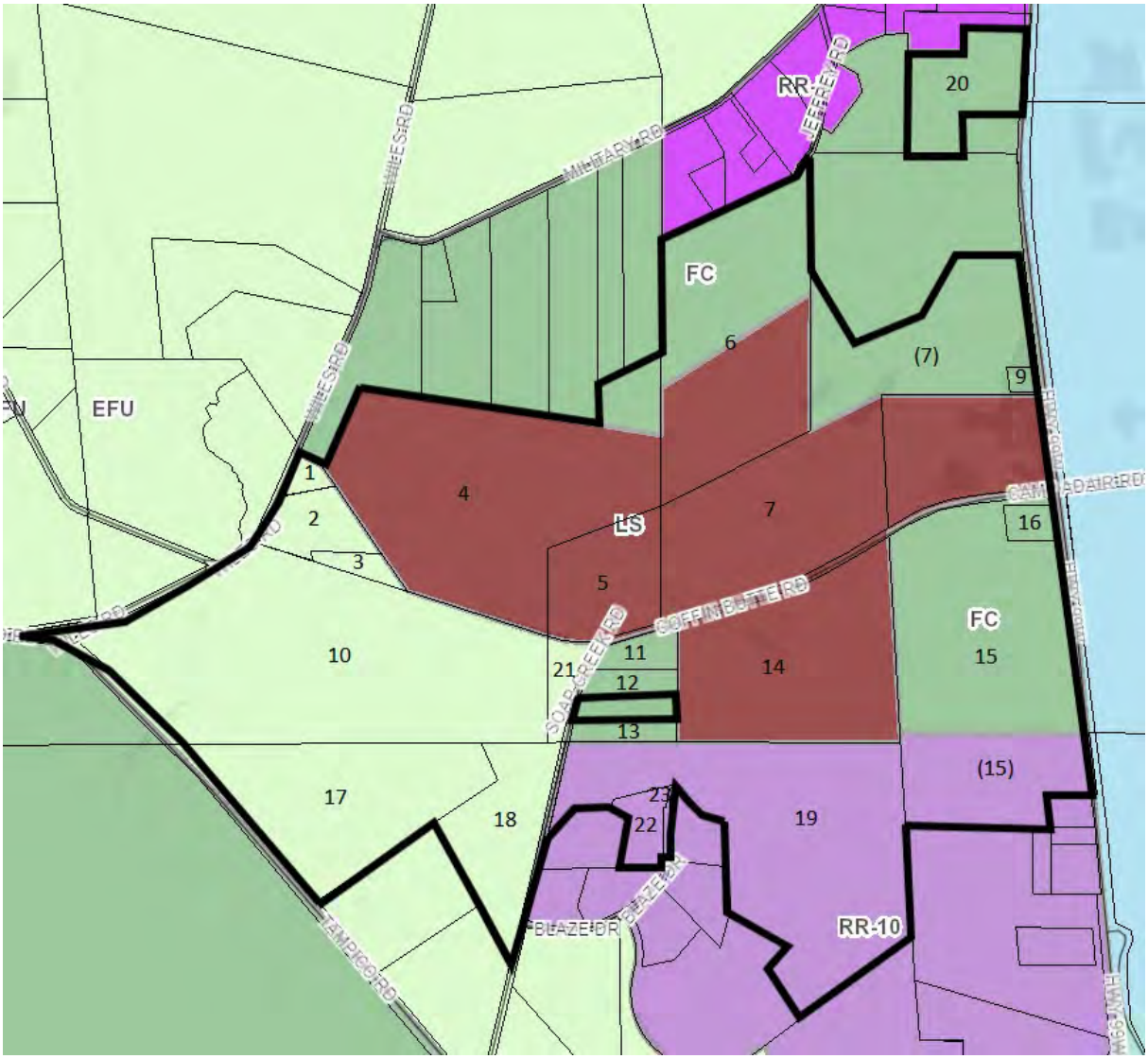

Coffin Butte, 2016 NAIP


Coffin Butte, 2020 NAIP

Current footprint

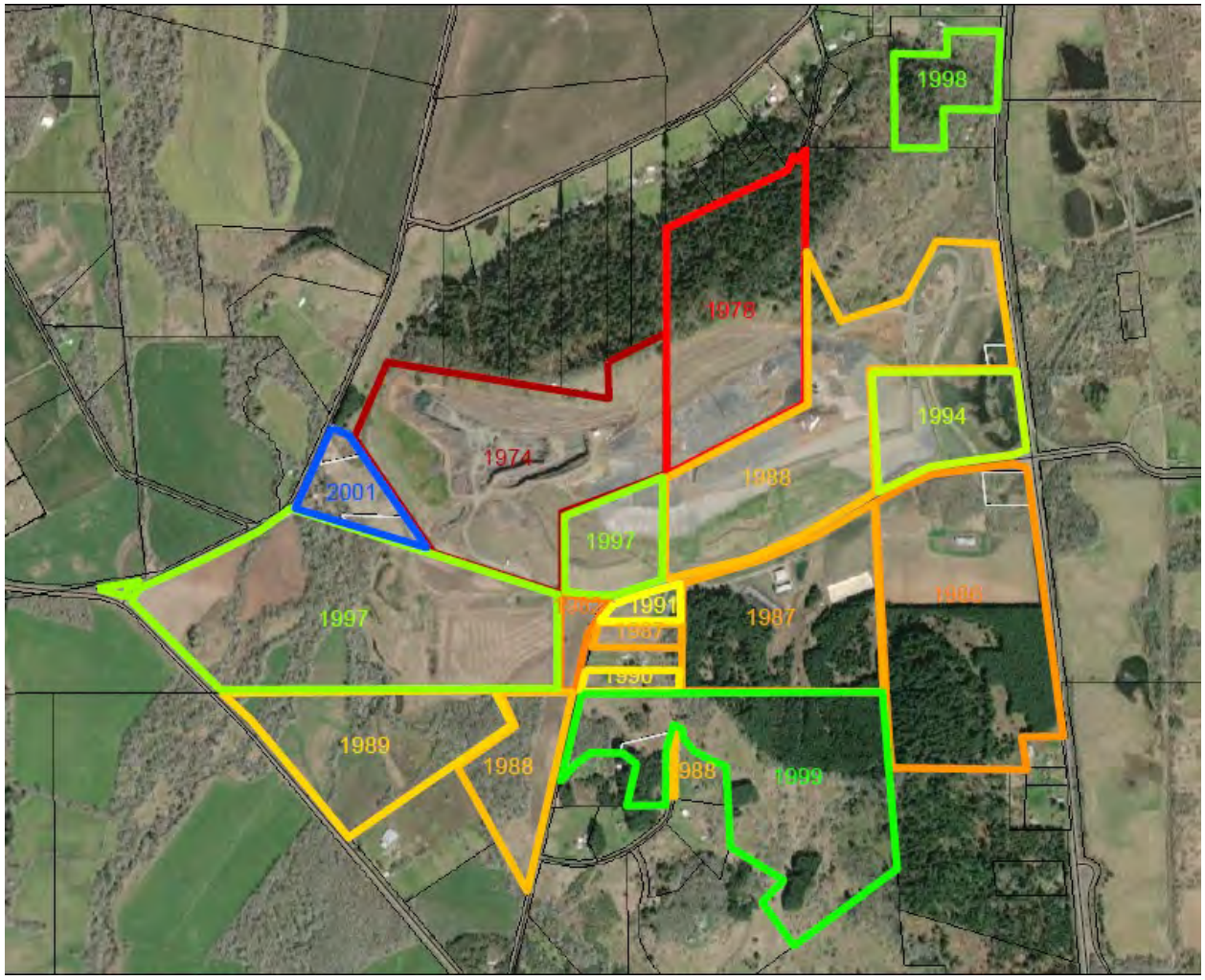
The real estate footprint of the landfill is shown in **Error! Reference source not found.**, and **Error! Reference source not found.**, below. See Appendix C for a detailed table of landfill property by taxlot.

Figure 7: Properties associated with the landfill, numbered in coordination with the table in Appendix C, and color-coded by zoning.



Note: Properties zoned LS (specifically #5, 7, 8 and 14) were likely purchased by landfill owners prior to 1983, but at the time of this report that property ownership information was not available, and only the more recent property records shown above were available.

Figure 8: Property map, with years each property was purchased by a landfill-affiliated organization.



Permitted Disposal Capacity

Historical permitted capacity benchmarks

The following table lists total expected/calculated permitted capacity for selected points in time. Note that before approximately CY 2000 the Coffin Butte annual reports are inconsistent in presenting an estimate of this capacity; thus, historical figures (e.g. 1983) are typically derived from a combination of archival data. For all but the latest figure (CY 2021), the figures should be interpreted as rough estimates and not precise volume numbers. The intent of providing the historical numbers is to document the growth of the expected/planned landfill size over time.

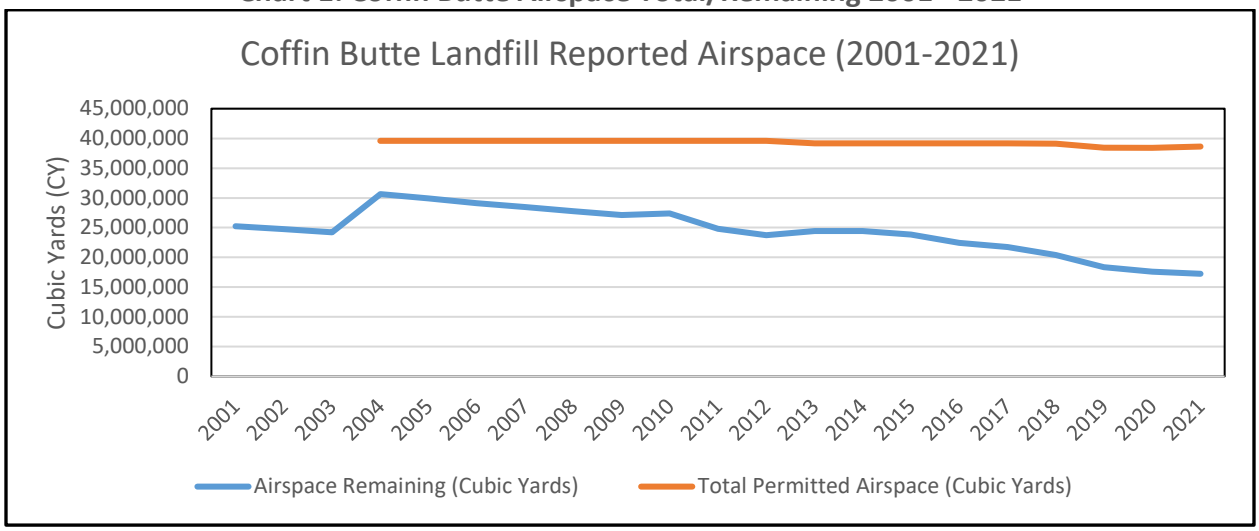
Table 1: Historical Capacity Values

Date	Total Capacity (yd^3)	Notes
1983	13,134,000	Capacities defined in the 2003 Site Development Plan for the cells ultimately located on the fill areas shown in ***Error! Reference source not found.*** areas (Cells 2-5)
?	35,531,000	With Cell 6, estimated at 13,397,000 yd^3. Benton County staff are currently researching the Cell 6 approval date/status.
1995	18,000,000	1995 Annual Report, estimated total capacity of Cells 1-5
1999/2003	22,134,000	Addition of West and East triangles (3,400,000 yd^3 and 5,600,000 yd^3 respectively); calculated from 2003 Site Development plan 1999 cell volume figures
2003	35,531,000	2003 Site Development Plan, based on October 1999 cell volumes and adding West and East triangles, with Cell 6 estimated at 13,397,000 yd^3
2004	39,594,002	2004 Coffin Butte Landfill Annual Report
2013	39,172,992	2013 Coffin Butte Landfill Annual Report
2021	38,997,848	2021 Coffin Butte Landfill Annual Report

Capacity utilization 2001 – 2021

The plot below shows the total permitted airspace and the available (remaining) airspace over the period 2001 – 2021. Note that as of end 2021 approximately 44% of the total permitted capacity remained unused.

Chart 1: Coffin Butte Airspace Total/Remaining 2001 - 2021



Near-term (circa 2025) capacity adjustments for 5-year operating plan

Republic Services is currently in discussion with Knife River regarding necessary permitting/steps to begin accelerated excavation of the quarry (future cell 6).

Valley Landfills Inc. anticipates it will no longer be able to place waste in Cell 5 by mid-year 2025. Republic Services is working on a plan to deposit waste in the permitted area of the landfill known as the quarry (also referred to as Cell 6). Excavation of the primary quarry footprint is scheduled to begin in Spring of 2023 with completion in Spring 2025.

Intake Volume

Coffin Butte intake volume is documented in the annual reports produced by the landfill franchisee. Benton County has annual reports on file for years 1993 – 2021 (inclusive) with the exception of year 2000; intake data for 2000 is available in the 2021 report. Note that with older (pre-2008) reports, the annual intake volume figure is sometimes difficult to determine precisely due to inconsistent values stated within a given annual report (e.g. narrative summary vs. intake volume table) and/or discrepancies in values referenced in subsequent annual reports (e.g. historical comparisons). Where discrepancies exist within a given annual report, the figure documented in the intake volume table is used. See Appendix A for a detailed listing of the annual intake volumes used in this document.

I. 2000 and 2020 Landfill Franchise Agreement Intake Thresholds

Agreement Terms

Both the 2000 Landfill Franchise Agreement and the 2020 Landfill Franchise Agreement include a section with the stipulation "The parties acknowledge that there may be adverse effects to the County's infrastructure and environmental conditions due to increased annual volumes of Solid Waste accepted at the Landfill." In both agreements this section of the agreement then stipulates terms regarding intake volumes.

The 2000 Landfill Franchise Agreement mandated that the County was to perform a "Baseline" study as a reference for measuring potential future adverse effects (completed in 2001), and defined a ramping intake tonnage threshold to be applied during the term of the agreement (CY2001-2019). See Appendix A for a detailed calculation of the annual values of this threshold. In this document the threshold thus defined is termed the "2000 Intake Threshold." Intake volumes in excess of this threshold granted the County clear right to pursue specific remedies: a) the County, at its expense, could perform an updated Baseline assessment, and b) if the County determined that the new assessment indicated an adverse impact on "the Baseline," the "parties [Benton County and the franchisee] shall immediately proceed in good faith to negotiate an increase in the Franchise Fee and/or Host Surcharge…".

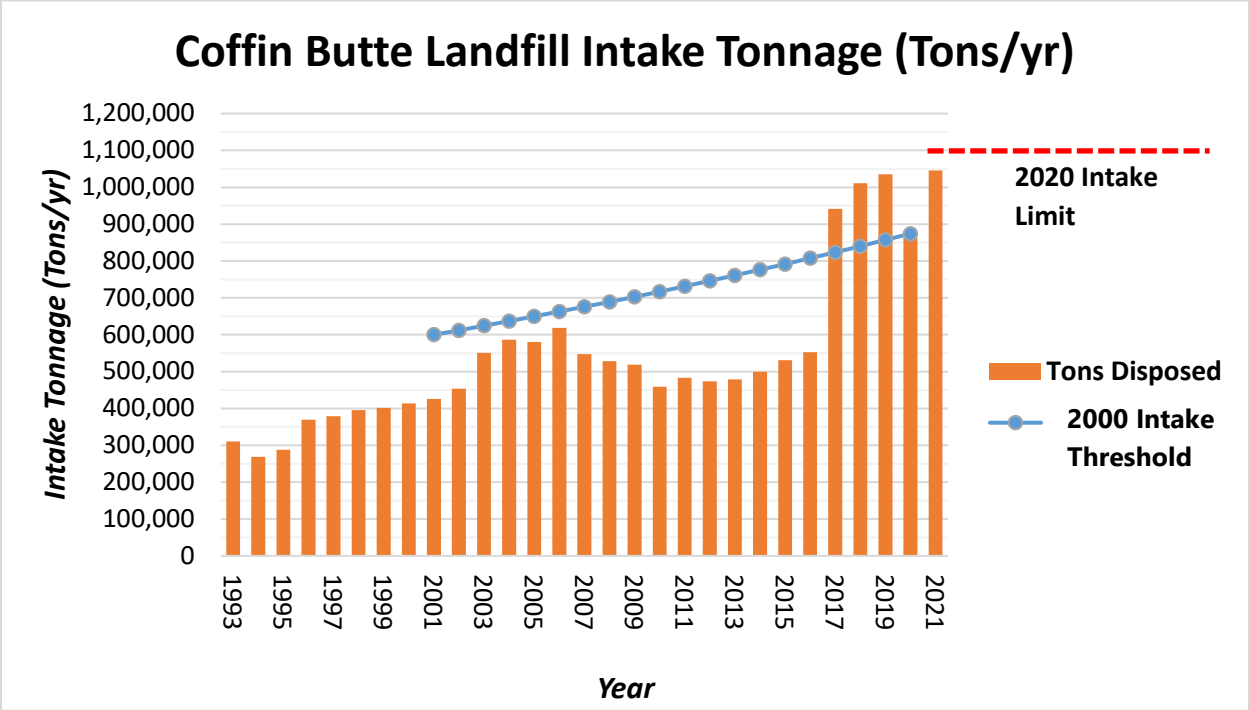
While the 2000 Landfill Franchisee Agreement did not refer to the intake threshold as a "limit," in a presentation compiled by the Benton County Health Department for consideration at the September 4, 2018 Benton County Board of Commissioners meeting the 2000 agreement intake threshold was described in a key chart as "Annual Maximums Specified in Franchise Agreement"; see Page 33 of the *BentonCountyBoardofCommissionersMeeting_4Sep20189_180904_tu_pkt.pdf* document.

The 2020 Landfill Franchise Agreement stipulates that the total tonnage deposited at the Landfill "shall not exceed" 1.1M Tons per calendar year (described as the "Limit on Solid Waste) until "applications to expand the Landfill onto the Expansion Parcel are granted (following any and all appeals to final judgement)." Of this 1.1 M Tons per year, 75,000 Tons per year were reserved for Solid Waste from the County exclusively, with the balance of 1.025 M Tons per year being termed the "Tonnage Cap." It was stipulated that "The County agrees that the Tonnage Cap shall not apply to any Solid Waste generated from fire, flood, other natural disaster or any Force Majeure event."

II. Recent intake volume: 1993 – 2021

Annual intake volume for 1993 – 2021 is shown in Figure 2.

Chart 2: Coffin Butte Landfill Intake 1993 - 2021



III. Comments/discussion:

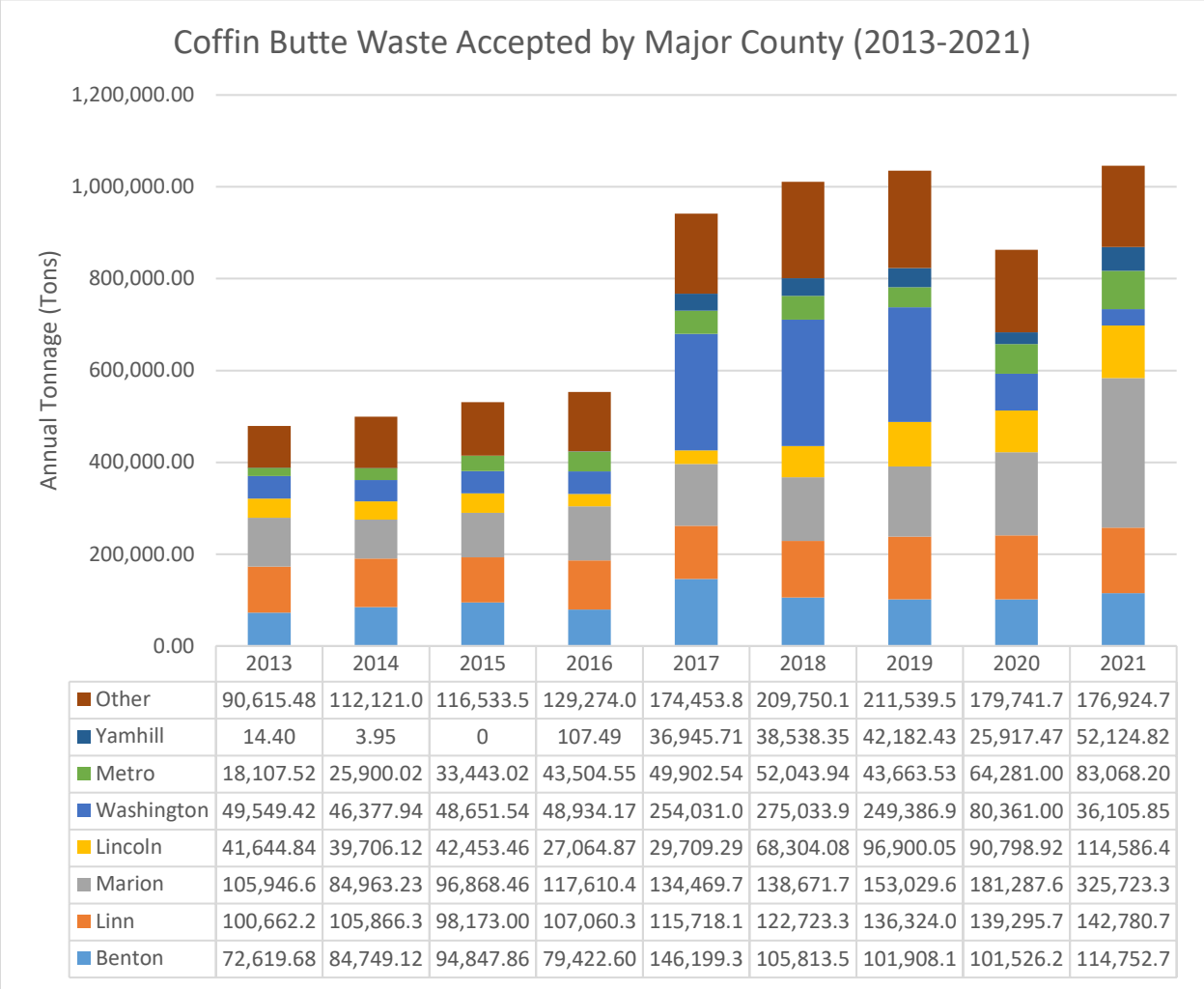
4. The landfill operator generally chooses how much tonnage to accept, based on demand and their contracts with various jurisdictions and haulers. Some of the increasing tonnage accepted at the landfill from 1993-2021 reflect the increase in business development.
5. The annual Coffin Butte intake tonnage exceeded the 2000 Intake Threshold in calendar years 2017, 2018, and 2019 (see Appendix A for exact figures). The County did not perform an updated impact assessment as a result of the 2017-2019 tonnage threshold exceedances and no fee increase negation was undertaken.
6. Due to an expected additional influx of volume in 2017 resulting from the onset of the closure process for Riverbend landfill in Yamhill County, in December 2016 the franchisee and Benton County executed a MOU (Benton County & Republic Services MOU Relating to Additional Tonnage (2016)) acknowledging an expected increase in Coffin Butte intake volume "for a term of 1-2 years."

7. In documents provided to the A.1 Subcommittee, representatives of the franchisee have indicated that the approximately 70.25% year-over-year increase in CY2016-2017 was primarily due to redirected flow from Riverbend to Coffin Butte. Other factors, including rapid population growth in Willamette Valley and Western Oregon also played a role, according to the franchisee. Note that data from the Portland State University Population Center indicates the population of the 6-county service area defined in the 2000 Landfill Franchise Agreement grew 3.6% total in the period 2016-2019 (see Appendix A for population data).
8. The slow downward trend in intake volume in the 2006-2010 period is explained by the franchisee as resulting from the economic downturn of 2008.
9. The drop in volumes to Coffin Butte in 2020 is due to the global COVID-19 pandemic, coupled with diversion of tonnage from Riverbend Landfill to other landfills besides Coffin Butte. However, tonnage volumes increased again in 2021 due in part to changes in lifestyle/development/at home shopping patterns as a result of the pandemic, as well as debris from the Oregon wildfires.
10. The franchisee reported Coffin Butte Landfill accepted fire debris in 2021.
11. Benton County received approximately $3.1M of incremental revenue from the increased intake volumes over the 2017-2019 period (approximately 450,000 additional Tons/year @ $2.31/Ton x 3 years). Of this, approximately $1.08M was the result of volumes in excess of the intake threshold over the three-year period (see yearly overage figures in Appendix A; total = 466,479 Tons @2.31/Ton). This equates to roughly $11.50 total per Benton County resident for the three-year period.
12. A clear understanding of the intent of language in the 2020 Franchise Agreement is necessary for a thorough interpretation of this document regarding questions such as the setting of the 1.1 M Tons/yr. intake limit relative to the expected life of the landfill over the term of the agreement, the proper interpretation of the "Tonnage Cap" term, stipulations that bear on questions of allowed intake capacity relative to expected landfill life, and the parties' expectations of landfill expansion. To that end, release by Benton County of all available public records related to the negotiation of this agreement is necessary for proper consideration of these issues by this subcommittee and the larger workgroup.

IV. Intake volume by source 2016 – 2021

See chart below for a breakdown of the Coffin Butte intake by source county for the period 2013-2021. This period includes the significant intake volume increase of 2016-2017.

Chart 3: Intake by Source, 2013 - 2021



	2013	2014	2015	2016	2017	2018	2019	2020	2021
Other	90,615.48	112,121.0	116,533.5	129,274.0	174,453.8	209,750.1	211,539.5	179,741.7	176,924.7
Yamhill	14.40	3.95	0	107.49	36,945.71	38,538.35	42,182.43	25,917.47	52,124.82
Metro	18,107.52	25,900.02	33,443.02	43,504.55	49,902.54	52,043.94	43,663.53	64,281.00	83,068.20
Washington	49,549.42	46,377.94	48,651.54	48,934.17	254,031.0	275,033.9	249,386.9	80,361.00	36,105.85
Lincoln	41,644.84	39,706.12	42,453.46	27,064.87	29,709.29	68,304.08	96,900.05	90,798.92	114,586.4
Marion	105,946.6	84,963.23	96,868.46	117,610.4	134,469.7	138,671.7	153,029.6	181,287.6	325,723.3
Linn	100,662.2	105,866.3	98,173.00	107,060.3	115,718.1	122,723.3	136,324.0	139,295.7	142,780.7
Benton	72,619.68	84,749.12	94,847.86	79,422.60	146,199.3	105,813.5	101,908.1	101,526.2	114,752.7

Landfill Structure

Overview

The disposal area and surrounding lots are shown in Figure 12: Property and Cell Structure Overview, 2021 Site Development Plan below. This drawing is reproduced from the 2021 Site Development Plan, Appendix A, Drawing No. G03, and is reproduced here for convenience.

Cell detail

Detail on individual disposal cells and the active dates for these cells is shown in Table 2: Cell Open/Closed Detail below.

Table 2: Cell Open/Closed Detail

Area	Date Opened	Date Capped/Closed
Closed Landfill (Burn Dump)	1940's	Relocated into lined landfill (no longer exists)
Cell 1	Late 1970's	Mid-1990's
Cell 1A	Late 1970's	Mid-1990's
Cell 2A	1988	TBD
Cell 2B	1994	TBD
Cell 2C	1995	TBD
Cell 2D	1998	TBD
Cell 3A	2003	TBD
Cell 3B	2004	TBD
Cell 3C	2005	TBD
Cell 3D Phase I	2007	TBD
Cell 3D Phase 2	2009	TBD
Cell 4	2012	TBD
Cell 5A	2014	TBD
Cell 5B	2018	TBD
Cell 5C	2020	TBD
Cell 5D	2022	TBD
Cell 5E	Future	TBD
Cell 6 (Quarry Area)	Future	TBD

Figure 9: Landfill Zoning

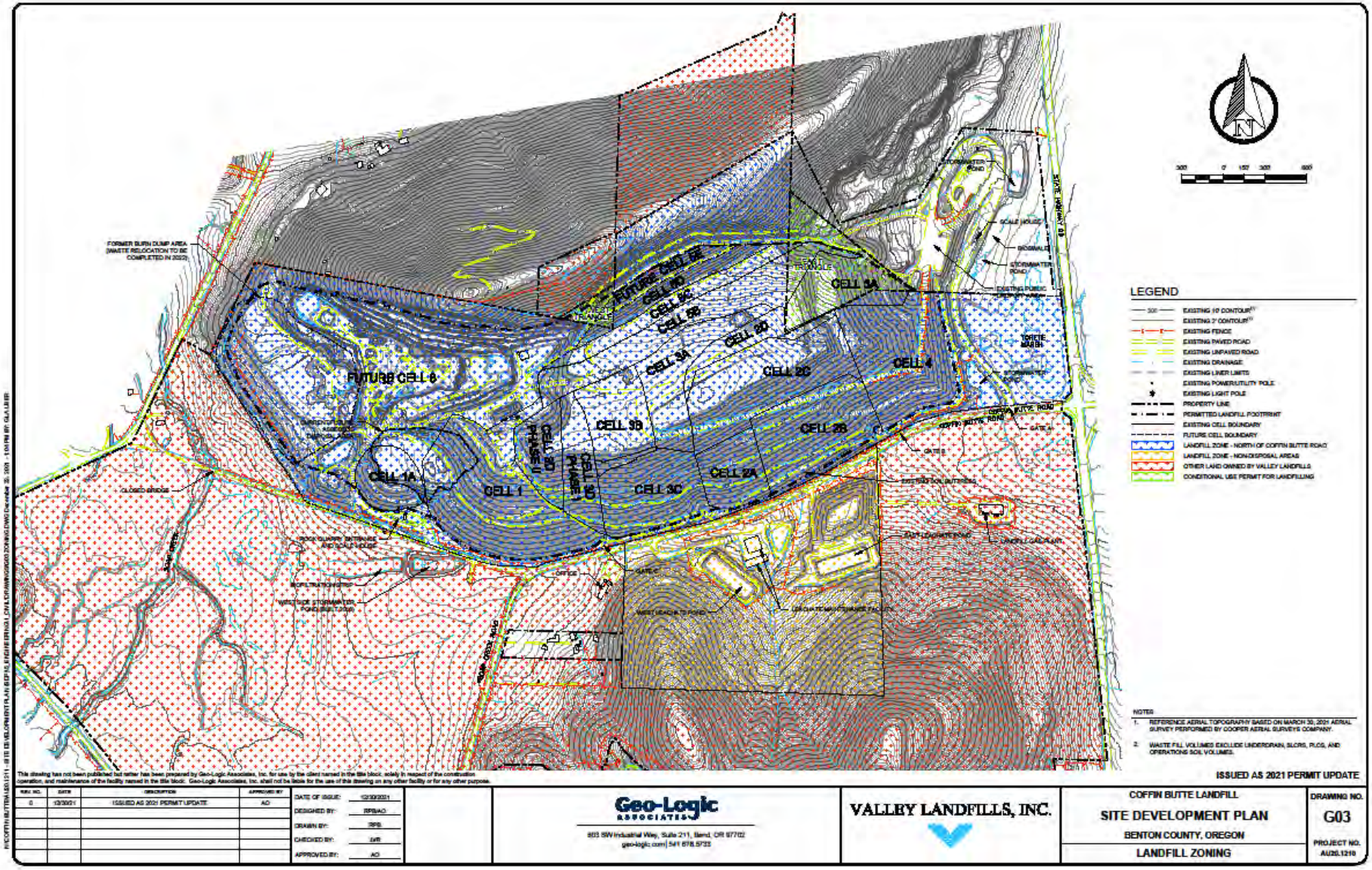
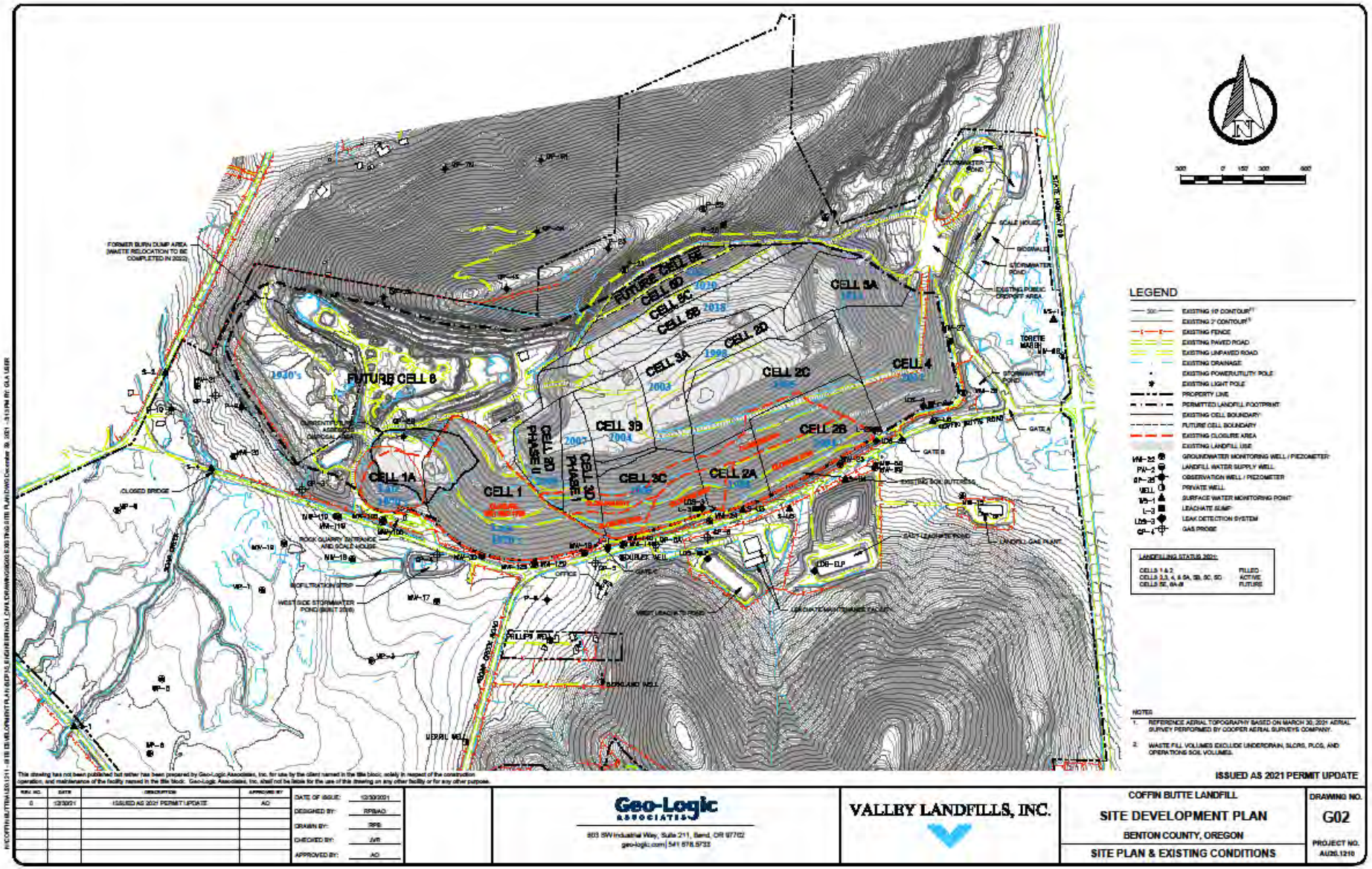


Figure 2: Landfill Cells



Specific Locations

This section summarizes the primary actions and events that define the current Coffin Butte landfill footprint.

1983 Rezoning Action

Per Benton County PC-83-07-C, in 1983 a new zoning category ("LANDFILL SITE") was created for Benton County. Approximately 266 acres of land owned by Valley Landfill, Inc. were rezoned with this classification. Of these 266 acres, 194 acres, all on the north side of Coffin Butte Road, were approved for waste disposal. The acreage on the south side of Coffin Butte Road can be permitted for waste disposal if a CUP is obtained from Benton County.

At the time the application for a zone change was filed in 1983, the landfill was receiving "approximately 375 tons of refuse per day" per PC-83-07 applicant filing.

Error! Reference source not found. denotes the originally proposed outline for land to be rezoned as Landfill Site (LS). Note that the northernmost section of the proposed area, extending north from the ridgeline of Coffin Butte, was ultimately not rezoned as LS due to concerns from neighbors. Also note that the expected areas of landfill are delineated in this drawing: Completed fill (west side), Present fill (southwest section), and Future fill (large area in center/east).

The overview map included in the Benton County & Valley Landfills MOU Relating to Land Use Issues (2002) document, included here as ***Error! Reference source not found.***, clarifies the zoning boundaries.

Figure 4: Proposed 1983 Rezoning Map

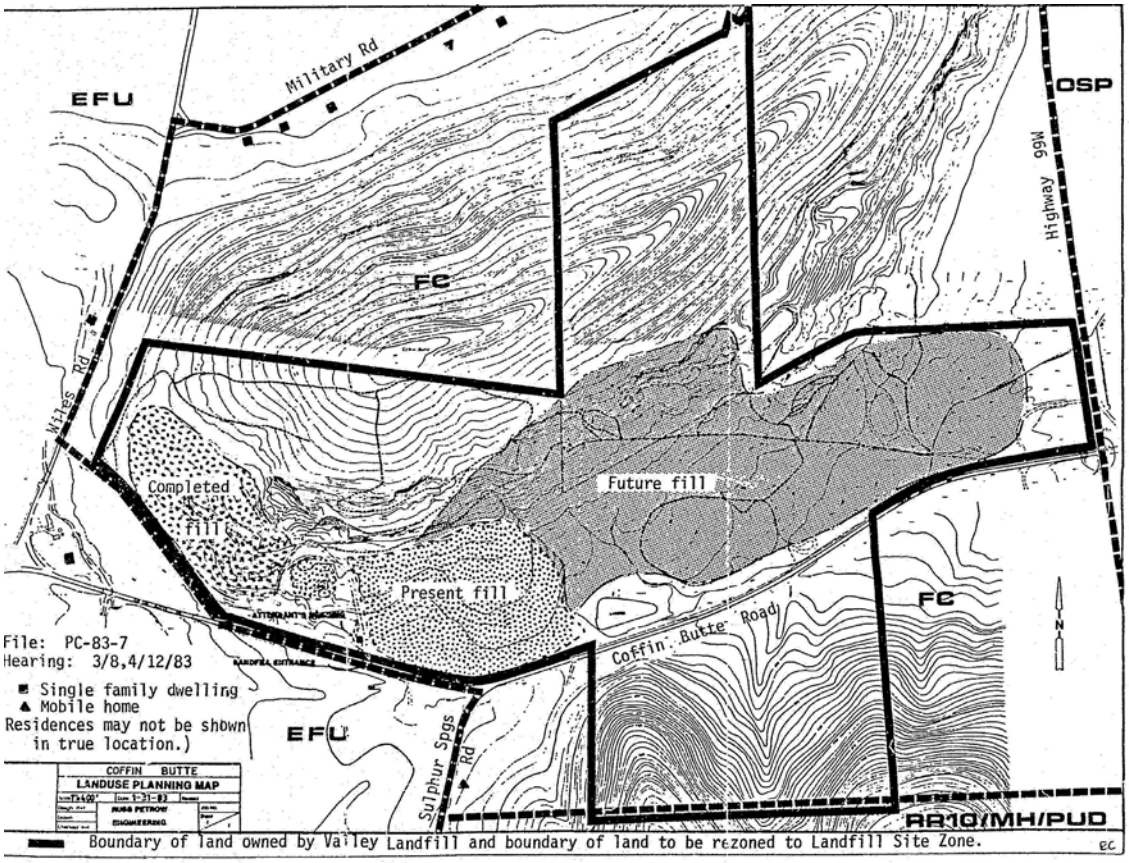
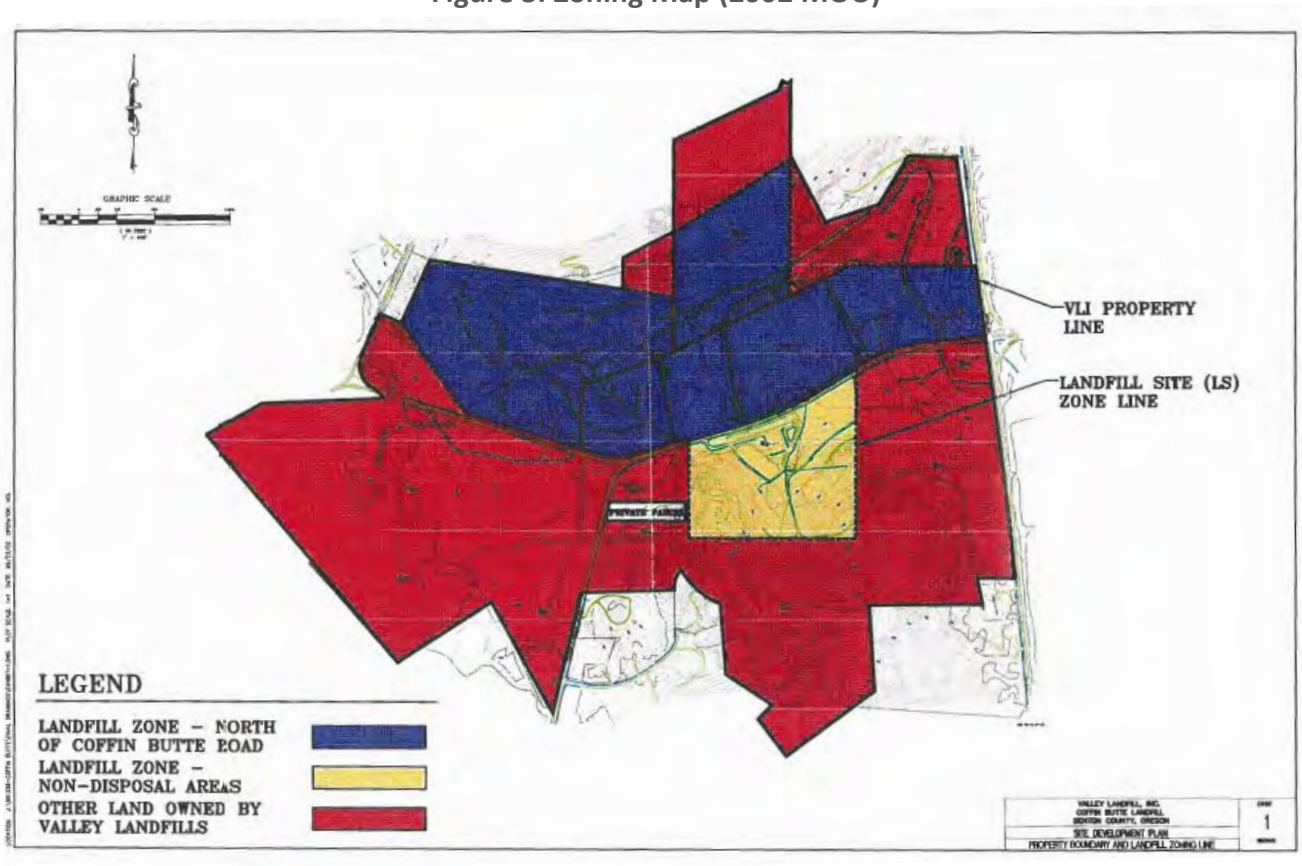


Figure 3: Zoning Map (2002 MOU)



West and East Triangle Additions

Two landfill areas were added in 2002 and 2003:

- The "West Triangle" was approved for landfill activities via Conditional Use Permit in 2002. This area is located on land zoned Forest Conservation (FC). Approximately 3,400,000 yd^3 of expected landfill capacity were added by the approval of the West Triangle.
- The "East Triangle" was approved for landfill activities via Conditional Use Permit in 2003. This area is located on land zoned Forest Conservation (FC). Approximately 5,600,000 yd^3 of expected landfill capacity were added by the approval of the East Triangle.

See Benton County document PC-03-11 for details.

Thus, a total of approximately 9,000,000 yd^3 of landfill capacity was added in the 2002 – 2003 period. This constituted an approximately 68.5% increase in total permitted capacity using the cell capacity figures shown in Table 3.1 of the Site Development Plan Amendment A2 in document PC-03-11.

Cell 6 (Quarry) Addition

Benton County staff are currently researching the Cell 6 approval date/status.

LS Zone Parcel South of Coffin Butte Road

As part of the 1983 action considering the requests for rezoning of several parcels from Forest Conservation to Landfill Site, the Benton County Planning Department submitted a Staff Report. Within this report (Staff Report P2361/7 Page 3; Benton County document PC-83-07 Page 13) a Staff Comments section noted:

"Benton County Solid Waste Advisory Council recommended approval of the requests [for rezoning] subject to two conditions:

1. No landfill be allowed on north face of Coffin Butte.
2. No landfill be allowed on property south of Coffin Butte Road [Taxlot 104180001107, Index 14 in Appendix C].

These two conditions were also requested by the North Benton Citizens Advisory Committee (CAC) and they recommended approval of the requests.

Staff concurs with these conditions. The property on the North face of Coffin Butte (approximately 30 acres) should remain under the Comprehensive Plan Designation of Forestry Conservation (FC), from the crest of the butte North."

However, the Benton County Planning Department Staff Report went on to state:

"The other issue concerning the property south of Coffin Butte Road can be resolved through Conditions of Development placed on any approval of the site plan by the Planning Commission. The proposed zone allows no additional landfill activities unless approved by the Planning Commission at a public hearing. Therefore, the Commission may limit expansion into any area that is not appropriate for a landfill."

The staff recommendation was adopted as submitted by the Planning Commission in their April 26, 1983 meeting. The Staff Report was expressly adopted as Finding 4(a) by the Benton County Board of Commissioners and incorporated into the resulting Order on June 15, 1983.

The recommended approval of both SWAC and CAC for the 1983 rezoning action was conditioned on the agreement that no landfill would be allowed on the parcel south of Coffin Butte Road (Taxlot 104180001107, Index #14 in Appendix C).

Thus, Benton County Planning staff modified the clear recommendation from the Solid Waste Advisory Council (SWAC) and the recommendation of the North Benton Citizens Advisory Committee by weakening the terms governing the property south of Coffin Butte Road from "No landfill be allowed" to "...no additional landfill activities unless approved by the Planning Commission at a public hearing."

The 1983 rezoning ordinance (Ord. 26I) stated that "Any proposal to expand the area approved for landfill must be reviewed and approved by the Planning Commission at a Public Hearing." No mention of a Conditional Use Permit process was stated in this ordinance as part of the process for expanding landfill area.

Per the Benton County Code Chapter 77 (77.305), "Any proposal to expand the area approved for landfill within the Landfill Size Zone is allowed by conditional use permit approved by the Planning Commission." This change is apparently a result of Ord. 90-0069. The introduction of the conditional use permit process allows review and/or de novo judgement by the Board of Commissioners, as opposed to a final decision by the Planning Commission.

Landfill Life Projections

Waste in Place: Projection to End 2022

Coffin Butte Landfill's 2022 intake volume has not yet been finalized, so we are using the projected figure of 1 million tons. As such, we are projecting the Landfill's remaining permitted airspace to be 16,008,557 cubic yards. As noted in the subcommittee's findings, remaining permitted airspace is not available airspace. A significant portion of what's permitted is not currently useable to unexcavated rock.

This section of the report will first look at historical end of life projections and then try to address future scenarios.

Historical Landfill Life Projections

Chart 4: Historical EOL Projections (source: Landfill Annual Reports)

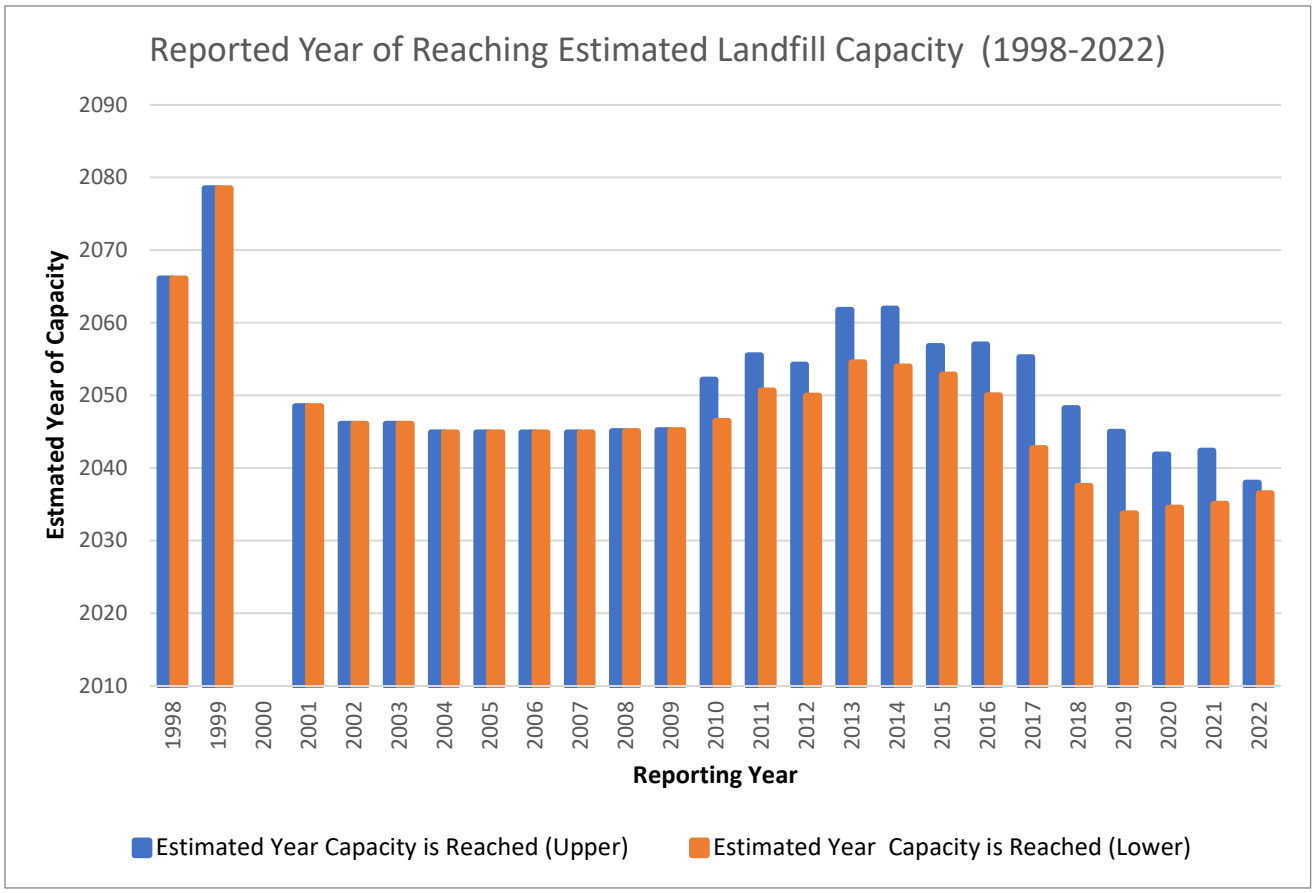


Table 3: Historical EOL Projections

Date of Projection	Projected EOL (CY)	Reference/Comment
1974	1989-2004+	February 19, 1974 Planning Commission Public Hearing Minutes (CP-74-01) 15-30 or more years estimated from 1974.
1974	1994	March 1, 1974 Letter from Chemeketa Region Solid Waste Management Program Director (CP-74-01) Based on 1,759,831 total tons received, at 32-40 feet, with Sweet Home and Lebanon area wastes directed towards "Lebanon Landfill"
1977	2000	WCSI Solid Waste Management Plan (1977)
1983	2033	March 7, 1983 Memo from Benton County Development Director to BOC (L-83-07) 50 years from 1983 estimated with approval of zoning change (estimate may include property South or Coffin Butte Road, the information was unclear).
1994	2024-2034	"Summary of Written Comments Receipted from Citizens Regarding Coffin Butte Zone Change Request" Prepared by Benton County Environmental Health Division for a 11/29/10994 community meeting (PC-94-10) 30-40 years from 1994. Estimate using only property North of coffin Butte Road, assuming material from current counties at the time.
1999	Late 2070	2003 Site Development Plan, Page 57, Table 3.1 71.1 Years from Oct 1999 Includes Cells 1-6 and East and West Triangles Based on 400,000 Tons/year and 0.8 Tons/yd^3
2001	2049	2001 Annual Report, prior to addition of East and West Triangles and Cell 6 47.5 years from Beginning 2002 Based on 425,000 Tons/year and 0.8 Tons/yd^3
2003	2046	2003 Annual Report (Referenced in the chart above)
2010	2053	United States Environmental Protection Agency*
2013	2064	United States Environmental Protection Agency*
2014	2065	United States Environmental Protection Agency*

2015	2061	United States Environmental Protection Agency*
2016	2058	United States Environmental Protection Agency*
2018	2048	United States Environmental Protection Agency*
2019	2044	United States Environmental Protection Agency*
2021	2039	2021 Site Development Plan, Appendix B With detailed breakdown of planned Cell 6 structure and corresponding subcell life expectancy Based on 846,274 Tons/year and 0.8 Tons/yd^3
* EPA Greenhouse Gas (GHG) Emissions Data from Large Facilities, 2010-2021		

Coffin Butte Site Life Projection: 2023 to closure

The landfill life projections shown below are provided Republic Services. They are designed to establish a baseline – a simple operational projection that more sophisticated scenarios can be built upon.

It presumes:

a) A steady annual tonnage intake of between 1 million and 1.1 million tons for the duration of the landfill's projected remaining site life.
b) Site life is currently projected by Republic Services to be between 14.5 and 16 years, with a closure date between 2037-2039.
   Note: This also presumes that the landfill area known as "the quarry" can be fully excavated. A significant portion of permitted airspace at Coffin Butte is currently unusable due to unexcavated rock.
c) As indicated in the assumptions, this baseline is not a "default future," in that it does not incorporate outside factors.

Scenario 1

Tons per Year	1,000,000	Tons
Projected Remaining Airspace 12/31/22	16,008,557	CY
2022 3-year Density Avg	0.999	Tons/CY
Site Life	15.99	Years

Scenario 2

Tons per Year	1,100,000	Tons
Projected Remaining Airspace 12/31/22	16,008,557	CY
2022 3-year Density Avg	0.999	Tons/CY
Site Life	14.54	Years

Definitions:
Tons per Year: Projected tonnage based off recent history*
Projected Remaining Airspace: Airspace remaining at the end of 2022 based off projected 2022 tons and 2022 3-year density average
2022 3-year Density Avg: Average density measured during 2020, 2021 and 2022 measurements
Site Life: Total site life including the fully excavated quarry area

*Variables can and do impact tonnage and available airspace, and can include changes in disposal and diversion rates, natural disasters and other unforeseen market changes, etc.

The table shown above represents industry-accepted modeling for estimating a Landfill's remaining life. Modeling is based on three factors: remaining permitted airspace, volume, and density. As noted in the text below the graphic, Republic Services acknowledges that a wide variety of variables, independently or in concert with each other, can impact the baseline(s) enumerated above.

Committee members also want to make clear that the two baseline scenarios shown in the graphic are built on certain assumptions. They are as follows:

a) **Tons per year** – Projected tonnage based on recent history (2019-2021) and 2020 Franchise Agreement tonnage cap (1.1M tons/year). *Does not reflect variables such as changes in disposal and diversion rates, natural disasters, market, and regulatory changes, etc.*
b) **Projected remaining airspace** – Airspace consumed in 2022 based on projected 2022 tonnage and the three-year density average. *"Remaining airspace" includes approximately 2.7M cubic yards of quarry rock; how much of and by when this rock can*

be converted to airspace is currently unknown. Quarry extraction in 2022 freed up approximately 140,000 cubic yards.

c) **2022, three-year-density average** – Derived from 2020-22 measurements. 2022 density based on 2021 measurements.

d) **Site Life** – Time to fill the projected remaining airspace, *including the permitted airspace that is currently unexcavated.*

e) Landfill Life is the availability of landfill reserves and landfill alternatives that sustains the landfill's demand, supply, and equilibrium of refuse disposal.

Events and Factors That Could Impact Life

As noted, Republic Services and other landfill owners/operators generally estimate a facility's lifespan by calculating three variables on an annual basis, using data from previous years as a roadmap:

- Amount of space available (airspace)
- Amount of waste accepted (tonnage)
- Density of the waste (tons per cubic yard)

The main discussion in this section is around the various factors that impact the first and second variables: i.e. the amount of space available (airspace) and the amount of waste accepted (tonnage.)

Almost none of the factors relate to density of solid waste, so this discussion excludes that variable. The following graphic summarizes possible impacts of various factors on site life, meaning those that could impact the amount of space available and the amount of waste accepted:

The chart above, submitted by Republic Services, lists factors and elements that could impact Coffin Butte's site life in ways not foreseen in the baseline (Scenario 1 and 2) approach outlined above. The subcommittee believes that it's likely that one or more of these factors could occur in concert with each other.

For example, an expansion through approval of a CUP is listed as a "positive" factor – meaning one that could increase the Landfill's site life and longevity. However, it is possible that any positive gain from such a factor would be neutralized or lessened by a "negative" element listed above (such as another wildfire or continued population growth in the region.)

Items listed in the neutral category are defined as such because they serve as "swing" factors – climate change legislation, for example, could yield either a positive or negative impact on site life depending on political influences and authors that shape it.

In addition, the future construction of a transfer station, alternate disposal options and other such factors as contemplated in a wide-ranging Sustainable Materials Management Plan could likely produce new options for refuse disposal for Benton County and neighboring municipalities and counties.

Therefore, the intent of the above graphic is not to provide an either/or solution, but to convey that an evolving array of factors, including future legislative and economic influences, could produce a matrix of outcomes that not only impact Landfill life but foster new waste management solutions as contemplated by the sustainable management sub-committee.

Assumptions and scenarios:

While the subcommittee has generated a list of potential factors that could impact site life, these are by no means exhaustive. Our goal was to begin to describe the "terrain" that the Landfill's future could traverse.

The subcommittee also agrees that so-called "human factors" play a significant role in any Landfill's longevity, because they determine not only the flow of material that fills up the Landfill's permitted volume but what comprises that material.

Unlike the layout of the Landfill or its permitted airspace (factors which are either pre-determined or yield a planned impact) these so-called human variables have the power to shift a Landfill's operating life unexpectedly and very quickly.

Business decisions and legal obligations, legislation, changing societal attitudes, technological advances global shifts in consumer habits are all key components of a broad system that ultimately determines what is reused as part of a circular economy -- and what is landfilled as waste.

While the A.1 Subcommittee agrees that these factors are real and present, we struggled with how best to present them in terms of predictive scenarios from which the reader could potentially draw conclusions. **We could not reach consensus on the merits of presenting them in terms of predictive scenarios from which the reader could potentially draw conclusions.** The subcommittee members who represent Republic Services and its interests support using the existing modeling data to shape its projections, while acknowledging the "caveats" presented in the graphic above. But they offer no speculative analysis.

The subcommittee members who represent community and neighborhood interests, meanwhile, supported a broader exploration of factors and impacts using predictive processes known as "futurecasting," and "imagination training."

Ultimately, we decided as a subcommittee that these human-caused factors and scenarios need further review and detailed analysis, a careful examination that we were neither qualified nor had time to pursue given time constraints and the limited scope of this bridge process.

Therefore, we have posed a multitude of questions that we would like the SMMP subcommittee and its hired experts to delve into, in hopes of providing a more detailed picture of solid waste disposal options and Landfill longevity.

Those questions are enumerated in the table below.

Table 4: Coffin Butte Landfill: How could site life change from the Baseline Scenario(s)?

Factors	Background	Questions
Factors that could impact Airspace		
Landfill expansion (and removal of tonnage cap)	Republic Services is likely to apply to expand the landfill's permitted airspace. Republic Services currently operates under a 1.1 million annual tonnage cap. Under the terms of the 2020 Franchise Agreement,	If the tonnage cap were removed, by how many years could the Landfill's life be shortened, given the region's capacity for generating landfill material?

	this cap would be eliminated if the Landfill is expanded. MORE: see "4. Landfill expansion and intake limit removal" section below.	
Quarry excavation schedule	Our baseline scenario assumes 100 percent of the Landfill's permitted airspace is made usable by excavating rock from the quarry. MORE: see "2. Quarry excavation" section below.	What is the likelihood that the quarry is not fully excavated by the time landfilling operations need to begin in that area? Or that it cannot ever be fully excavated? How would that impact the Landfill's lifespan?
Water table concerns	A portion of the Landfill's permitted airspace seems to lie below the groundwater level, and it is unclear whether DEQ regulations allow this airspace to be used, or if it would be cost effective for the Landfill owner to excavate the area.	To what extent do DEQ regulations address the water table issue and what steps would the Landfill operator need to take to turn this into "useable airspace?" How could overall site life be reduced by the water table issue? What role if any does Benton County have in protecting its groundwater?
Disaster concerns (Landfill fire, earthquake)	Although it rarely happens, landfills can catch fire, either on their surface or as exothermic reactions deep under their surface. The ubiquitous presence of methane, a flammable gas, is a risk factor. A landfill fire ignited by an area wildfire is a troubling possibility. Exothermic reactions are deep in the landfill itself and can take years to extinguish. The Landfill is in an earthquake zone and that could also cause loss of access to permitted airspace. (Note: there are regulations and plans in place at the landfill regarding disasters)	How can Benton County better assess the risks of losing access to permitted airspace due to damage from disasters that directly or indirectly impact landfill infrastructure such as a landfill fire?
Factors related to annual tonnage (demand)		
Exceedance beyond tonnage cap	Benton County previously did not exercise its threshold options under the 2000	How often does Benton County review its Franchise Agreements for contract compliance? Does the

	Franchise Agreement, when Republic Services took in excess tonnages in 2017-2019. MORE: see “5. Intake Limit Exceeded” section below.	county have enforcement plans? Are the contracts written in such a way that Benton County is incentivized to ignore exceedances of the tonnage cap or other aspects of the contract that would shorten landfill life?
Recession	A slowing or contracting economy, such as the Crash of 2008, generally reduces the volume of waste produced throughout the service area. We saw a decline in tonnage at Coffin Butte Landfill during 2006-2010.	Are current inflationary pressures likely to have any reduction in waste generation at Coffin Butte Landfill? Using history as a guide, how many recessions are we likely to experience between now and the Landfill’s baseline closure dates? How could recessions/inflation alter the Landfill's projected site life?
Economic growth	If a slowing economy generally reduces waste production, a robust growth economy could increase it. EPA data from 2018 states that 4.9 pounds of municipal solid waste was generated per person per day.	How have waste generation rates changed over time, and specifically during periods of economic growth? Can we project any changes to a Landfill's site life using the data available and forecasting that against the likelihood of economic expansion?
Reductions in waste generation (structural and societal)	Oregon environmental policy emphasizes recovery and reuse of solid waste, to insure highest practicable protection of the public health and welfare and air, water and land resources. Desire to decrease the size of wastestreams and increased awareness of the importance of a "circular economy" are prompting structural and societal changes to divert material from landfilling. Example: SB 582, an extended producer responsibility (EPR) law for packaging, became law in 2021, giving producer responsibility organizations (PROs) mandates to improve	What is the likelihood that counties in the service area will decrease the size of their wastestreams over the next 20 years? What proportion of the tonnage that currently goes into the Landfill is divertible material? What role can Benton County play in reducing waste generation and landfilling in county and in the Landfill service area?

	recycling and other waste diversion plans beginning in 2025.	
Disposal alternatives	Outside of maximized recovery (recycling and composting), alternatives to landfilling exist in various forms, primarily in new disposal technology. An incinerator in Marion County burns waste and generates energy for example.	What other disposal alternatives exist in the U.S. and elsewhere in the world? Which ones are showing the greatest promise for success and replication (taking in factors like cost, longevity, political will, etc)? How readily could these be incorporated into the solid waste management plans for cities and counties in the service area? Will Benton County consider these alternatives in its own Sustainable Materials Management Plan?
Transportation alternatives	Solid waste is currently trucked to Coffin Butte Landfill. Alternative modes of transportation (barge, rail, etc.) are being used to haul trash from intermodal transfer stations to landfills in more remote, less-densely populated areas.	What are the options for transporting waste using via rail or boat? How could Western Oregon's current network of transfer stations play a role in diverting waste from Coffin Butte? What is the feasibility of using existing railroad networks to haul waste (consider costs, safety, reliability, etc.)?
Global health issues (pandemics)	The COVID-19 pandemic had a significant impact on Landfill tonnage, decreasing it dramatically in 2020, but waste generation surged back in 2021.	Is the COVID-19 pandemic still impacting waste generation? If so, how? What is the likelihood that we will experience other global health crises in the next two decades? How would that potentially extend or reduce the life of Coffin Butte Landfill?
Climate change and other environmental legislation (A)	People worldwide are increasingly concerned about the threat of uncontrolled releases of greenhouse gases to their quality of life. Methane releases are a focus, because methane is a potent and quick-acting greenhouse gas. Landfills are major sources of	Are there plans to expand the requirements of the methane legislation to include landfills? If so, what is the likelihood of that passing and how could that impact Landfill operations? What other major pieces of legislation are circulating and gaining support? Do the climate pollution

	greenhouse gas emissions, especially methane, in the United States. (A) Concern by the public, science and industry, and financial entities about the climate crisis is manifesting in legislation. President Biden rolled out the U.S. Methane Emissions Reduction Action Plan in November 2021, followed by the Inflation Reduction Act of 2022, which provided for more than $300 billion in strategic investments to address the climate crisis. This includes incentives to detect, monitor and reduce methane emissions. MORE: see Appendix D below.	reduction incentives authorized in the Act present opportunities to fund waste-reduction projects in Benton County and throughout the Landfill service area? Are there opportunities for Benton County to begin the monitoring of methane emissions at Coffin Butte Landfill?
Climate change and other environmental legislation (B)	(B) Regarding landfilling, the first effect of the EPA's focus on methane reduction is the Food Donation Improvement Act, signed into law in January 2023. America wastes about 30-40% of its food, and food waste is the most common material found in landfills, estimated at roughly a quarter of material. When landfilled, food waste converts readily to methane. MORE: see Appendix D below.	How much food waste will the new legislation divert from landfills? How prohibitive is the "commerce clause" in diverting tonnage away from the Landfill? Is environmental legislation creating incentives and opportunities for Benton County and other counties in the service area to transition to cleaner, less wasteful trash management systems?
Wildfires/natural disasters (local and regional)	Fires, floods, spills, and other disasters can suddenly generate large amounts of landfill material. Disaster debris is not limited by the Landfill's 1.1 million annual tonnage cap. Example: devastating wildfires in the mid-Willamette Valley in 2020 generated hundreds of thousands of tons of disaster debris, and Coffin Butte Landfill accepted roughly 300,000 tons	What is the forecast for wildfires and other disasters in the region? What options are there for disaster debris other than disposal at Coffin Butte Landfill?

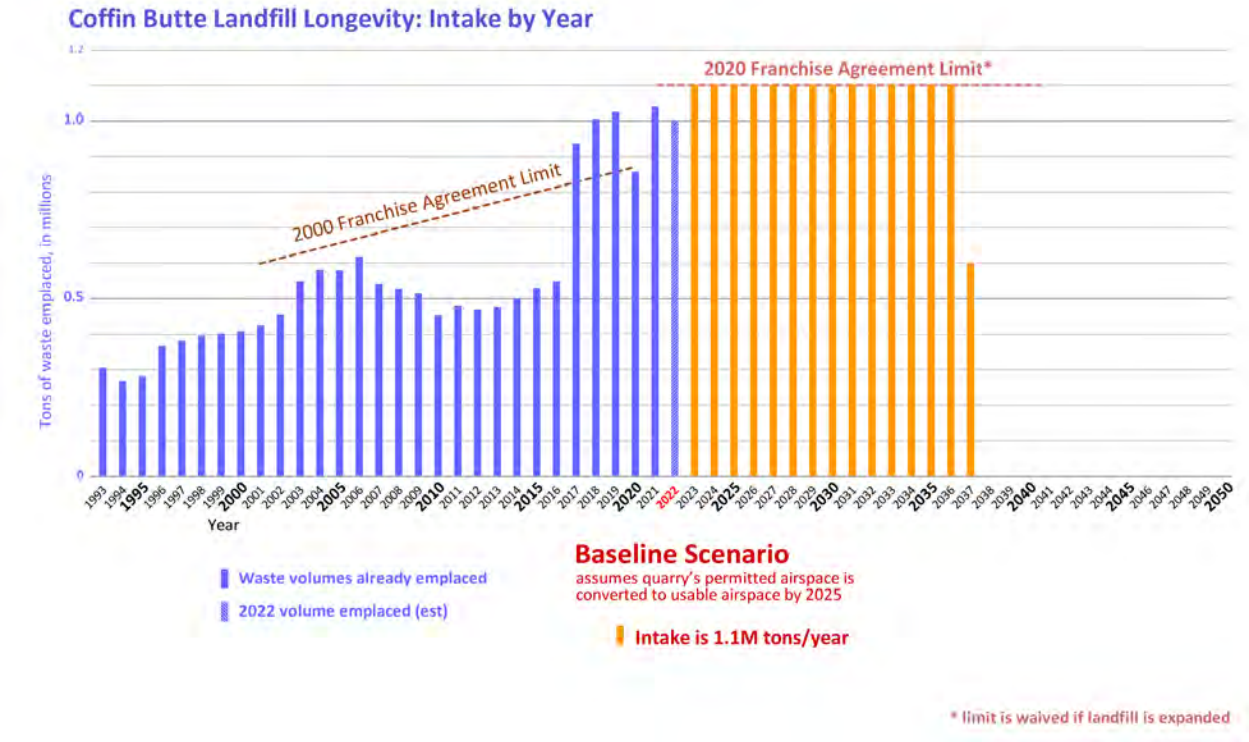
	of debris for landfilling in late 2020–early 2021. MORE: see “6. Disaster Debris” section below.	
Service area changes (closures and creation of other landfills/facilities)	In recent years Coffin Butte Landfill has taken in 25% to 30% of the total trash generated and disposed of in Oregon, according to DEQ reports. Closure of other regional landfills could create a opportunity for Coffin Butte Landfill to grow its service area if an expansion is granted and the tonnage cap removed.	What is the current disposal picture for Western Oregon? How many landfills are operating and how much capacity is remaining in each? Are there landfills nearing capacity? How could these dynamics impact tonnage and airspace at Coffin Butte Landfill? Does Benton County have options for influencing or preparing for these outcomes?
Industry competition/business choices	Republic Services competes with other trash haulers and Landfill owners and operators. Industry competition can yield either an increase or decrease in the Coffin Butte waste shed, depending on Republic Services ability to successfully gain or maintain existing contracts.	What market factors could impact Republic Services (and Coffin Butte's) customer base? Who are the other competitors in the market? Which municipalities and counties are nearing the end of their franchise or hauling agreements? Where are the new business opportunities? How could these increase or decrease tonnage coming to the Landfill?
Population growth/change	The service area's population is forecast to grow modestly over the next 20 years, with annual growth rates of less than one percent. Under the 2020 Franchise Agreement, any additional waste tonnage generated would be subject to the Landfill’s intake cap unless an expansion is granted.	Can Benton County make educated guesses about actual population trends in the Landfill’s service area? Can Benton County make more detailed estimates about future waste generation in the service area? What options does Benton County have to influence a likely increase in waste generation, both in county and regionally?

Coffin Butte Landfill: What factors could make the landfill close earlier than the Baseline Scenario(s)?

The subcommittee paid particular attention to factors that could lead to a landfill closure date earlier than 2037, because such a development could have serious repercussions for Benton County and for everyone else in the landfill's service area. These factors are discussed in more detail in this section, and graphs with representative assumptions are included to make these prospective outcomes easier to visualize.

1. The Baseline Scenario

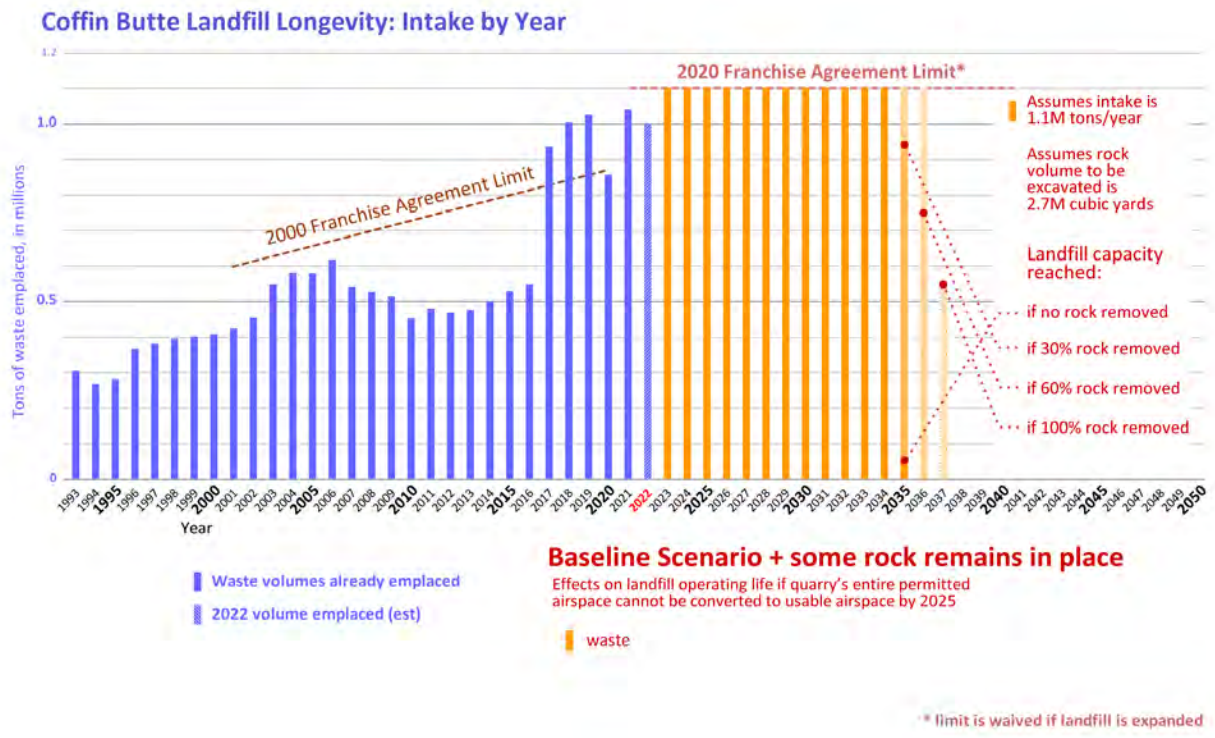
Graph 5: Baseline Scenario



The graph above visualizes Scenario 2 of the formal baseline projection ("baseline") provided by the franchisee, from Section 3.C Table 1 above. This projection is derived from an upward limit of waste intake of 1.1 million tons a year, which is in turn derived from the limit specified in the 2020 Franchise Agreement, as shown on this graph. We will use this projection in the expanded scenarios that follow.

2. Quarry excavation: "What if the franchisee cannot excavate all of the quarry?"

Graph 6: Quarry excavation: "What if the franchisee cannot excavate all of the quarry?"



Roughly 2.7 million cubic yards of the landfill's permitted airspace is currently unavailable because it is unexcavated rock.[76] The landfill's owner holds a surface mining permit for this rock, and franchises it to Knife River as a quarry. For the past few years Knife River has currently quarried the rock at a rate of roughly 150,000 cubic yards a year,[77] so at a normal pace the airspace will not be fully available until the year 2040.

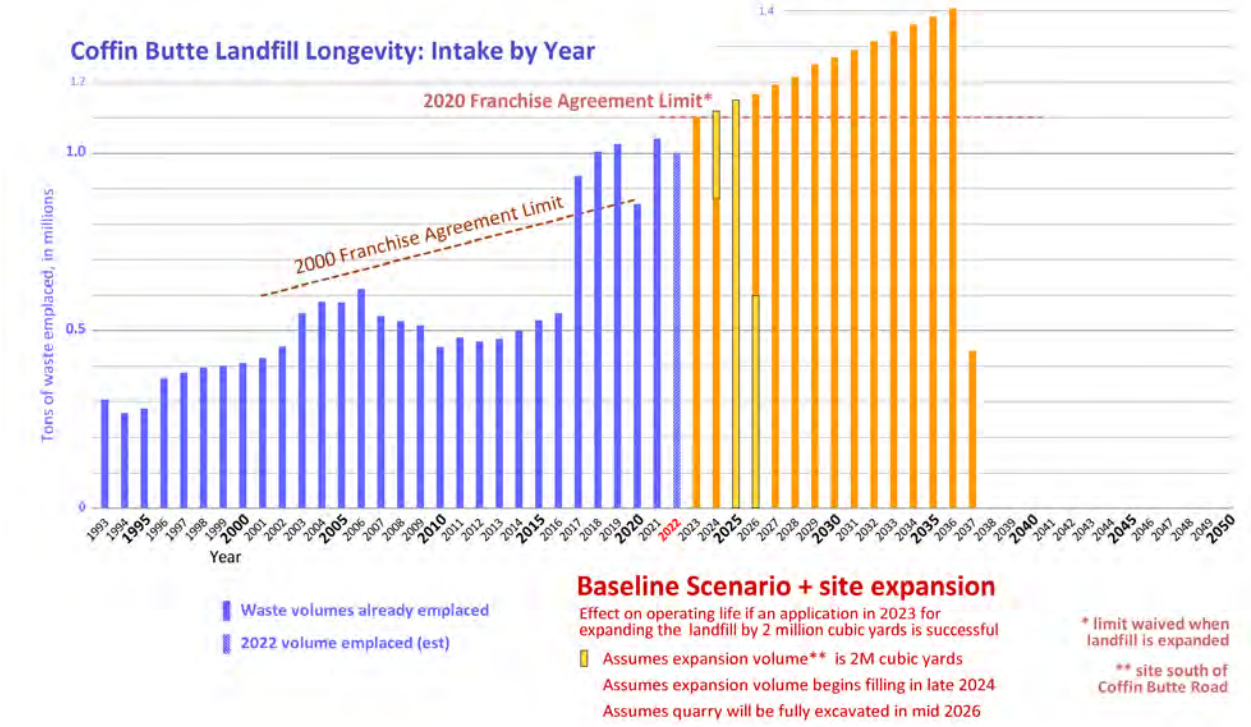
This poses a dilemma for the landfill's owners because the landfill is on track to fill its current cell in 3 years, when it will look to move operations into the quarry area. As noted elsewhere in this document, Republic Services is working with Knife River on a possible solution to this problem, with the goal of accelerating excavations in the quarry over a two-year period.

We do not currently know how much rock can be pre-excavated before landfilling operations move into the quarry airspace. We can display the possibility range graphically, assuming the unexcavated volume is 2.7 million cubic yards.

[76] Derived from Knife River testimony before the Benton County Planning Commission, November 2021.
[77] Derived from Knife River testimony before the Benton County Planning Commission, November 2021.

3. Landfill expansion and intake limit removal: "What if the franchisee obtains a permit to expand the landfill, which will remove the intake cap?"

Graph 7: Landfill expansion and intake limit removal: "What if the franchisee obtains a permit to expand the landfill, which will remove the intake cap?"



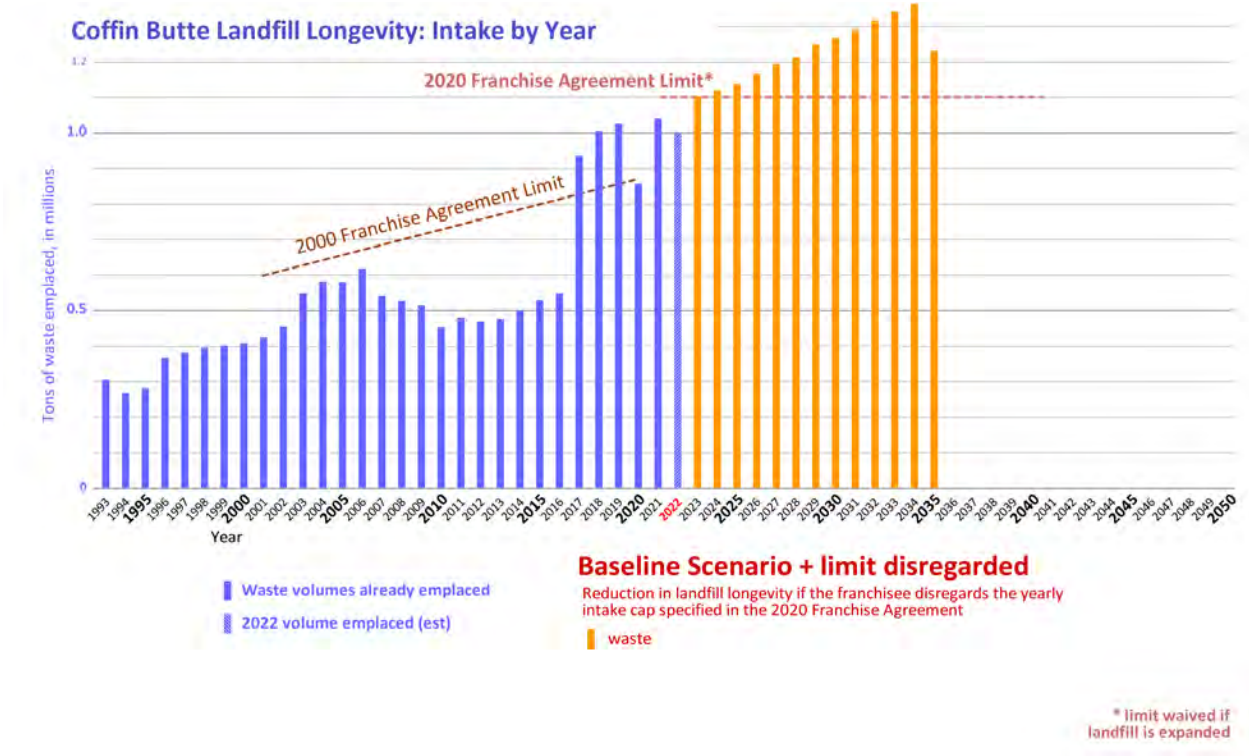
The baseline scenario may only be fully realized in combination with a landfill expansion – to serve as a bridge landfilling site that allows time for the quarry airspace to be pre-excavated. The landfill owner has indicated that it will apply for such an expansion, likely in the first half of 2023.

Republic Services does not currently have a CUP proposal before the County and has committed to not filing any application prior to the conclusion of this Workgroup's deliberations and recommendations. At this time, Republic Services has not decided the scope of its CUP expansion request. The company has indicated it is open to discussing a continuation or renegotiation of the tonnage cap as part of a new CUP application process.

Given these unknowns, the graph above presumes two things: a) that a future expansion would include the area south of Coffin Butte Road, known as the "Expansion Parcel," and b) the removal of the tonnage cap, as spelled out in the 2020 Franchise Agreement.

4. Intake Limit Exceeded: "What if the franchisee exceeds the 2020 Franchise Agreement limit?"

Graph 8: Intake Limit Exceeded: "What if the franchisee exceeds the 2020 Franchise Agreement limit?"

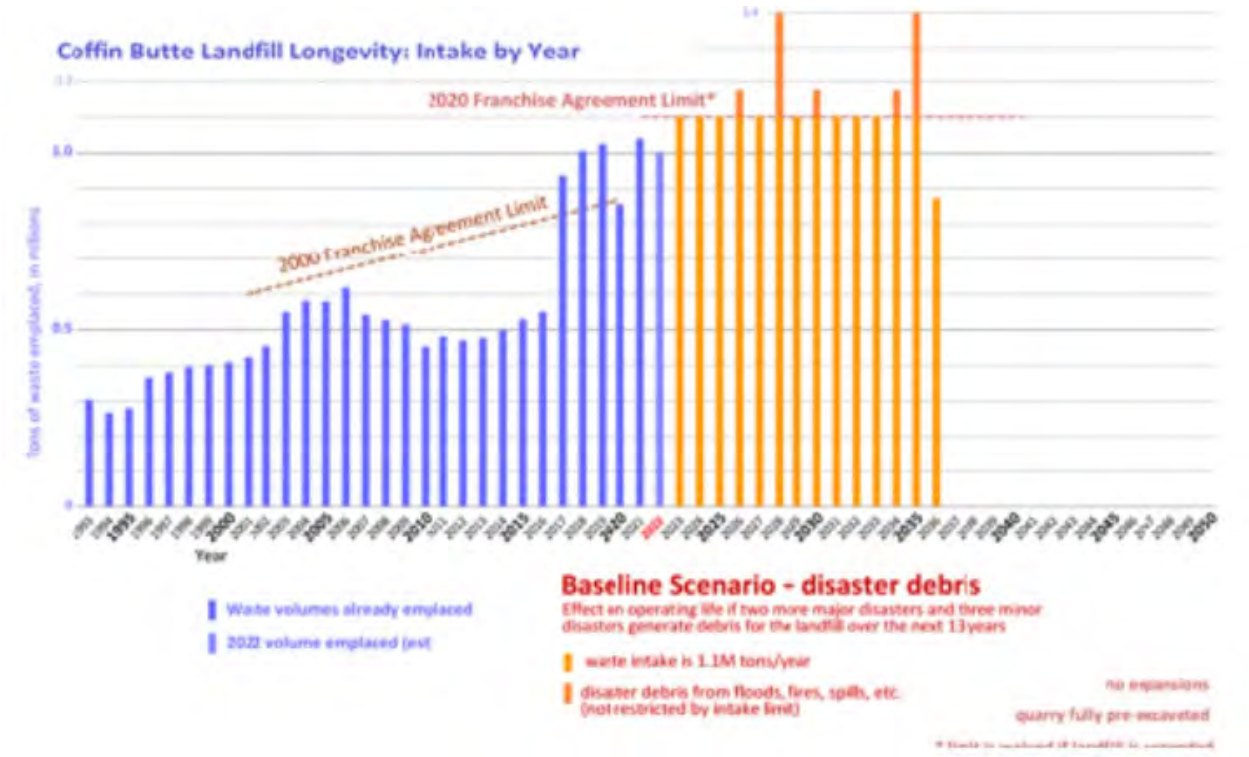


The 2020 Franchise Agreement limits the franchisee to a cap of 1.1M tons per year, but does not include any provisions for enforcement of that cap. There is historical precedent; as described earlier in Section 1.C, when the 2000 Franchise Agreement limit was exceeded, Benton County signed a Memorandum of Understanding that allowed the exceedance with no extra fees per ton. There is contemporary precedent also, as the 2020 Franchise Agreement also specifies a fee-per-ton that would apply if the cap were contractually lifted when an expansion was approved. The scenario assumes there are business opportunities that enable the franchisee to grow the yearly intake, because those are what would motivate the exceedance in the first place.

This scenario represents the effect on landfill longevity if annual intake volume at the Landfill exceeds that which is specified in the 2020 Franchise Agreement and the County responds either with no action or with an accommodation agreement such as a per-ton surcharge. It assumes a modest growth rate to intake (less than 2% per year).

5. Disaster debris: "What if there are more disasters like the 2020 wildfires, that generate debris for the landfill?"

Graph 9: Disaster debris: "What if there are more disasters like the 2020 wildfires, that generate debris for the landfill?"



Fires, floods, earthquakes, spills, and other major disasters can suddenly generate large amounts of debris to be landfilled. These events also occur more frequently at minor levels. These inflows can reduce the landfill's life, as disaster debris takes up airspace in the Landfill and is not limited by the Landfill's 1.1 million annual tonnage cap.

The visualization above assumes that two more major disasters occur in the region before close of Landfill, or roughly once every seven years; plus three minor disasters occur in the same time period, roughly every four years. The two major events each generate about 300,000 tons of debris (roughly the amount of material generated by the area wildfires of 2020) and the three smaller disasters generate 75,000 tons each. These inflows happen in addition to the normal waste stream, which as per the baseline is assumed to be 1.1 million tons per year.

Conclusion: A Confluence of Factors – Findings and Recommendations

The subcommittee has generated a Table calling attention to, and posing questions about, potential factors impacting site life; this list is not exhaustive and its characterizations are limited. We hope a more complete list and more detailed characterizations will come as Benton County prepares a Sustainable Materials Management Plan.

These factors are all relevant to understanding the possible longevity of Coffin Butte Landfill. Each factor has its own likelihood of being significant to landfill longevity and its own effect over time, and each joins with other factors to determine the actual longevity. These factors

have been included to enable the reader to form a conception of the likely "possibility space" for the landfill's operation from current day to its End Of Life.

The possibility space shows landfill closure as early as 2034 and as late as 2045.[78] Within that range, the landfill's 2021 Site Development Plan estimates the closure year to be 2039 and the EPA shows a closure year of 2044. The franchisee's baseline projects a closure range of 2037-2039. The franchisee anticipates intake rates staying stable (close to their current level), as shown in their baseline projection. Intake-increasing factors such as population growth and debris from disasters may drive up intake rates and thus shorten landfill life within the range; intake reduction factors such as recycling and waste diversion, plus emerging factors such as extended producer responsibility (EPR) incentives and climate crisis legislation, may drive down intake rates and thus lengthen landfill life in the range and beyond.

[78] Closure outside of this date range is possible, but seen as less likely

LSCL Appendix A: Intake Tonnage and Capacity Data

Coffin Butte annual intake volume, derived from 1993-2021 Coffin Butte Annual Report (CBAR) documents. CY 2000 is highlighted to indicate this value was derived from the 2001 report because the 2000 report document is unavailable. Blue highlights below are assumptions and estimates, not actually recorded data.

Year	CBAR Volume (Tons)	2000 FA Threshold	Intake Exceeding 2000 FA Threshold (Tons)	CBR Density Ration	CBR Annual Airspace Used (CY)	CBR Remaining Airspace (cy)
1993	310,648	#N/A				
1994	268,472	#N/A				
1995	287,932	#N/A				
1996	369,835	#N/A				
1997	378,919	#N/A				
1998	395,751	#N/A				
1999	401,408	#N/A				
2000	413,493	#N/A				
2001	425,723	600,000		0.9	473000	25,238,000
2002	453,261	612,000		0.98	561,592	24,776,627
2003	550,506	624,240		0.98	561,592	24,209,320
2004	586,076	636,725		0.80	736,434	24,513,192
2005	580,275	649,459		0.80	725,344	29,916,144
2006	618,340	662,448		0.8	781,094	29,135,051
2007	546,996	675,697		0.8	683,746	28,451,306
2008	528,396	689,211		0.8	660,494	27,785,082
2009	519,058	702,996		0.8	648,823	27,136,259
2010	458,590	717,056		0.892	514,111	27,382,241
2011	482,951	731,397		1.0375	465,495	24,807,718
2012	473,550	746,025		0.83	572,825	23,741,843
2013	479,160	760,945		0.92	523,100	24,458,567
2014	499,687	776,164		0.92	545,510	23,839,138
2015	530,971	791,687		0.89	595,593	23,839,138
2016	552,979	807,521		0.93	592,689	22453729
2017	941,430	823,671	117,759	0.97	969,048	21,727,371
2018	1,010,879	840,145	170,734	0.99	1,021,090	18,015,098
2019	1,034,934	856,948	177,986	0.8	1,293,668	18,352,257
2020	863,210	874,087		1	863,210	17,621,208
2021	1,046,067	#N/A		0.98	1,067,415	17,249,778
2022	1,100,000			0.999	1,089,900	16,008,557
2023	1,100,000			0.999	1,089,900	14,918,657
2024	1,100,000			0.999	1,089,900	13,828,757
2025	1,100,000			0.999	1,089,900	12,738,857

Year	CBAR Volume (Tons)	2000 FA Threshold	Intake Exceeding 2000 FA Threshold (Tons)	CBR Density Ration	CBR Annual Airspace Used (CY)	CBR Remaining Airspace (cy)
2026	1,100,000			0.999	1,089,900	11,648,957
2027	1,100,000			0.999	1,089,900	10,559,057
2028	1,100,000			0.999	1,089,900	9,469,157
2029	1,100,000			0.999	1,089,900	8,379,257
2030	1,100,000			0.999	1,089,900	7,289,357
2031	1,100,000			0.999	1,089,900	6,199,457
2031	1,100,000			0.999	1,089,900	5,109,557
2033	1,100,000			0.999	1,089,900	4,019,657
2034	1,100,000			0.999	1,089,900	2,929,757
2034	1,100,000			0.999	1,089,900	1,839,857
2035	1,100,000			0.999	1,089,900	749,957
2036	750,708			0.999	749,957	0

LSCL Appendix B: Calculation of 2000 Intake Threshold

From the 2000 Landfill Franchise Agreement Section 8 (b):

"One year after the Effective Date of this Agreement, the tonnage volumes identified in Section 8 (a) above (600,000 tons for one calendar year and 1,200,000 tons for two consecutive calendar years) shall each be increased at an annual rate of the greater of the following two percentages: (i) two percent (2%); or (ii) the increase in total population of Benton, Linn, Polk, Lincoln, Tillamook and Marion Counties as reported by Portland State University, based upon the preceding calendar year."

Population data from Portland State University for the 2000-2019 period, with calculated Y/Y percentage increase:

Data from Portland State University Population Research Center 1/4/2023

https://drive.google.com/file/d/1g1ckFE8eSrLAkztbeqcA9GlEadKsY043/view?usp=sharing

https://www.pdx.edu/population-research/population-estimate-reports *For 2010 - 2019 data, figures from individual "Certified Population Estimates" tables are used*

	April 1, 2000 Census	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
BENTON	78,153	78,334	78,777	79,542	80,006	81,121	82,071	83,226	84,266	84,950	85,420	85,735	85,995	86,785	87,725	88,740	90,005	91,320	92,575	93,590	94,360
LINCOLN	44,479	44,519	44,880	45,069	45,509	45,048	45,193	45,447	45,697	45,921	46,045	46,135	46,155	46,295	46,560	46,890	47,225	47,735	47,960	48,210	48,260
LINN	103,069	103,393	104,397	105,441	106,885	108,879	110,223	111,867	113,481	114,890	116,114	116,840	117,340	118,035	118,665	119,705	120,860	122,315	124,010	125,575	126,550
MARION	284,834	285,571	287,676	289,757	294,188	296,268	299,484	303,545	307,481	310,807	313,643	315,900	318,150	320,495	322,880	326,150	329,770	333,950	339,200	344,035	347,760
POLK	62,380	62,679	64,647	65,132	66,317	67,902	69,256	70,891	72,361	73,726	74,911	75,495	75,965	76,625	77,065	77,735	78,570	79,730	81,000	82,100	82,940
TILLAMOOK	24,262	24,287	24,450	24,359	24,568	24,527	24,691	24,925	25,149	25,273	25,252	25,260	25,255	25,305	25,375	25,480	25,690	25,920	26,175	26,935	26,500
Total		598,783	604,828	609,300	617,473	623,746	630,919	639,901	648,434	655,567	661,385	665,365	668,860	673,540	678,270	684,700	692,120	700,970	710,920	720,445	726,370
Y/Y Incr. (%)			1.010	0.740	1.341	1.016	1.150	1.424	1.333	1.100	0.887	0.602	0.525	0.700	0.702	0.948	1.084	1.279	1.419	1.340	0.822

From the table above, the population of the specified area did not increase more than 2% Year over Year in any consecutive two-year interval in the CY2000-2019 period.

Therefore, the mathematical value of the 2000 Intake Threshold defined in Section 8 of the 2000 Landfill Franchise Agreement is equal to the initial (CY2000) values of 600,000 tons per calendar year or 1,200,000 cumulative tons over any period of two consecutive calendar years, with each figure increased at a rate of 2% per calendar year. The calculated yearly values of the 2000 Intake Threshold are detailed in the table above.

LSCL Appendix C: Landfill Properties

Coffin Butte Landfill Properties					
	Tax Lot #	**Current Zone**	**Previous Zone (Change Date)**	**Property Use**	**Date Acquired and Ownership**
1	105130000901	Exclusive Farm Use	Agricultural and Forestry (AF) (1982)	Agriculture	March 2001, Valley Landfills, Inc. Deed 295810-01
2	105130000900	Exclusive Farm Use	Agricultural and Forestry (AF) (1982)	Agriculture, barn	March 2001, Valley Landfills, Inc. Deed 295810-01
3	105130000902	Exclusive Farm Use	Agricultural and Forestry (AF) (1982)	Agriculture	March 2001, Valley Landfills, Inc. Deed 295810-01
4	105130001000	Landfill Site/ Forest Conservation (Northeast Corner)	Forest Conservation Forty Acre Minimum (FC-40) (1983)	Disposal Cell 1A, Cell 1, Cell 5, Future Cell 6, Current/Future Asbestos Disposal area, Rock quarry entrance and scale house (2021 SDP); Quarry excavation and landfilling in FC zone (2002)	October 1974, Valley Landfills, Inc. Deed M-50855 Consolidated with Tax Lot 105130000205 (4.69 ACRE) and Tax Lot 105130000204 (1.74 ACRE) in 1992
5	104180001106	Landfill Site	Forest Conservation Forty Acre Minimum (FC-40) (1983)	Disposal Cell 1, Cell 3	November 1994, Valley Landfill, Inc. Deed M-192291-94 Segregated Parcels 104180001108 (29.22 AC) & 104180001109 (51.39 AC) in 2011. Went from 100 acres to 20.15 * This property was likely purchased by the landfill owner prior to 1983, however, that information was unavailable at the time of this report.
6	104180000301	Landfill Site (South)/ Forest Conservation (North)	Forest Conservation Forty Acre Minimum (FC-40) (1983)	Disposal Cell 5 and forested hillside	March 1978, Valley Landfills, Inc. Deed M-91774 Segregated from 104180000300 in 1972

Coffin Butte Landfill Properties					
	Tax Lot #	**Current Zone**	**Previous Zone (Change Date)**	**Property Use**	**Date Acquired and Ownership**
7	104180000801	Landfill Site/ Forest Conservation	Forest Conservation Forty Acre Minimum (FC-40) (1983)	Disposal Cell 2, Cell 3, Cell 4, Cell 5, Scale house, public disposal area, stormwater ponds, bioswale, Toretie Marsh (2021 SDP); landfilling in FC zone (2003); transfer facility, stormwater conveyance/detention, container/drop box storage area, landfill construction staging/storage area (2011)	July 1988, Valley Landfills, Inc Deed M-102558-88 Segregated from 104180000800 in 1988 * This property was likely purchased by the landfill owner prior to 1983, however, that information was unavailable at the time of this report.
8	104180001108	Landfill Site	Forest Conservation Forty Acre Minimum (FC-40) (1983)	Disposal Cell 4, Entrance, stormwater pond, Toretie Marsh (2021 SDP)	November 1994, Valley Landfill, Inc. Deed M-192291-94 Segregated from 104180001106 in 2011 * This property was likely purchased by the landfill owner prior to 1983, however, that information was unavailable at the time of this report.
9	104180000900	Forest Conservation	Agricultural and Forestry (AF) (1982)	Wetland, pond	July 1988, Valley Landfills, Inc. Deed 1988-101891 Segregated from 104180000800 in 1968
10	105130000800	Exclusive Farm Use	Agricultural and Forestry (AF) (1982)	Stormwater treatment facility (pond and biofiltration strip) (2015), Soap Creek, Agriculture	February 1997, Valley Landfills, Inc Deed 1997-224922
11	104180001101	Forest Conservation	Rural Residential, 5 Acre Minimum (1982)	Construction staging/storage area, office (2013)	December 1991, Valley Landfills, Inc Deed 142396-91
12	104180001104	Forest Conservation	Rural Residential, 5 Acre Minimum (1982)	Construction staging/storage area (2013)	January 1987, Valley Landfills Inc. Deed 1987-086356 Segregated from 104180001101 in 1969

Coffin Butte Landfill Properties					
	Tax Lot #	**Current Zone**	**Previous Zone (Change Date)**	**Property Use**	**Date Acquired and Ownership**
13	104180001102	Forest Conservation	Rural Residential, 5 Acre Minimum (1982)	Vacant, non-forested land	March 1990, Valley Landfills, Inc Deed 123022-90
14	104180001107	Landfill Site	Forest Conservation Forty Acre Minimum (FC-40) (1983)	Leachate Maintenance facility/leachate ponds (2021 SDP)	August 1987, Valley Landfills, Inc. Deed 1987-092809 Segregated from 104180001100 in 1977 * This property was likely purchased by the landfill owner prior to 1983, however, that information was unavailable at the time of this report.
15	104180001200	Forest Conservation	Rural Residential, 5 Acre Minimum (1982)	2.2 Megawatt power generation facility (originally on lot 1100) (1994)	September 1986, Valley Landfills, Inc. Deed 1986-081011
16	104180001000	Forest Conservation	Rural Residential, 5 Acre Minimum (1982)	forest	March 1986, Valley Landfills, Inc. Deed 1986-077318 Segregated from 104180001100 in 1968
17	105240000200	Exclusive Farm Use	Agricultural and Forestry (AF) (1982)	Agriculture, forest, creeks	December 1989, Valley Landfills, Inc Deed M-118414-89
18	105240000103	Exclusive Farm Use	Agricultural and Forestry (AF) (1982)	Minor Land Partition 1980-017312; Formerly part of 105240000100	April 1988, Valley Landfill Inc. Deed 1988-099247 Segregated from 105240000100 in 1980
19	10419B001600	Rural Residential - 10	RR-10 Planned Unit Development (PUD)	Vacant residential Former subdivision/Planned Development BCS-78-5, LD-82-11, Tampico Ridge Subdivision vacated in 1988	December 1999, Valley Landfills, Inc. Deed 1999-276868 Segregated from 10419B000100/00200/01400 in 1988, Segregated from 10419B001601 in 1999

Coffin Butte Landfill Properties					
	Tax Lot #	**Current Zone**	**Previous Zone (Change Date)**	**Property Use**	**Date Acquired and Ownership**
20*	104180000200	Forest Conservation		Forested land	01/07/1998, purchased by Peltier Real Estate Co Deed 239947-98 Taxes paid by Republic Services
21*	104180001105	Exclusive Farm Use		Agriculture	October 1982, purchased by Peltier Real Estate Co Deed 1982-041706 Taxes paid by Republic Services Property Tax
22*	10419B000300	Rural Residential - 10	RR-10	Vacant residential	09/07/1999, purchased by Peltier Real Estate Co Deed 277841-99 Taxes paid by Republic Services
23	10419B001301	Rural Residential - 10	RR-10	Vacated right-of-way Former subdivision/Planned Development BCS-78-5, LD-82-11, part of Tampico Ridge Subdivision vacated in 1988	September 1988, Valley Landfills Inc. Deed M-106768-88 Formerly part of 10419B000300

LSCL Appendix D: Climate change and other environmental activism/legislation

Table 4 of our report has two rows identifying "climate change and other environmental legislation" as factors that could change site life from the baseline projection, by reducing the amount of material to be landfilled coming from the service area. This Appendix has been created to characterize in some detail the emerging forces that may incentivize that reduction in waste intake.

Summary

Organic material placed in a landfill such as Coffin Butte Landfill is decomposed by anaerobic microbial action, which produces methane gas. Methane is a pollutant that has been identified as a main contributor to the climate crisis. Responses to the climate crisis are focusing on reducing methane emissions, because methane emissions act quickly to warm the planet. In the US, legislation is in place to prioritize and incentivize reductions in methane; programs are beginning with methane reduction as a goal.

Roughly 25-30% of the material going into US landfills is organic, which if applied to Coffin Butte Landfill, would translate into roughly 275,000 to 330,000 tons of organic matter going into the landfill each year (per Republic Services' baseline projection). Republic Services currently diverts on average over 120,000 tons of green waste and food waste a year at its Pacific Region Compost Facility; its recycling center in Albany, Oregon, processes 20-25K tons of recycling material every year, much of which is organic material. If climate change and other environmental legislation further incentivize reduction or elimination of landfilling of organic material, it will further reduce the landfill's waste intake and thus extend the landfill's operating life in proportion to the additional volume thus diverted from the waste stream. Incentives could affect choices among disposal options in the future, which could also affect waste intake.

Background: the climate crisis imperative, landfills, and methane

People all over the world are growing increasingly concerned about the threat the uncontrolled release of greenhouse gases poses to the ecosystems that human societies depend upon. Worldwide, militaries, businesses, governments at all levels, other organizations and the public at large have incorporated or are incorporating responses to this threat into their planning, a response that collectively comprises the "climate crisis."[79] Internationally, the 27th Conference

[79] "Global Risks: The heat is on businesses to respond to climate change," World Economic Forum, January 2020. link

"Climate change poses a range of financial and economic risks to households, communities and market sectors across the United States… Climate change impacts threaten the stability of the US housing market." Nature Climate Change, "Unpriced climate risk and the potential consequences of overvaluation in US housing markets," Feb 2023. link

"Tackling the Climate Crisis – The planet's changing climate has a significant effect on Defense Department missions, plans and installations. DOD is elevating climate change as a national security priority, integrating climate considerations into policies, strategies and partner engagements." US Department of Defense, Spotlight, January 26, 2023. link

"President Biden's Executive Order 14057, collectively referred to as 'The Federal Sustainability Plan', outlines an ambitious path to prepare Federal agency policy, programs, operations, and infrastructure to adopt adaptive and resilient strategies for future climate impacts." Office of the Federal Chief Sustainability Officer, 2023. link

"Oregon is already experiencing the effects of the changing climate and ocean… State government has a duty to our communities, businesses, and future generations not only to reduce emission of Green House Gases (GHGs), the primary cause of climate and ocean change, but to take action to address the impacts of change across all

of the Parties to the United Nations Framework Convention on Climate Change (COP27) took place from 6 to 20 November in 2022, and hosted more than 100 Heads of State and Governments and over 35,000 participants who engaged in high-level meetings and key negotiations regarding climate action. UN Secretary-General António Guterres said that more needs to be done to drastically reduce emissions now. "The world still needs a giant leap on climate ambition… we can and must win this battle for our lives." He urged the world not to relent "in the fight for climate justice and climate ambition."[80]

In the United States, this fight is focused on the release of methane, a potent greenhouse gas. Over a period of 20 years, a unit of methane causes between 84 and 87 times the climate damage of a unit of carbon dioxide.[81] The US is one of the world's top 10 methane emitters, and methane emissions are a major contributor to climate change.[82] Last year the US announced that it was joining with more than 100 world governments to meet a Global Methane Pledge and reduce the world's methane emissions 30% from 2020 levels by 2030.[83] Humans produce the bulk of methane pollution, and atmospheric concentrations of methane have been trending upward for more than a decade,[84] with landfills contributing 17% of US pollution,[85] a figure which many experts say significantly underestimates landfill methane.[86]

Through the 2021 Methane Emissions Reduction Plan, the US government is using all available tools – "commonsense regulations, catalytic financial incentives, transparency and disclosure of actionable data, and public and private partnerships – to identify and cost-effectively reduce methane emissions from all major sources." As part of this Plan, in a carrot-and-stick manner, the EPA has begun to catalyze multi-pronged action against, and assess penalties for, the

sectors… to take advantage of emerging opportunities and harness existing state resources to protect people and the environment." The 2021 Oregon Climate Adaption Framework. link

"This page provides resources for climate change materials and information. It includes links to documents, reports, web sites, and resources from local, state, federal, academic, and non-profit organizations." Climate Change Resources, Oregon Department of Land Conservation and Development. link

"Americans who think global warming is happening outnumber those who think it is not happening by a ratio of more than 4 to 1 (70% versus 16%)… One in ten Americans (10%) have considered moving to avoid the impacts of global warming." Yale Program on Climate Change Communication, "Change in the American Mind: Beliefs & Attitudes, December 2022." link

[80] United Nations: Climate Action. link

[81] "CO2 … has a Global Warming Potential (GWP) of one. Methane has a GWP of between 28 and 36 over 100 years, according to the EPA, meaning it is significantly more potent as a greenhouse gas than CO2. It gets worse. The GWP of methane gets even higher over shorter periods of time due to the gas' shorter life span. Over a period of 20 years, methane has a GWP of between 84 and 87. According to the Environmental Defense Fund, while CO2 lasts for longer than methane, methane 'sets the pace for warming' in the short term." "Methane Vs CO2: Which Is the Most Potent Greenhouse Gas As White House Unveils New Pledge," Newsweek, November 2021. link

[82] The White House, "Fact Sheet: President Biden Tackles Methane Emissions, Spurs Innovations, and Supports Sustainable Agriculture to Build a Clean Energy Economy and Create Jobs," November 2021. link

[83] The White House, "Fact Sheet: President Biden Tackles Methane Emissions, Spurs Innovations, and Supports Sustainable Agriculture to Build a Clean Energy Economy and Create Jobs," November 2021. link

[84] "Methane Levels Hit New High, While the Cause of Rising Emissions Remains a Mystery," Yahoo News, February 2021. link

[85] Environmental Protection Agency, "Overview of Greenhouse Gases: Methane." link

[86] National Public Radio, "Your Trash Is Emitting Methane In The Landfill. Here's Why It Matters For The Climate," July 13, 2021 link

[86] "Existing measures to burn off the powerful greenhouse gas allow far more to slip by than had been believed, according to the paper published on Thursday in Science." "Study: Methane emissions may be five times higher than previously thought," The Hill, September 2022. link

release of methane into the atmosphere.[87] The global monetized benefits for all market and non-market effects are approximately $4300 benefit per ton of methane reduced.[88]

Relevance to Coffin Butte Landfill and its longevity

Landfills are major sources of methane, according to the EPA. Landfilling inherently creates methane as a natural byproduct of the decomposition of organic material in landfills. Coffin Butte's landfill gas is composed of about 53 percent methane (the primary component of natural gas), 38 percent carbon dioxide (CO_2) and 9 percent other gases, according to the EPA.[89]

Landfill methane generation rates are currently estimated using EPA models. These models are based on average waste composition from the country and don't account for areas with high organics diversion rates. Currently, Republic Services diverts on average over 120,000 tons of green waste and food waste a year at its Pacific Region Compost Facility; its recycling center in Albany, Oregon, processes 20-25K tons of recycling material every year, much of which is organic material.

It's known that Coffin Butte Landfill, like all landfills**,** has methane gas emissions, but also like many landfills its levels of "fugitive methane" are estimated rather than known. The US Environmental Protection Agency estimated in 2019 that Coffin Butte Landfill's methane collection system converts 57% of its methane to CO2, as compared to other Oregon landfills such as Columbia Ridge (85%) and Dry Creek (80%)[90] ; this finding is preliminary. Republic Services' notes that data it submitted to the EPA for inclusion in its 2021 greenhouse gas report estimates that Coffin Butte's landfill gas collection system has a collection efficiency of 91.2 percent.

Direct measuring technologies are coming online that can improve the characterization of landfill methane emissions, but currently they are better at providing snapshots of events rather than continuous data. Since methane generation varies daily and seasonally, models will continue to be needed to provide overall long-term emissions estimates, but these models will be improved by the more accurate event reports that direct-measuring technologies provide.

Waste disposal comprises a small percentage (roughly 2-3 percent) of Oregon's total greenhouse gas emissions, which are largely comprised of carbon dioxide emissions associated with providing Oregonians with material of value.

In contrast, the emissions generated by waste disposal are mostly associated with methane escaping landfills. This "fugitive methane" is not of value to anyone: Republic Services, for example, has considerable infrastructure in place to capture as much methane as possible to burn in a waste-to-energy plant and in flare stacks. For Benton County as for the nation as a whole, addressing fugitive methane is an opportunity when seeking to lower total greenhouse gas emissions.

[87] "Methane Emissions Reduction Program: The Next Step in the United States' Efforts to Tackle a Potent Greenhouse Gas," Covington, July 2022. link

[88] "Global Methane Assessment: Benefits and Costs of Mitigating Methane Emissions," United Nations Environment Programme and Climate and Clean Air Coalition, 2021. link

[89] "Emission Data for the Designated Pollutants," Oregon Amended State Plan to Implement Emissions Guidelines for Municipal Solid Waste Landfills, Oregon Department of Environmental Quality, August 1, 2019.

[90] "Emission Data for the Designated Pollutants," Oregon Amended State Plan to Implement Emissions Guidelines for Municipal Solid Waste Landfills, Oregon Department of Environmental Quality, August 1, 2019.

Changes to the Landfill's emissions status in the near future

In the past methane pollution has been difficult to quantify. For landfills, historically the EPA has relied on theoretical calculations to estimate pollution, but these mathematical models by definition produce estimates, not exact data – useful at a national level but less so at a per-landfill level. In response, other organizations have engineered their own models that are more useful for assessing emissions at a particular landfill. In recent years, focus has shifted to better direct measurement technologies for more accurate and transparent emissions reporting.[91]

Carbon-Mapper, a joint public-private enterprise, focuses on identifying super-emitters, because a previous flyover project across California discovered that only 1% of sites produced 50% of methane emissions, and the largest emissions were from landfills.[92] Carbon Mapper consulted with Republic Services and other major environmental services companies on their 2022 report of this project.[93] Carbon-Mapper plans to launch two satellites in 2023, building to a suite of 20 satellites eventually; these will join other systems such as Kayrros, a French company, GHGSat, a Canadian company, and MethaneSAT, a subsidiary of the EDF.[94] In March 2023, Kayrros announced a list of the planet's 1,005 highest methane "super-emitting events," and the list included leaks from waste facilities in the US; this data will begin to be released publicly later this year.[95]

These developments could provide a clearer, more precise picture of methane emissions from U.S. landfills, including Coffin Butte, and lead to improved diversion efforts, regulatory changes and operations improvements at landfills themselves.

Improving environmental outcomes

The best-case environmental outcome for methane, once it is generated from municipal solid waste, is for it to oxidize into carbon dioxide, i.e., for it to transition from a quick-acting high-impact greenhouse gas into a slower-acting, durable greenhouse gas. In climate crisis terms, methane is not "destroyed" as it does not become carbon neutral. From an environmental point of view, the best mitigation for landfill methane is never to create it in the first place, i.e., to divert waste, especially organic waste, from ever entering a landfill. This fundamental logic applies to landfill methane now and into the future.[96]

Climate crisis legislation

The US focus on methane reduction was codified in January 2023, with the signing of the Food Donation Improvement Act. America wastes about 30-40% of its food, and food waste is the most common material found in landfills. When landfilled, food waste converts readily to methane. Diverting food waste from Coffin Butte Landfill would lengthen the landfill's

[91] "Methane menace: Aerial survey spots 'super-emitter' landfills," Reuters, June 2021 link

[92] "Fugitive Methane Worsens Warming: New Assessments Point To Urgent Oil And Gas Fix," Forbes, August 2021. link

[93] "RMI and Carbon Mapper see better data and landfill upgrades as the keys to cutting methane emissions," Waste Dive, Oct 2022. link

[94] "With landfill methane in the climate spotlight, satellite and flyover measurements attract a following," Waste Dive, November 2021 link

[95] "Revealed: 1,000 super-emitting methane leaks risk triggering climate tipping points," The Guardian, March 2023. link

[96] "The first priority for landfills continues to be avoiding landfilling materials altogether," the CARB spokesperson said, "which provides the most direct path for reducing landfill methane emissions." "With landfill methane in the climate spotlight, satellite and flyover measurements attract a following," Waste Dive, November 2021. link

operating life and reduce its methane emissions. The bipartisan Act offers benefits beyond methane reduction, which is typical when initiatives target waste. [97]

The Inflation Reduction Act of 2023 imposed methane-corrective measures on the oil/gas industry. These measures are focusing on incentives to prevent methane from being emitted but include penalties for methane pollution. These penalties are being eased in over a four-year period, and establish a rate for methane pollution: $1550 per metric ton in 2022 dollars.[98]

It's possible that similar methane-corrective measures will be imposed upon the landfill industry, as a next development in the US 2021 Methane Emissions Reduction Plan.

Diverting organics from Coffin Butte Landfill would lengthen the landfill's operating life and reduce its methane emissions. Recyclers and other entities would have incentives to repurpose the organic sector of the landfill's intake (25-30% of total intake mass), which would benefit the landfill due to measures avoided. This change in waste flow may create knock-on opportunities to create circular economies for other types of waste, motivated by environmental concerns, economic efficiencies, and other reasons.

Climate crisis legal and shareholder action

As part of the climate crisis, environmentally engaged citizens and environmental organizations are suing governmental agencies (and investors are suing corporations) for failing to act on the climate crisis.[99] As with climate crisis legislation, these lawsuits may compel action to reduce emissions of greenhouse gases, which in turn may boost efforts to divert material, especially food and other high organic waste, from being landfilled. As with climate crisis legislation, the effect would be to reduce waste inflow into landfills.

Climate crisis environmental activism

As part of the climate crisis, environmental activists accelerate their efforts, and act as an across-the-board accelerant and forcer for all the environmentally motivated changes being discussed in this Appendix.

Environmental activism has already had significant effects on the operating life of Coffin Butte Landfill. Riverbend Landfill in Yamhill County was stopped from expanding in 2016, and environmental activists were a driving force; that outcome enabled Republic Services to increase trash intake at Coffin Butte Landfill by over 50% beginning in 2017.-Activism focused on trash reduction or on waste flows to the landfill itself may extend the landfill's life, if they act to reduce waste intake rates at the landfill.

Conclusion

[97] "Here's Why Congress Should Pass The Food Donation Improvement Act," Forbes, March 2022. link
"Reducing food waste seems to be one of those areas that is a win-win situation. No one is benefiting when we throw food away. The production of food itself causes emissions, and when the food goes to the landfill, it's a huge emitter of methane. So that's not good on either end of it." The Harvard Gazette, "How food donations can help fight hunger and climate change," August 2021. link

[98] "Inflation Reduction Act Adds First-time Charge for Methane Emissions for the Oil and Gas Sector," O'Melveny, August 2022. link

[99] "Growing numbers of customers and investors are insisting that all industries — waste included — record greenhouse gas emissions and shrink their carbon footprints. In a relatively short period, considering how a company may be exacerbating the effects of climate change morphed from a peripheral concern for investors to a mainstream inquiry." "Renewed focus on landfill calculations as waste industry faces pressure to reduce emissions," Waste Dive, March 2021. link

In recent years society and its structures have begun to take action on the climate crisis, due to the threat that greenhouse gases pose to natural and social systems. Responses to the climate crisis focus mainly on curtailing the release of greenhouse gases, but also include mitigating or adapting to the emerging effects of climate change. Efforts to curtail the release of greenhouse gases pay special attention to methane, because this pollutant has fast-acting effects. These efforts therefore involve landfills, as they produce methane.

The baseline scenarios laid out elsewhere in this report assume that landfilling will continue as normal for the next 16 years. That expectation should be tempered by the signals that environmental considerations, especially those related to the climate crisis, are emerging as a major factor that will reshape the social and legal landscape that Coffin Butte Landfill is in. This reshaping is something that Benton County can participate in, on behalf of its citizens. This is something the County should be aware of and prepare for, in current actions and in concert with its Sustainable Materials Management Plan, as the reshaping includes significant opportunities for the County and affiliated organizations to bring their waste management more in line with the County's stated goals and values.

Appendix C3: Subcommittee Reports: Legal & Land Use Issues

Introduction

The purpose the subcommittee is to address: a) law relevant to, and the legal status of, landfill operation and oversight; b) relevant law related to land use regulation, and c) typical practices in land use regulation. The majority of the subcommittee's work product is in the form of objective legal information; however, the charge elements that relate to land use also include descriptions of practices and considerations and are noted as such. In all areas, the subcommittee's goal has been to be clear, concise and legally informative.

Membership of the subcommittee consists of Benton County Counsel Vance Croney, Planning Commissioner Liz Irish, Republic Services land use attorney Jeff Condit and Republic Services in-house counsel Holly Doyle. The facilitator invited participation by Jeff Kleinmann, land use attorney who represented a group of property owners in the vicinity of the landfill during the Planning Commission hearings on the proposed expansion. Mr. Kleinmann declined to participate and submitted a letter stating his reasons. The facilitator subcontracted with Ginny Lucker, a highly regarded land use attorney and Benton County community member, to participate on the subcommittee and provide a third legal perspective. The County staff member supporting the subcommittee was Greg Verret, Deputy Director in the Community Development Department.

The Key Findings and Key Recommendations summarize most of the subcommittee's work. However, a wealth of information on each charge element is presented in the subcommittee's full report and readers are encouraged to refer to that report for a full accounting of any topic of interest.

SUBCOMMITTEE WEBPAGE LINK

SUBCOMMITTEE CHARGE
Charge A:
2) A Summary of the County's current rights and obligations to Republic Services, and vice versa, surrounding:

d. The hauling franchise;
e. The landfill CUP; and
f. What legally can and cannot be conditions of any land use approvals (e.g., past compliance, compliance with future laws, codes, and policies, DEQ compliance, reopening, limitations on what can be brought into the County from where, required facilities and practices, reporting/compliance/financial monitoring requirements, etc.)

3) *Interpretation and Deference:* **A Summary of the rights and obligations of other entities surrounding landfills, hauling, and sustainability initiatives, etc.:**

f. Federal;
g. Tribal;
h. State (e.g., Is DEQ prohibited from permitting another landfill west of the Cascades and what does the "regional landfill" designation mean?);
i. Local Government; and

j. Summary of the step-by-step process in ORS chapter 459 and associated timing for the cross-jurisdictional approvals of landfill applications, (e.g. DEQ) including:

(iii) What topics are within whose authority, and
(iv) Whether, for example, the County can or should consider the topics it does not have permitting authority over when assessing the criteria outlined in Code section 53.215?

Charge B: Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion. Specifically:

3) Create a common understanding document outlining which Development Code criteria are applicable to the review of a conditional use application for landfill expansion by reviewing:
   - 53.215 (Criteria)
   - 77.305 (Conditional Uses)
   - 77.310 (Review)
   - 77.405 (DEQ)
   - Review Chapters 50 and 51 for context, and then

   c. Preparing a conceptual list of any other Development Code criteria the WORKGROUP recommends be applicable.
   d. Developing recommended guidelines for interpreting any ambiguous provisions recognizing current statutes, regulations, case law, and County precedent, etc.

      A. The phrase, "Other information as required by the Planning Official" 77.310(e)
      B. The terms found in Section 53.215, e.g.
      C. "seriously interfere"
      D. "character of the area"
      E. "purpose of the zone"
      F. "undue burden"
      G. "any additional criteria which may be required for the specific use of this code.
      H. Other: _____

4) In doing so, refer to Comprehensive Plan for policy guidance regarding interpretation of any ambiguous Development Code provisions (see, BCC 50.015,) and Review the Planning Commission comments made during its last review of Republic Services' CUP application for context. Examples for consideration include:
   a. Necessary Tasks to Start Planning Reopening of Existing Hauling Agreement
   b. Roles, Responsibilities, and Protocols of SWAC and DSAC
   c. Specific Recommended Review Criteria for the Evaluation of Landfill CUP applications
   d. SWAC/DSAC, Planning Commission, and BOC Use of the Review Criteria
   e. Future Timeline for Discussing any Needed Changes to the Benton County Code Flowing from WORKGROUP Recommendations

SUBCOMMITTEE MEMBERS:

- Jeff Condit

- Liz Irish
- Vance Croney
- Holly Doyle
- Ginny Lucker

County Staff: Greg Verret

Key Findings and Key Recommendations

Key findings and key recommendations from the full subcommittee report have been listed below. These key findings and recommendations summarize more complete content found in the full report, which can be accessed by clicking on the link adjacent to each.

Key Findings:

LLU F-1. [Link] Do conditions of approval imposed as part of a later land use approval supersede conditions imposed as part of a prior approval? Unless a later land use approval expressly addresses whether conditions of a prior land use approval are superseded, the issue will be subject to interpretation by the local government (the Board of County Commissioners, in this case).

LLU F-2. [Link] Only the current franchise agreement has legal effect. The previous franchise agreement is superseded when a new agreement takes effect.

LLU F-3a. [Link] Up-front and ongoing financial assurance to cover the cost of closure, post-closure, and corrective actions are required by DEQ. Where this preliminary line of defense fails, Oregon statute holds any person owning or controlling the disposal site liable for closure and post-closure maintenance. [See additional DEQ information on this topic in full subcommittee report.]

LLU F-3b. [Link] DEQ reviewed the last annual FA update submittal which was dated April 1, 2022 and approved on April 13, 2022. DEQ's approval letter summarizes the following:

- The updated cost estimates for closure ($16,222,800) and post-closure care ($5,743,202) were correctly updated, prepared, and stamped by a registered P.E.
- The current penal sum of your Bond, as provided by Evergreen National Indemnity Company, with your new Riders in place, covers the total of updated cost estimates.

DEQ identifies Valley Landfill Inc. as the owner of the landfill and the DEQ solid waste permittee for DEQ permit #306. The operator of the landfill is Coffin Butte Landfill. The owner or operator of the landfill is responsible for compliance with the permit and permit conditions. The owner or operator is responsible for providing financial assurance for closure, post closure and any needed corrective action per ORS 459.272.

Valley Landfill Inc. uses a bond to provide financial assurance. According to OAR 340-094-0140(6)(d) and (6)(e) the permittee is to recertify compliance every year

which Valley Landfill Inc. did in a March 28, 2022 attachment to the annual financial assurance submittal that DEQ received.

LLU F-3c. [Link] In negotiating the 2020 landfill franchise agreement, Benton County established three elements to provide assurance that costs of closure, post-closure and corrective action are covered: Statutory DEQ financial assurances, insurance, and the environment trust fund.

LLU F-4. [Link] What legally can and cannot be conditions of any land use approvals? Conditions of approval must relate to approval criteria. To be approved, an applicant must demonstrate compliance with all discretionary approval criteria. Conditions of approval cannot substitute for compliance with applicable criteria but may be imposed to ensure the criteria are met. The county may find compliance with approval criteria by establishing that compliance is feasible, subject to compliance with a specific condition(s) of approval. A preponderance of the evidence must support a finding that the condition is "likely and reasonably certain" to result in compliance. To lessen adverse impacts on surrounding uses, the county may "impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code." (BCC 53.220)

LLU F-5. [Link] In reviewing a CUP for landfill expansion, the County has jurisdiction over only the proposed expansion. Existing and past operations are not within the County's scope of review. Prior decisions are final and cannot be subjected to a new review or have additional/revised conditions of approval imposed as part of the CUP application for the expansion. The mechanism for enforcing conditions of approval is a separate process; see recommendation LLU R-11.

LLU F-6. [Link] Benton County may not prohibit a private landfill operator from accepting solid waste from outside Benton County.

LLU F-7. [Link] Is DEQ prohibited from permitting another landfill west of the Cascades? No.

LLU F-8. [Link] What does the "regional landfill" designation mean? Oregon Revised Statute (ORS) 459.005(23) defines a Regional Disposal Site as "a disposal site that receives … more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located…." The immediate service area of Coffin Butte is Benton County. Coffin Butte Landfill has received more than 75,000 tons from outside its immediate service area every year since at least 1993. Coffin Butte thus meets the definition of a regional landfill per ORS.

LLU F-9. [Link] Interpretation of the review criteria for a landfill-expansion conditional use permit requires determinations that are based on the facts of the specific application. The rules of statutory construction describe how ambiguous terms are to be interpreted: text, context, and legislative history. However, LUBA's standard of review is highly deferential to the local decisionmaker's interpretations, so if the interpretation is plausible (does not conflict with the provision's language), LUBA (and the courts) will uphold the local interpretation. This gives the decision-maker a lot of flexibility in interpreting their own code provisions. In response to a request by the Board of Commissioners, the following

four findings provide staff-provided historical information, particularly over the past 25 years, on how the County decision-makers have interpreted these terms across the full range of conditional use applications the County reviews. They are not recommendations on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting those terms in the context of the specific application before it.

LLU F-9a. [Link] The first criterion requires the decision-maker to find that "*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"* [BCC 53.215(1)]. In applying the term "seriously interfere", Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered factors such as: does the proposed use make it difficult to continue uses on the adjacent property; would it create significant disruption to the character of the area; would it conflict, in a substantive way, with the purpose of the zone. As noted above, the county decision-makers have wide discretion in evaluating whether a use will "seriously interfere." In the past, "seriously interfere" has generally been applied as meaning more than an inconvenience or irritation but is a lesser threshold than rendering the uses on adjacent property impossible. Speculated effect on property values has not been a primary consideration in determining serious interference.

LLU F-9b. [Link] In the phrase "character of the area" in BCC 53.215(1), how narrow or broad has "the area" typically been?

When the County is evaluating the "character of the area", the "area" is based on the facts of each application and how far the effects of the proposed land use are likely to extend. The impacted area will be unique to each application and may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa).

Because each review is unique, examining past cases for the specific distances utilized may not be illuminating. Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered these factors in determining the character of the area and its extent include:

- The particular attributes of the geographic setting (including existing operations in the vicinity.)
- Is there a distinct change in the area's physical characteristics beyond a certain point (such as a change from flat land to hills or from one river basin across a ridgeline into another)?
- What features or elements give the area its character? Is it a homogenous or heterogeneous character (is there a high degree of similarity, or is it mixed)?
- How far are the effects of the proposed land use likely to extend? This may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa).

LLU F-9c. [Link] In the conditional use review criterion of: "*The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area"* [BCC 53.215(2)], what constitutes a "burden" is again based on the facts of the application. Staff has stated that in past CUP applications the

Planning Official, Planning Commission or Board has considered a "burden" on public infrastructure and service is likely "undue" if it overloads the system or causes significant degradation in terms of quality, effectiveness or timeliness of infrastructure or service. Lesser burdens may also be "undue" if the effect jeopardizes people's health, safety, or welfare. Burdens that the County has typically not considered "undue" include those that can be mitigated through planned improvements, that are incremental service additions[100] consistent with that generated by other uses in the area or that fall below an established threshold (such as road classification standards). For planned improvements to be relied upon in determining that a burden is not undue, the implementation of those improvements must be certain, such as through a condition of approval specifying the improvement and the timeline for implementation. Again, as noted in LLU F-9 above, so long as the interpretation is plausible, the decision makers have wide discretion in interpreting the term "undue burden."

LLU F-9d. [Link] With regard to the conditional use review criterion of BCC 53.215(3) *["The proposed use complies with any additional criteria which may be required for the specific use by this code."*], if the county has adopted additional code criteria that apply to a proposed use, then those code provisions would apply. This does not allow the county to apply unadopted criteria that are not in the code at the time of application. In applying for expansion in the Landfill Site zone, the BCC Chapter 77 does not adopt any additional criteria and, therefore, no additional criteria apply.

LLU F-10. [Link] SWAC's bylaws require it to "assist the Board of Commissioners (Board) in Planning and implementing solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance." BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations regarding the Site Development Plan and Narrative submitted on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. Based on SWAC's bylaws and role in planning and implementing solid waste management, it appears that the intent of the language in BCC 77.305 is that the Planning Commission rely on SWAC for guidance on the impacts of the Site Development Plan and Narrative on solid waste management. However, the language of BCC 77.305 does not expressly limit the scope of SWAC's recommendations.

LLU F-11. [Link] Pursuant to BCC 77.310(1)(e), to what extent may the Planning Official require additional information from an applicant for a Landfill Site Zone Conditional Use Permit? Only "other information" that relates to the approval criteria for a conditional use permit may be required under BCC 77.310(1)(e), and the applicant may choose to provide some, all, or none of the requested information. The land use decision must be based on demonstrating compliance with the code criteria, not on whether the applicant provided the requested information.

[100] Incremental service additions are additions to the overall burden on services that are small relative to the total. For example, adding 10 daily vehicle trips to a road currently experiencing 300 daily vehicle trips could be considered an incremental service addition.

LLU F-12. [Link] BCC 77.310(1) lists the information required in the applicant's narrative submitted with a conditional use application. The information required under BCC 77.310(1) includes the documents and information required to be part of the application. During the "completeness" process, the Planning Official will consider whether the applicant's documents and information are sufficient for purposes of review of the application. A determination that an application is complete does not mean that the information satisfies the approval criteria.

LLU F-13. [Link] In addition to the list of information listed in BCC 77.310(1)(a)-(d), BCC 77.310(1)(e) allows the Planning Official to request that the conditional use application narrative include "other information". This information must relate to the approval criteria. The applicant has the discretion whether to submit the requested information. The applicant's failure to submit any requested information is relevant to the decision on the application only to the extent that the decision maker determines that the information is necessary to comply with an approval criterion.

LLU F-14. [Link] Pursuant to long-standing LUBA case law, representations and statements made by the applicant do not become conditions of approval unless those statements are specifically included or incorporated, directly or by reference, into the final decision as conditions of approval. See LLU R-10.

LLU F-15. [Link] How does the 2002 Memorandum of Understanding (MOU) fit into the Workgroup considerations? The 2002 MOU clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements.

- The MOU does not address whether the County's determination of "compliance with local requirements" includes compliance with all conditions of past land use approvals.
- The MOU indicates that, as of 11/5/2002, there were no known land use ordinance violations involving the landfill. The MOU does not describe the extent to which Benton County investigated the compliance status of any conditions of past land use approvals in preparing the MOU.
- The MOU did not negate or supersede conditions of past land use approvals.

LLU F-16. [Link] Is there an opportunity for public input to determine whether an application is complete? The public may submit comments on the completeness of an application. However, the completeness process is not a review of the application's merits; only whether sufficient information has been submitted to the application's merits can be evaluated through the public hearing process. And there are no statutory or code requirements for incorporating public input on the county's administrative determination of whether an application is complete.

LLU F-17. [Link] Once any land use application is submitted to the County, the County Planning Official must determine within 30 days whether the application is complete. Following the completeness process the County then has 150 days to make a final land use decision, including the completion of any appeal to the Board of Commissioners or other proceeding under County Code. If the County does not make a final decision within the prescribed time, an applicant may petition the

circuit court for a "writ of mandamus." ORS 215.429(1) et seq and citing ORS 34.130. This statute requires the circuit court to approve the application unless the County can prove it violates a substantive provision of the Comprehensive Plan or Code. If the court determines the County has not met that burden, the applicant may then proceed with the development as proposed.

LLU F-18. [Link] Section 2 of the June 7, 2022, collection franchise agreement between Benton County and Allied Waste Services of Corvallis ("Republic Services") contains a mandatory limited reopener provision. Contract negotiations are not conducted in public. With that said, a process could be designed to allow public input, comment, and feedback on any provisions subject to Section 2 that may be negotiated between the parties to the agreement. The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both Benton County and Republic Services.

LLU F-19. [Link] What options does the Planning Commission have if they determine that DEQ regulation of a particular parameter is inadequate or likely to be inadequate?

The County could not determine that DEQ regulation of a particular environmental parameter is inadequate to protect public health and deny the application on those grounds. The County also has no authority to interpret, apply or enforce DEQ regulations (except for regulatory programs that DEQ formally delegates to a local government, such as with on-site sewage disposal regulation.) Additionally, the County cannot assume that an activity will result in a violation of DEQ parameters when the activity hasn't happened.

The County could potentially determine that DEQ's regulation of a particular parameter is inadequate to prevent the proposed land use from seriously interfering with uses on surrounding properties. However, the County must articulate why DEQ's requirements are insufficient, and the County typically lacks the expertise or personnel to determine whether a particular environmental parameter is being exceeded. Alternatively, the County could require that specified mitigations be implemented, which is simpler to monitor than the level of certain emissions.

LLU F-20. [Link] Could a new CUP approval be conditioned on cleaning up noncompliance with existing operations?

A new CUP cannot require as a condition of approval that an existing operation on a different property be modified or that noncompliance be rectified. Enforcement procedures (see Chapter 31 of the Benton County Code) would have to address the noncompliance. See recommendation R-11.

LLU F-21. [Link] Is compliance/noncompliance with conditions of past land use approvals a topic that can be considered in any way during a new land use application?

Generally, the new proposal must be evaluated on its own merits relative to the approval criteria. However, the current non-compliance of an existing land use condition could provide information that the Planning Commission considers in developing a condition on a new application. If an application is made to expand an existing land use that is currently out of compliance with a condition of

approval of a previous decision, and that noncompliance is causing issues for surrounding land uses, noncompliance of the original land use decision is not in itself grounds to deny the new application. However, the decision-maker could potentially look at the fact of existing noncompliance in evaluating whether that noncompliance is causing the existing land use to "seriously interfere" with uses on surrounding properties. That fact can then be used as evidence in evaluating whether the proposed land use complies with the review criteria because the same land use in a similar location was seriously interfering with surrounding uses even though it was subject to conditions of approval. If the language in a condition of a past decision was unclear or insufficient to ensure compliance with an approval criterion, in evaluating a new application the decision maker could craft and impose a condition on a new decision that more clearly describes the measures necessary to ensure compliance. Past conditions superseded by subsequent decisions or changes in the law could not form a basis for such analysis.

LLU F-22. [Link] Were the site plan and narrative in PC-83-7 regulatory conditions of approval?

No.

The Board adopted the applicant's site plan and narrative in PC-83-07 as "findings" but did not specifically adopt them as conditions of approval. Findings are not conditions of approval. Rather, they explain how the decision was reached and the facts the decision maker relied on to determine compliance with a criterion. For compliance with specific findings to be enforceable they must be made conditions of approval.

The conditions that were adopted through the 1983 decision, described as "conditions of development", specified changes to be made to the applicant's site plan. Compliance with those revisions was not required as a condition of approval; the conditions required only that the revisions be submitted. The decision did not describe these revisions as necessary to establish compliance with any approval criteria and required only submission of additional documentation and a revised narrative.

Because a) the site plan and narrative, while relied upon as findings, were not made conditions of approval, and because b) the conditions imposed in PC-83-07 that required changes to the site plan did not require those changes on the basis that they were necessary to establish compliance with any criterion but rather required only that they be submitted, the site plan and narrative are not conditions approval of PC-83-07.

LLU F-23. [Link] Clarify when formal approval of landfilling Cell 6 (current quarry) was granted.

Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for

landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7.

LLU F-24. [Link] The County's decision on a conditional use permit must be based on the evidence submitted into the record. Evidence must be submitted into the record before the record is closed. The Planning Commission makes the initial decision on a conditional use application to expand the landfill, and the record includes all evidence submitted into the record before the Planning Commission makes its decision. The Planning Commission's decision may be appealed to the Board of Commissioners. The Board considers the record of the decision being appealed (all evidence and testimony submitted to the Planning Commission) and any new evidence or testimony that is submitted into the record at the Board's appeal hearing. The record closes either at the end of the final hearing on the application, or if there has been a request to leave the record open before the end of the final hearing, on the date specified at that hearing.

LLU F-25a. A petition is circulating requesting the Board of Commissioners "OPPPOSE ANY expansion of the Coffin Butte Landfill before Benton County completes a thorough, detailed waste management plan that focuses on future resilience and includes alternatives for decreasing and redistributing materials from the waste steam." One of its sponsors said, "All [it] does is urge you, the Commissioners — if the application comes before you on appeal following a decision by the Planning Commission — to "oppose any expansion request before you have a materials management plan in place to guide you. How can you approve a land-use action that will have a permanent impact on our county and its inhabitants, for generations to come, when you don't know what all the alternatives are?" (Emphasis in original.)

LLU F-25b. The petition sponsors agree with the County's position that it cannot legally postpone consideration of any landfill expansion pending completion of a Sustainable Materials Management Plan (SMMP). However, *t*he petition essentially states that a future waste management plan is necessary before the Board can thoroughly evaluate a proposed expansion because that plan may provide evidence that a landfill expansion is not needed, or that it may demonstrate suitable alternatives to a landfill expansion. Opposition to a conditional use permit based on potential findings from a future waste management plan would effectively impose an impermissible de facto moratorium pending the development of that plan. As discussed in Finding LLU F-17, failure by the County to reach a final decision, including all local appeals, within 150 days of a complete application can result in a writ of mandamus in which the circuit court may authorize the land use as proposed.

LLU F-25c. Petition sponsors have stated that they are asking the Board to conclude that, in the absence of a waste management plan, any proposal to expand the landfill necessarily violates one or more of the *current* discretionary approval criteria. A land use decision on a conditional use permit application must be based on the specifics of that application. To make a determination as to whether a land use application violates one or more conditional use criteria requires the decision-maker to review the application and make written findings as to whether and how the application complies with the criteria. This cannot be done prior to receipt of an application or outside of the land use review process.

LLU F-25d. The current CUP criteria give the Board discretion and, under the existing statute, LUBA and the courts will defer to the Board's interpretation of its criteria so long as the interpretation is "plausible." That discretion, however, is not unlimited and does not extend to applying unadopted criteria or to adding criteria that are not in the code at the time an application is filed. The current CUP criteria do not include – and cannot plausibly be interpreted to include -- any requirement that the applicant demonstrate need or that it must evaluate alternatives to a proposed landfill expansion. Interpreting the existing code criteria to require demonstration of "need" or alternatives is beyond the range of discretion afforded by state statute and would constitute an improper code amendment under the guise of interpretation.

LLU F-25e. Under both state law and the county code, an application must be evaluated based on the criteria in effect on the date the application is filed. Because the current CUP criteria do not require the applicant to address need or reasonable alternatives to the expansion, even if the evidence existed today, evidence regarding the need for or alternatives to landfill expansion is not relevant to the existing conditional use approval criteria; and therefore the possible evidence that might flow from a future SMMP is not relevant to the Board's evaluation of whether there is substantial evidence in the record as a whole related to compliance with the CUP criteria.

LLU F-25f. The County could amend BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with specific provisions of an adopted SMMP. However, that criterion would apply only to applications filed after the code was amended to include, as criteria, specific requirements of such a plan. [See also Recommendation LLU R-8.]

Key Recommendations:

LLU R-1. [Link] https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/collection_franchise_renewal_agrmt_503172_republic_services.pdfA process to allow public input, comment, and feedback on any provisions subject to Section 2 of the collection franchise agreement between Benton County and Allied Waste Services of Corvallis ("Republic Services") could be designed as follows:

After the parties have begun discussing what specific terms may be amended pursuant to Section 2, but no more than 60 days prior to any amendment being

approved by the Board of Commissioners, the County will publish a notice that it is seeking suggestions from the public for negotiation topics generated from the "concepts from the consensus-seeking process."

Any input received would be presented to the Board of Commissioners at a work session, at which time the Board would identify those ideas or suggestions that may be included as negotiation topics.

Following the work session and as part of the ongoing negotiations, Benton County Staff will discuss with Republic Services the topics and ideas the Board of Commissioners identified.

At such time as Benton County and Republic Services reach a tentative agreement on the renegotiated terms, Staff would bring the proposed franchise changes to the board meeting, where consideration of the amended franchise agreement would be conducted in a public hearing pursuant to BCC 23.235, which will include an opportunity for the public to present testimony. The Board could approve the agreement as presented or may direct staff to resume negotiations with Republic Services to include specific topics identified by the Board.

The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both Benton County and Republic Services. At such time as the terms have been agreed upon, and the Board is satisfied that public input has been adequately included or addressed in the renewed agreement, the franchise agreement will be the subject of a public hearing and, ultimately, approval by the Board of Commissioners at a regular board meeting.

LLU R-2. [Link] The County should provide to the public a description of the purpose of the statutory completeness review process, and the scope of the information the county planning official considers at the completeness stage. That description should clearly explain how the administrative "completeness" process fits into the review of a land use application. While the county should not discourage public involvement at all stages of the review process, the public should be informed that the statutory completeness is a preliminary step that does not include any review of whether an application does or can satisfy the approval criteria; and that the public review and hearing process that follows after the application is complete provides the public an opportunity to provide evidence and arguments to the decision makers on the merits of the application. The information should clearly inform the public that any evidence or testimony submitted at the completeness stage is not part of the "record" that the decision makers will review, and that information would have to be re-submitted during the public hearing process in order for the decision makers to review it.

LLU R-3. [Link] BCC 77.310 states that "The applicant for a conditional use permit shall provide a narrative which describes: * * * Other information as required by the Planning Official." [BCC 77.310(1)(e)] The workgroup could make recommendations regarding what "other information" would be helpful in a narrative. However, any committee recommendations would have to be limited to information related to the applicable criteria and could not expand that criteria. "Additional information" required by the Planning Official does not become part of the applicable criteria.

BCC 77.310 states only what the applicant's narrative shall include; it does not identify criteria for SWAC's review of a CUP application. This absence contributed to the subcommittee's recommendation in LLU R-6.

LLU R-4. [Link] BCC 77.310(1) lists the information required for a conditional use application in the landfill site zone and permits the planning official to request that the applicant's narrative include "additional information." However, the development code does not specify how or when that information is to be requested. In the past, the Planning Official has used the statutory completeness review process to request additional information. However, in addition to the Planning Official's review of the information after the application has been submitted, the Board could amend the code to require that the Planning Official conduct a "preapplication conference" with the applicant to discuss the information that is required. It could also require a "neighborhood meeting" before the application is filed that requires the applicant to present its proposal to the public and allow the applicant to obtain more information about the proposal. Public comment during a pre-application neighborhood meeting, as with other public comment submitted before the application is complete and notification is sent, is not part of the formal record of the land use review and cannot be considered by decision-makers. The record includes only public comment submitted after formal notification has been sent to affected parties stating that the comment period is open.

LLU R-5. [Link] BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations regarding the Site Development Plan and Narrative submitted on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. Consistent with SWAC's bylaws and Chapter 23 of the County Code, which require SWAC to "assist the Board of Commissioners (Board) in Planning and implementing solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance", the Board of Commissioners should more clearly define SWAC's role by articulating the scope, manner and timing of SWAC's review. Interpreting the existing County Code is within the Board's purview, but amending that code effects a more permanent solution. As an initial step, the Board could issue an official interpretation of SWAC's role pursuant to Chapter 23. Then, as a subsequent step, the Board could initiate amendments to Chapter 23 and/or Chapter 77, which would then proceed through a public hearings process. (If/when SWAC's overall role shifts to sustainable materials management, instances of the term "solid waste management" above should be replaced with "sustainable materials management.")

LLU R-6. [Link] Amendments to the Development Code may be needed to create a clear and legally consistent process for SWAC's involvement in reviewing a CUP. Pursuant to the Development Code as written, the only criteria that a CUP decision can be based upon are those of BCC 53.215, and the Planning Commission is the decision-making body. Yet, the code states an ambiguous role for SWAC in that process and seems to imply that other considerations beyond those of BCC 53.215 should go into the decision-making process. This needs clarification.

LLU R-7. In addition to the two criteria listed in BCC 53.215(1) and (2), BCC 53.215(3) requires the decision maker to consider whether the "proposed use complies with any additional criteria which may be required for the specific use by this code." Currently Chapter 77 (Landfill Site zone) does not include any additional criteria that must be considered in the review of a conditional use application for the expansion of a landfill in the landfill zone. If there are additional criteria that the Board of Commissioners determines are necessary for the review of a conditional use application in the landfill zone, the Board would have to amend Chapter 77 to specify those additional approval criteria. The Board could also require that compliance with the site plan and reclamation plan (currently required by Chapter 77 to be submitted with the application) be adopted as conditions of approval of any approved conditional use permit.

LLU R-8. [Link] When the County adopts its SMMP, it should amend BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with specific provisions of an adopted SMMP.

LLU R-9. [Link] BCC 77.405 states, "*Copies of materials submitted to the Oregon Department of Environmental Quality as a part of any permit process shall be submitted to the Planning Official. If at any time the Planning Official determines that permit application materials or conditions of DEQ permit are judged to merit public review, a Public Hearing before the Planning Commission shall be scheduled.*" This provision is unclear. (The provision might have been codified before adoption of the current state agency coordination requirements, which now require a land use compatibility statement (LUCS) as part of any application for a state permit in which local land use is implicated.) The subcommittee interprets this section as requiring a review if the use originally approved has been or will be modified due to the DEQ permit. The Planning Official could make such a determination using a formal "Interpretation" pursuant to BCC 51.205(1). Recommend a code amendment to clarify this provision. For example, a code amendment could require that when DEQ issues a landfill permit, the Planning Official shall review the permit and conditions of approval and, if discrepancies with the County's land use approval are noted, determine whether this constitutes a "modification of a conditional use permit" (BCC 53.225) and, if so, require the applicant to submit application for such modification. A workgroup recommendation on how public review of DEQ permit requirements could most benefit the public would also be helpful.

LLU R-10. [Link] In issuing land use decisions, Benton County decision-makers should:

a. Draft clear findings and be certain to incorporate into the conditions of approval the items that are intended to be binding.

b. State conditions of approval in clear and explicit terms and ensure that what is expected of the applicant in order to comply is clearly stated in the text of the conditions.

LLU R-11. [Link] Benton County should evaluate its existing system regarding compliance monitoring and enforcement to determine if there are sufficient mechanisms in place to ensure compliance with conditions of approval that the County imposes on

land use approvals and, if not, recommend improvements. Elements of such an evaluation could include:

f. What enforcement mechanisms exist within the County Code?
g. Is there a mandamus option or a private right of action option?
h. What is missing?
i. What provisions and procedures do other counties have, particularly counties that host a privately operated landfill?
j. The future cost of such a system, the benefits, and the consequences of not improving the current practices and procedures.

Topic Areas Benton County Can or Cannot Regulate

-- Summary Table –

Topic Area	*Primary Jurisdiction*	*County Allowed to Regulate?*	*Notes*
Wetlands	Department of State Lands	Yes, if the County has identified significant wetlands at the site in a wetland inventory adopted through the Statewide Planning Goal 5 procedure.	No significant wetlands are identified in the vicinity of the landfill on the County's adopted inventory. The County has not conducted a comprehensive wetland inventory and analysis of significance since the 1980s.
Groundwater quality	DEQ	No. Statute precludes.	County can regulate the impact of one land use on another.
Groundwater quantity	OWRD	No. Statute precludes.	County can regulate the impact of one land use on another.
Noise	DEQ	Yes. DEQ has adopted noise standards but does not enforce. County may apply (only) those standards and enforce.	

Topic Area	*Primary Jurisdiction*	*County Allowed to Regulate?*	*Notes*
Odors	DEQ's regulation of air quality via emissions standards does not specifically address odor, but DEQ does regulate nuisance odor through a complaint-based system (see DEQ's Nuisance Odor Strategy).	Benton County cannot substitute a different regulatory standard for DEQ's regulation of air quality emissions. County could determine that odor will violate a CUP criterion and then impose a condition regulating odor, typically by requiring specified odor mitigations to be in place.	No objective "odor meter" (similar to a decibel meter for noise) seems to be available.
Methane emissions	DEQ	Precluded if regulated by DEQ.	
Wildlife	ODFW	Yes, if Benton County were to adopt a program pursuant to the Statewide Planning Goal 5 procedure.	Requires Comprehensive Plan Amendment.
Stormwater runoff	DEQ	Yes, pursuant to BCC 99.650-99.680.	
Point-source discharge to surface waters	DEQ	Yes, pursuant to BCC Chapter 36 Illicit (Non-Stormwater) Discharges.	
Light	None.	Yes, through CUP criteria and resulting conditions of approval. Not directly regulated in Development Code.	No state regulations that we are aware of.
Leachate	DEQ	No. Statute precludes.	County can regulate the impact of one land use on another.

Conclusion

Solid waste topics in Benton County intersect with legal and land use issues in several ways:

- Franchise agreements (in this case collection and landfill franchises) are contracts between a local government and a service provider.
- Legal requirements for permitting a landfill at a given location.
- Land use regulations.
- Benton County's oversight of solid waste topics through Chapter 23 of the Benton County Code, including the Solid Waste Advisory Council and the state-mandated Disposal Site Advisory Committee.

Franchise agreements are subject to contract law, applicable state statutes and county code, and applicable federal law and court cases. Franchise agreements are the product of confidential contract negotiations between the parties. However, the County and Republic Services recognize and acknowledge the public interest in these agreements and the desire to ensure the agreements reflect community priorities. The U.S. Supreme Court has determined the federal constitution prevents the County from limiting the area from which the landfill can accept waste.

Permitting a landfill or changes to a landfill is a complex mixture of state law (involving a variety of agencies) and Benton County Code. Understanding the roles and limitations on authority of each entity is important to enable community members to provide informed comment and for Benton County decision-makers to arrive at informed decisions.

Benton County has latitude to interpret the provisions of its own code and to interpret ambiguities in past decisions, provided those interpretations are plausible. Decisions and conditions of approval must be rooted in the applicable criteria in the County's Development Code and can only address the current application (not look to alter previous land use decisions or conditions). Subjective terms in the review criteria and procedures applicable to a conditional use permit (CUP) in Benton County, including a CUP to expand the landfill, were discussed in the subcommittee findings with the intent *not* of directing how these terms should be interpreted and applied in a future land use review but of providing such legal context as exists and how the County has historically interpreted them.

The County's long land-use history with Coffin Butte Landfill has resulted in legal and interpretation questions which the subcommittee has attempted to clarify from an objective legal perspective. The 1983 approval of the landfill did include approval for landfilling of Cell 6 (the present quarry) and did not establish the site plan and narrative as regulatory conditions of approval. The 2002 memorandum of understanding (MOU) between Benton County and the landfill operator memorialized the County's understanding that at that time the landfill was operating in compliance with local requirements but the MOU did not negate conditions of past land use approvals.

The subcommittee makes recommendations to:

- clarify the role of the Solid Waste Advisory Council in the land use conditional use review process
- consider specifying what "additional information" would be helpful in review of a conditional use application
- consider requiring a "pre-application conference" and a "neighborhood meeting"

- consider specifying any additional criteria necessary for CUP review and/or requiring compliance with the proposed site plan and reclamation plan
- clarify BCC 77.405 regarding review of DEQ permits
- provide the public with information regarding the initial review of the completeness of an application
- consider a proposed process for public input in the re-opener of the collection franchise agreement
- evaluate the system of compliance monitoring and enforcement
- ensure that land use findings are clear and that conditions of approval include all elements intended to be binding and are clear about what is necessary to comply with the conditions.

SECTION A: Develop Common Understandings

1) Republic Services and Benton County's Current Rights and Obligations

A Summary of the County's current rights and obligations to Republic Services, and vice versa surrounding the hauling franchise; The landfill CUP; and What legally can and cannot be conditions of any land use approvals (e.g. past compliance, compliance with future laws, codes, and policies, DEQ compliance, reopening, limitations on what can be brought into the County from where, required facilities and practices, reporting/compliance/financial monitoring requirements, etc.)

1a. Rights and obligations relative to past land use approvals

Question: **Do conditions of approval imposed as part of a later land use approval supersede conditions imposed as part of a prior approval?**

Answer: Unless the later land use approval expressly addresses whether the prior approval conditions continue or cease to be applicable, the issue will be subject to interpretation by the local government. LUBA will uphold the local government's interpretation of approval conditions unless the local government has improperly construed the applicable law.

Discussion:

When evaluating the effect of later conditions of approval on earlier conditions, the analysis will depend on the specific land use approvals at issue. If the later land use decision unambiguously states that the earlier conditions either continue or no longer apply, the express language of the later decision resolves the issue. If the later decision does not unambiguously address the issue, it is subject to interpretation by the local government, and LUBA will uphold that interpretation unless the local government has improperly construed the applicable law.

When the meaning of an earlier land use decision is disputed during review of a later land use application, the local government (here, the Benton County Board of Commissioners) will interpret the previous land use decision, including any conditions of approval. *See M & T Partners, Inc. v. Miller*, 302 Or App 159, 164-65, 460 P3d 117 (2020); *Bradbury v. City of Bandon*, 33 Or LUBA 664 (1997).

Once the local government has made the determination, LUBA will review under ORS 197.835(9)(a)(D) to determine whether the decision maker "improperly construed the applicable law." *Dahlen v. City of Bend*, __ Or LUBA __ (LUBA No. 2021-013, June 14, 2021). That is, LUBA will review for whether the interpretation is consistent with the statutory construction rules set out in ORS 174.010 to 174.090, *PGE v. Bureau of Labor and Indus.*, 317 Or 606, 611, 859 P2d 1143 (1993), and *State v. Gaines*, 346 Or 160, 206 P3d 1042 (2009). *Lennar Nw., Inc. v. Clackamas Cty.*, 280 Or App 456, 468, 380 P3d 1237 (2016).

This interpretative framework requires consideration of the text, context, and purpose of the land use approval. The fact that a specific condition was included in a prior decision but was not included in a later decision is relevant to the text, cotext, and purpose of the later decision.

Additionally, when reviewing a local government's interpretation of its later land use approvals to determine whether prior approval conditions continue to apply, LUBA cannot insert what has been omitted or omit what has been inserted. *Lennar*, 280 Or App at 469 (citing ORS 174.010); *Gould v. Deschutes Cty.*, 322 Or App 11, 24, 518 P3d 978 (2022); *M & T Partners*, 302 Or App at 172. LUBA will also give effect to the entire text of the later land use approval to the extent possible. *See* ORS 174.010; *Willamette Oaks LLC v. City of Eugene*, 76 Or LUBA 187 (2017).

Accordingly, it is for the Benton County Board of Commissioners to determine whether the later land use decisions continued or discontinued the conditions of approval attached to earlier land use decision. And, so long as it applies the interpretative framework outlined above, LUBA will uphold that determination.

1b. Rights and obligations relative to franchise agreements

Question: **How do previous franchise agreements impact continuation of operations under a new franchise agreement?**

Answer: Only the current franchise agreement has bearing. The previous franchise agreement is superseded at the time a new agreement takes effect. The provisions of the current (2020) franchise agreement are reflected in Table 1 below.

Discussion:

Valley Landfills, Inc., operates Coffin Butte Landfill under a Landfill Franchise and Host Agreement ("Landfill Franchise Agreement") negotiated with Benton County in accordance with Benton County Code Chapter 23 ("BCC Chapter 23"). The most recent Landfill Franchise Agreement became effective on January 1, 2021 and extends until December 31, 2040. A franchise agreement is a contract, meaning that it cannot be amended except in writing executed by both parties. Among many other provisions, the Landfill Franchise Agreement specifies that Benton County will receive franchise and host fee payments from Valley Landfills.

Table 1: Rights and Obligations Relative to Franchise Agreements

Landfill Rights and Obligations			
	Republic Right[101]/Republic Obligation[102] **(A Republic "right" is a County "obligation" and vice versa unless another entity is noted)**	**Authority**	**Comment**
1	"Operate and maintain the Landfill as a sanitary landfill for disposal of Solid Waste"	Landfill Franchise Agreement §2(a)	
2	"Comply with Benton County's solid waste ordinance and all provisions for service as set forth in Exhibit B" (current provisions detailed in this document)	Landfill Franchise Agreement §2(a)	Exhibit B contains Benton County Code Ch. 23.
3	"Charge tipping fees."	Landfill Franchise Agreement §2(b)	County hasn't participated in rate setting since 2000 franchise agreement eliminated county oversight. Section 7(f) designates Republic information related to tipping fees to be confidential. BCC 23.505 specified rate structures are not reviewed by BOC.
4	"Operate and promote the use of a Pacific Region Composting Facility (PRCF)."	Landfill Franchise Agreement §2(c)	

[101] A right is something one "is entitled to have * * * or receive." *Barron's Law Dictionary*, pg. 416.
[102] An obligation is the "legal or moral duty to do or not do something." *Black's Law Dictionary*, pg. 1102.

Landfill Rights and Obligations			
	Republic Right[101]/Republic Obligation[102] (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	**Authority**	**Comment**
5	"Shall accept for disposal at the Landfill, Solid Waste created or generated within Benton County."	Landfill Franchise Agreement §2(d)	This guarantees Benton County residents will have access to landfill as long as it is operational. Per §11(f), if Republic is unable to take Benton County-generated waste at the landfill, it will make other permitted landfills available to Benton County Solid Waste. In that case, the tipping fee shall be the same as if solid waste was disposed of at Coffin Butte. Same rate provision applies for 6 months.
6	"All persons holding a franchise to collect and transport municipal Solid Waste in Benton County will be permitted access to the Landfill" as long as they pay the tipping fee.	Landfill Franchise Agreement §2(d)	This ensures municipalities within Benton County which franchise collection services can access Coffin Butte. BCC 23.410(7) codifies this requirement as well.
7	Residential self-haulers will be accepted.	Landfill Franchise Agreement §2(f)	$35 per residential vehicle flat fee established, to be revised by the CPI after 3 years.
8	Secure loads required and maintain litter control measures.	Landfill Franchise Agreement §2(h)	
9	Annual franchise fee to be paid to County.	Landfill Franchise Agreement §4(a)	Section 11(d) describes situation when uncontrollable circumstances excuse Republic from paying fees. If Republic disposes of solid waste elsewhere, but not because of uncontrollable circumstances, it must still pay franchise fee.

Landfill Rights and Obligations			
	Republic Right[101]/Republic Obligation[102] (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	**Authority**	**Comment**
10	Annual host fee, based on an amount per ton of Solid Waste accepted at the landfill, will be paid to County.	Landfill Franchise Agreement §4(b)	The host fee is a credit against the franchise fee, with the franchise fee serving as the minimum amount Republic will pay County each year.
11	Until landfill expansion is approved, annual tonnage deposited at landfill is capped at 1,100,000 tons.	Landfill Franchise Agreement §5(b)	Within the tonnage cap, Republic must allow Benton County generated waste up to 75,000 annual tons. Solid waste deposited as a result of fire, flood, or other natural disasters is exempt from the tonnage cap.
12	Environmental Trust Fund to be maintained at no less than $5,000,000.	Landfill Franchise Agreement §6(a)	
13	Republic to maintain pollution liability insurance policy with minimum coverage of $10,000,000.	Landfill Franchise Agreement §6(b)	Section 6(d) requires the parties to meet every 4 years or after each 2,000,000 ton increment of solid waste is deposited to review the pollution liability insurance coverage.
14	Following year 1 of the agreement, Republic to furnish an annual report to County.	Landfill Franchise Agreement §7(a)	Annual report on environmental condition of the landfill, "covering air, water, Solid Waste Permits, pollution controls, and related issues as determined by the parties."
15	Beginning in year 2 of the agreement, Republic to furnish remaining capacity data to County.	Landfill Franchise Agreement §7(b)	Republic to provide BOC "necessary data to confirm the remaining capacity of the Landfill as determined by both parties." Data to include methods and calculations used.

Landfill Rights and Obligations			
	Republic Right[101]/Republic Obligation[102] (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	**Authority**	**Comment**
16	Other reports to be provided to County, when submitted to other agencies.	Landfill Franchise Agreement §7(c)	Public information and reports to state or federal agencies relative to operation of landfill to be provided to County.
17	All current and future state and federal laws must be complied with.	Landfill Franchise Agreement §11(a)	Codified at BCC 23.410(8) and (11).
18	Republic may only "sell, convey, transfer or assign the Landfill or any of its rights, interests, or obligations under [the franchise agreement]" with County's prior written approval.	Landfill Franchise Agreement §11(b)	
19	90-day notice required prior to discontinuance of service.	BCC 23.410(9)	
20	**DEQ** permit required to operate landfill	ORS 459.205	Term of permit not to exceed 10 years. ORS 459.245(d).
21	Cleanup of hazardous substance contaminating ground water	ORS 459.248	
22	Closure of landfill site.	ORS 459.268, OAR 340-094https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=14900100	
23	Groundwater monitoring	OAR 340-094-0080	
24	Emissions Standards	OAR 340-236-0500	
25	Franchise Agreement may only be reopened with "the mutual approval of both the Board and [Republic]."	BCC 23.310(2)	
26	Republic and County will "work together" to monitor the flow of C&D materials and work toward establishing a transfer facility.	Landfill Franchise Agreement §2(g)	

Landfill Rights and Obligations			
	Republic Right[101]/Republic Obligation[102] (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	**Authority**	**Comment**
27	"Negotiate in good faith to establish a program to promote selfhaulers and cease activities by illegal dumpers."	Landfill Franchise Agreement §2(e)	Parties to negotiate in good faith during the period of Jan 1, 2021-July 1, 2021 to establish a Dump-Stoppers program with a joint report to BOC three years thereafter.
28	If landfill expansion occurs prior to 2024, host fee will be adjusted to reflect additional landfill space.	Landfill Franchise Agreement §4(c)(i)	
29	If landfill expansion occurs 2025 or later, host fee and franchise fee will be adjusted.	Landfill Franchise Agreement §4(c)(ii)	
30	Inspections of landfill by County authorized.	Landfill Franchise Agreement §7(d)	County has the right to inspect landfill for "determining [Republic's] compliance" with the franchise agreement.
31	County may prevent interruption of service.	BCC 23.415	If failure or interruption of service would create an "immediate and serious health hazard or serious public nuisance," the BOC, with 24-hours' written notice to Republic, authorize county personnel or other persons to temporarily provide the service.

Collection Rights and Obligations				
	Republic Right/Republic Obligation (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	**Responsible Party**	**Authority**	**Comment**
1	Republic to provide solid waste collection and recycling services in the service areas specified in its application	Republic	Solid Waste Collection Franchise Agreement ¶1	Service area is all of the unincorporated area of Benton County. See Map attached to application.
2	Republic to pay fee of 5% of gross cash receipts from collection service provided in service area	Republic	Board Order D2022https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/collection_franchise_renewal_agrmt_503172_republic_services.pdf044 ¶3	
3	Republic to comply with applicable provisions of BCC Ch. 23 (Current provisions detailed in this document)	Republic	Board Order D2022https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/collection_franchise_renewal_agrmt_503172_republic_services.pdf044 ¶4	
4	Annual submission of service/days of week map	Republic	Board Order D2022https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/collection_franchise_renewal_agrmt_503172_republic_services.pdf044 ¶8	
5	Coordinate recycling efforts with solid waste collection efforts to enhance recycling/recovery and meet state goals.	Republic	Board Order D2022https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/collection_franchise_renewal_agrmt_503172_republic_services.pdf044 ¶9	State goals found at ORS 459A.010.

Collection Rights and Obligations				
	Republic Right/Republic Obligation (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	**Responsible Party**	**Authority**	**Comment**
6	Make reasonable effort to resolve customer complaints on service, record written complaints and their disposition.	Republic	Solid Waste Collection Franchise App. §5.E.	
7	Provide solid waste collection at least weekly.	Republic	BCC 23.410(1)	23.410 provide some exceptions to this baseline requirement.
8	Provide and maintain adequate equipment to handle and dispose of or resource recover solid waste.	Republic	BCC 23.410(2)	
9	Set rate structure.	Republic, County	BCC 23.505, 23.510	Republic proposes rates, county reviews and approves. Rate adjustments to accommodate Refuse Rate Index adjustments may not need BOC approval if contemplated in prior BOC order.
10	If County wants to consider a new solid waste service, Republic will provide written proposal within reasonable period of time, including proposed methods and costs for the service.	Republic, County	Solid Waste Collection Franchise Agreement ¶7	Also found in Order, paragraph 7.

Collection Rights and Obligations				
	Republic Right/Republic Obligation (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	**Responsible Party**	**Authority**	**Comment**
11	Agreement to be amended by July 1, 2024 "to include same or similar terms as the forthcoming City of Corvallis collection franchise agreement, including, but not limited to, the same termination date, as well as concepts from the consensus-seeking process."	Republic, County	Solid Waste Collection Franchise Agreement ¶2	This provision is also found in the BOC Order granting the franchise at section 2.
12	County may prevent interruption of service.	County	BCC 23.415	If failure or interruption of service would create an "immediate and serious health hazard or serious public nuisance," the BOC, with 24-hours' written notice to Republic, authorize county personnel or other persons to temporarily provide the service.
13	County to protect franchise rights and interests granted Republic to achieve compliance with BCC Ch. 23.	County	Solid Waste Collection Franchise Agreement ¶5	

1c. Responsibility for landfill closure and post-closure obligations

Question: Who is responsible for complying with landfill closure and post-closure obligations?

Answer: DEQ regulations require up-front and ongoing financial assurance to cover the cost of closure, post-closure, and corrective actions. Where this preliminary line of defense fails, Oregon statute holds any person owning or controlling the disposal site liable for closure and post-closure maintenance.

Discussion:

DEQ regulations require up-front and ongoing financial assurance to cover the cost of closure and post-closure obligations, as well as the cost of any required corrective action. OAR 340-094-0140. The owner or operator of a landfill must provide the required financial assurance by the time DEQ issues the solid waste permit. (This applies to any landfills permitted after November 4, 1993. For landfills already in operation on November 4, 1993, DEQ required those initial financial assurances no later than October 9, 1997.) OAR 340-094-0140(3)(a).

The owner or operator is required to update its financial assurance plan annually, and the amount of the financial assurance mechanism must be increased (or may be reduced) consistent with each financial assurance plan update. OAR 340-094-0140(6)(e). A copy of the most recent annual financial assurance plan submitted by Valley Landfills, Inc. is attached as Appendix A to this report.

The owner or operator is restricted to certain allowable "financial assurance mechanisms," each of which is designed to ensure that funds will be available to complete closure, post-closure, and corrective action obligations, even if the owner or operator becomes insolvent or otherwise fails to satisfy those obligations. Under OAR 340-094-0145 the allowable financial assurance mechanisms include:

a. A trust fund whose purpose is to receive and manage funds paid by the permittee and to disburse those funds only for closure, post closure, or correction activities.
b. A surety bond guaranteeing payment into a standby trust fund for closure or post-closure activities.
c. A surety bond guaranteeing performance of closure, post-closure, or corrective action activities.
d. An irrevocable letter of credit in conjunction with a standby trust fund.
e. A closure or post-closure insurance policy guaranteeing that funds will be available to complete final closure and post-closure maintenance of the site.
f. A corporate guarantee from an entity that passes a specified financial test, and which is subject to replacement by a substitute financial assurance mechanism if the guarantor no longer meets the financial test criteria.
g. Alternative forms of financial assurance, so long as they provide an equivalent level of security as the specified mechanisms and are approved by DEQ.

Finally, if the owner or operator of the landfill fails to provide the required financial assurance, and also fails to satisfy its closure and post-closure obligations, then each person owning or controlling the property on which the disposal site is located will be liable for those closure and post-closure obligations. (ORS 459.205 and 459.268) Under a recent decision, the Oregon Supreme Court determined that both a person who actually exercises control over the site and a person with legal authority to control the site are liable for closure and post-closure activities.

Kinzua Res., LLC v. Oregon Dep't of Envtl. Quality, 366 Or 674, 686, 468 P3d 410 (2020). Accordingly, an entity or individual with legal authority to control the site can be liable under ORS 459.205 and 459.268, even if that entity or individual does not operate the landfill or directly hold title to the site. The Oregon Supreme Court has also held that liability under ORS 459.205 and 459.268 is direct liability for that person's own failure to satisfy closure or post-closure obligations, such that ORS 63.165 (part of the Oregon Limited Liability Act) may not serve to protect a member of an LLC from such liability.

In negotiating the 2020 landfill franchise agreement, Benton County established three elements to provide assurance that costs of closure, post-closure and corrective action are covered: DEQ assurances, insurance, and the environment trust fund.

Additional related information from DEQ (submitted by Audrey O'Brien):

ORS 459.272 requires a landfill owner to provide financial assurance for closure, post-closure and corrective action and must annually review and update those assurances. OAR 340-094-0140 identifies the rules regarding financial assurance requirements and what must be included. OAR 340-094-0140(7(c) states that DEQ will review the financial assurances. Permit conditions 13.1-13.5 of the DEQ solid waste permit #306 identify the requirements for financial assurance. The numbers may vary each year depending on the annual review conducted by the permittee and submitted to DEQ.

Query from Ed Pitera:

Oregon statute holds any person owning or controlling the disposal site *at the point in time closure rules are triggered* is liable for closure and post-closure maintenance. As of March 2023, the responsible entity is VLI with Republic Services of Corvallis, Limited Partnership next in line. Check if the owner is unable to perform the work, the landfill would likely become a CERCLA (Superfund) site. There is no foreseeable path for liabilities to fall solely on Benton County, but the County may have to contribute a share based on a criteria to be negotiated.

Response from Audrey O'Brien, DEQ:

DEQ has no evidence to support the following statement: "Check if the owner is unable to perform the work, the landfill would likely become a CERCLA (Superfund) site." DEQ is not aware of information that would lead to this landfill becoming a CERCLA Superfund site. State law directs the EQC to adopt regulations of disposal sites.

See ORS 459.045(1) "The Environmental Quality Commission shall adopt reasonable and necessary solid waste management rules governing the:

(a) Accumulation, storage, collection, transportation and disposal of solid wastes to prevent vector production and sustenance, transmission of diseases to humans or animals, air pollution, pollution of surface or ground waters, and hazards to service or disposal workers or to the public."

The rules established in OAR 340-093 and OAR 340-094 identify requirements for all stages of a disposal site including design, construction, operation, closure, post-closure and any needed corrective action.

Additional from Audrey O'Brien, DEQ:

DEQ reviewed the last annual FA update submittal which was dated April 1, 2022 and approved on April 13, 2022. DEQ's approval letter summarizes the following:

1. The updated cost estimates for closure ($16,222,800) and post-closure care ($5,743,202) were correctly updated, prepared, and stamped by a registered P.E.
2. The current penal sum of your Bond, as provided by Evergreen National Indemnity Company, with your new Riders in place, covers the total of updated cost estimates.

DEQ identifies Valley Landfill Inc. as the owner of the landfill and the DEQ solid waste permittee for DEQ permit #306. The operator of the landfill is Coffin Butte Landfill. The owner or operator of the landfill is responsible for compliance with the permit and permit conditions. The owner or operator is responsible for providing financial assurance for closure, post closure and any needed corrective action per ORS 459.272.

Valley Landfill Inc. uses a bond to provide financial assurance. According to OAR 340-094-0140(6)(d) and (6)(e) the permittee is to recertify compliance every year which Valley Landfill Inc. did in a March 28, 2022 attachment to the annual financial assurance submittal that DEQ received.

1d. What legally can and cannot be conditions of any land use approvals

Question 1dA: What legally can and cannot be conditions of any land use approvals?

Answer: Conditions of approval must relate to approval criteria. To be approved, an applicant must demonstrate compliance with all discretionary approval criteria. Conditions of approval cannot substitute for compliance with applicable criteria but may be imposed to ensure the criteria are met. The county may find compliance with approval criteria by establishing that compliance is feasible, subject to compliance with a specific condition(s) of approval. A preponderance of the evidence must support a finding that the condition is "likely and reasonably certain" to result in compliance. To lessen adverse impacts on surrounding uses, the county may "impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code." (BCC 53.220)

Discussion:

Benton County's Development Code describes conditional uses as "land uses which may have an adverse effect on surrounding uses in a zone." BCC 53.205. To lessen the adverse impacts, in approving a conditional use permit (CUP) application the county may "impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code." BCC 53.220.

The county's conditional use criteria **focus on negative off-site impacts.** The applicant is required to demonstrate that the proposed use (a) does not "seriously interfere" with uses on adjacent property, with the character of the area or with the purpose of the zone, and (b) does not impose an "undue burden" on public improvements or services available to the area. (BCC

53.215) Attachment "A" to this memo provides further detail on the interpretation of the CUP criteria.

Conditions of approval are not a substitute for compliance with approval criteria. *See, e.g., Hodge Or. Props. v. Lincoln County*, 194 Or App 50 (2004). Rather, conditions of approval may be imposed to provide the details of how compliance will be achieved "and assure those criteria are met." *Rhyne v. Multnomah County*, 23 Or LUBA 442, 447 (1992). Conditions of approval must relate to approval criteria. *Harra v. City of West Linn*, 77 Or LUBA 136 (2018). The decision maker does not have authority to impose conditions unrelated to the criteria. *Caster v. City of Silverton*, 560 Or. LUBA 250, 256-60 (2008).

The county may find compliance with approval criteria by establishing compliance is feasible, subject to compliance with specific condition(s) of approval. *Meyer v. City of Portland*, 7 Or LUBA 184 (1983), *aff'd* 67 Or App 274 (1984). If the applicant demonstrates feasibility of compliance, the County then has authority and obligation to impose conditions of approval to ensure compliance with these criteria. (For example, if limited hours of operation are necessary to establish that a use will not seriously interfere with uses on adjacent property, the decision maker may find that compliance with the criteria is feasible, subject to a condition that requires that the hours of operation be limited to a specified time period.) If a condition of approval is imposed in order to ensure compliance with an approval criterion based on a finding of feasibility, a preponderance of the evidence in the record must support a finding that the condition is "likely and reasonably certain" to result in compliance. *Gould v. Deschutes County*, 227 Or App 60, 606-607 (2009).

The existing landfill and expansion area are located on property specially designated for a landfill site on the comprehensive plan and zoning maps. *See Benton County Zoning Map, BCC ch. 77 and Benton County Comprehensive Plan, Additional Adopted Documents, pg. 4* The landfill is a permitted use in the landfill zone. (BCC 77.105) However, under the county development code, any expansion of the landfill within the landfill site zone requires CUP approval by the County. (BCC 77.305)

Therefore, under the CUP process the County only has jurisdiction over the proposed expansion as requested in the CUP application. Existing and past operations are not within the County's scope of review. Prior decisions are final and cannot be subjected to a new review or have additional/revised conditions of approval imposed as part of the CUP application for the expansion. *See, e.g.*, *Beck v. Tillamook Cnty.*, 313 Or 148, 153, 831 P2d 678 (1992). Any future application would have to be judged under the criteria in effect at the time of the application and any conditions of approval must be related to the impacts of the proposed expansion as that proposal relates to the approval criteria.

Notably, the Benton County Collection Franchise Agreement and the Landfill Franchise Agreement are not land use decisions that are subject to review through a CUP process, and therefore cannot be subject to land use conditions of approval. *See* ORS 197.015(10). [103]

[103] Although both Corvallis Disposal Co. dba Allied Waste Services of Corvallis and Valley Landfills, Inc. are subsidiaries of the same parent company, the collection franchise for Benton County ("Benton County Collection Franchise") (as well as that of the City of Corvallis) is comprised of a separate operation which is distinct from the landfill operations.

Both the Benton County Collection Franchise and the Landfill Franchise Agreement are controlled by BCC Chapter 23. BCC Chapter 23 is not a land use regulation. *See* ORS 197.015(10). It, along with ORS 459.065(1)(a) and 459.085(1)(b) authorizes negotiation of franchise agreements for collection and disposal of solid waste. ORS 459.005(10) defines a franchise as "a franchise, certificate, contract or license issued by a local government unit authorizing a person to provide solid waste management services." A franchise is not a land use and the Benton County Development Code does not apply to franchise agreements. Because BCC Chapter 23 is a business regulation separate from the land use process, the County has no legal authority to require changes to the Benton County Collection Franchise or the Landfill Franchise Agreement in conjunction with the review of a CUP for the landfill expansion. Any changes to the Franchise Agreements must be negotiated between the parties.

ORS 459.095(1) preempts local government's authority to adopt regulations or impose conditions that conflict with DEQ regulations.

Question 1dB: Could a new CUP approval be conditioned on cleaning up noncompliance with existing operations?

Answer: No.

Discussion:

A new CUP cannot require as a condition of approval that an existing operation on a different property be modified or that noncompliance be rectified. Enforcement procedures (see Chapter 31 of the Benton County Code) would have to address the noncompliance. Benton County should evaluate its existing system regarding compliance monitoring and enforcement to determine if there are sufficient mechanisms in place to ensure compliance with conditions of approval that the County imposes on land use approvals and, if not, recommend improvements. Elements of such an evaluation could include:

- What enforcement mechanisms exist within the County Code?
- Is there a mandamus option or a private right of action option?
- What is missing?
- What provisions and procedures do other counties have, particularly counties that host a privately operated landfill?
- The future cost of such a system, the benefits, and the consequences of not improving the current practices and procedures.

Question 1dC: Is compliance/noncompliance with conditions of past land use approvals a topic that can be considered in any way during a new land use application?

Answer: Potentially.

Discussion:

Generally, the new proposal must be evaluated on its own merits relative to the approval criteria. However, the current non-compliance of an existing land use condition could provide information that the Planning Commission considers in developing a condition on a new application. If an application is made to expand an existing land use that is currently out of compliance with a condition of approval of a previous decision, and that noncompliance is causing issues for surrounding land uses, noncompliance of the original land use decision is not in itself grounds to deny the new application. However, the decision-maker could potentially look at the fact of existing noncompliance in evaluating whether that noncompliance is causing the existing land use to "seriously interfere" with uses on surrounding properties. That fact can then be used as evidence in evaluating whether the proposed land use complies with the review criteria because the same land use in a similar location was seriously interfering with surrounding uses even though it was subject to conditions of approval. If the language in a condition of a past decision was unclear or insufficient to ensure compliance with an approval criterion, in evaluating a new application the decision maker could craft and impose a condition on a new decision that more clearly describes the measures necessary to ensure compliance. Past conditions superseded by subsequent decisions or changes in the law could not form a basis for such analysis.

Question 1dD: What options does the Planning Commission have if they determine that DEQ regulation of a particular parameter is inadequate or likely to be inadequate?

Answer: Any County action in this regard must be tied to the criteria in the Development Code.

Discussion:

First, the County's purview is limited to the review criteria listed in the Development Code. The County could not determine that DEQ regulation of a particular environmental parameter is inadequate to protect public health and deny the application on those grounds. DEQ rules do not allow the County to override DEQ environmental regulations.

Secondly, the County does not have authority to interpret, apply or enforce DEQ regulations.[104] Whether an activity has resulted in noncompliance with DEQ regulations is a determination made by DEQ and, if noncompliant, addressed through DEQ's enforcement. Additionally, the County cannot assume that an activity will result in violation of DEQ parameters when the activity hasn't happened.

But what if the County determines that DEQ's regulation of a particular parameter is inadequate to prevent the proposed land use from seriously interfering with uses on

[104] Except for regulatory programs that are formally delegated by DEQ to a local government, such as with on-site sewage disposal regulation.

surrounding properties? Such a determination could be within the County's purview; however, the County would need to articulate findings as to why the agency's established standards, permitting, monitoring and enforcement are insufficient to prevent the conditional use criteria from being exceeded. The County would face the challenge of demonstrating that its assessment of the hazard posed by a given pollutant should be substituted for that of the agency whose expertise it is. As a practical matter, the County typically lacks expertise or personnel to determine whether a particular environmental parameter is being exceeded.

The above is general guidance. Different environmental parameters may have different regulatory structures. For example, odor: DEQ regulates air quality by means of emissions standards and Benton County cannot substitute a different regulatory standard. Odor is not specifically addressed through DEQ standards, but DEQ does regulate nuisance odor through a complaint-based system (see DEQ's Nuisance Odor Strategy). Could the County determine that odor will seriously interfere with surrounding uses or the character of the area and then impose a condition regulating odor? In theory, yes. However, odor is a fairly subjective matter (we are not aware of an objective "odor meter" similar to a decibel meter for noise) and conditions of approval must be clear and objective. One approach could be to require specified odor mitigations to be in place (e.g., odor box?).

1e. What is the scope of Benton County's authority to regulate activities at Coffin Butte?

Question 1eA: Can waste from outside Benton County be prohibited from being disposed of at Coffin Butte?

Answer: No.

Discussion:

The Commerce Clause, Art. I, §8, Cl. 3 of the U.S. Constitution, explicitly gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes." Implicit in this grant of authority is the prohibition on states (and local governments) against passage of legislation which discriminates or burdens interstate commerce. This is referred to as the "dormant Commerce Clause."

The dormant commerce clause was the basis of a decision by the United States Supreme Court in which it ruled unconstitutional a Michigan law barring out-of-state solid waste from being deposited in landfills located in Michigan counties.

In *Fort Gratiot Sanitary Landfill, Inc. v. Michigan Dept. of Natural Resources,* 504 U.S. 353, 112 S.Ct. 2019 (1992), Michigan enacted legislation which prohibited private landfill operators from accepting solid waste originating outside the county where the facility was located, unless otherwise authorized by the county's waste management plan. *Id.* at 353. In its challenge to that law, the landfill operator argued "that requiring a private landfill operator to limit its business to the acceptance of local waste constituted impermissible discrimination against interstate commerce." *Id.* at 357.

As part of its analysis, the Supreme Court reexamined its holding in *Dean Milk Co. v. Madison*, 340 U.S. 349, 71 S.Ct. 295 (1951) in which the petitioner challenged a Wisconsin city ordinance "that made it unlawful to sell any milk as unpasteurized unless it had been processed at a plant 'within a radius of five miles from the central square of Madison.'" *Dean*, at 350. That local ban,

as it applied to adjacent Illinois dairy producers, was found to be unconstitutional under the Commerce Clause. *Id.* But, significantly, the Court also emphasized the intrastate unconstitutionality of the ban:

> "The fact that the ordinance also discriminated against all Wisconsin producers whose facilities were more than five miles from the center of the city did not mitigate its burden on interstate commerce. As we noted, it was 'immaterial that Wisconsin milk from outside the Madison area is subjected to the same proscription as that moving in interstate commerce." *Dean* at 345, n. 4.

Fort Gratiot, 504 U.S. at 362-63.

Relying on *Dean* and *Philadelphia v. New Jersey,* 437 U.S. 617, 98 S.Ct. 2531 (1978), the Court found Michigan's ban "unambiguously discriminate[s] against interstate commerce and [is] appropriately characterized as protectionist measures that cannot withstand scrutiny under the Commerce Clause." *Fort Gratiot,* 504 U.S. at 367-68.

Pursuant to the holding in *Fort Gratiot*, and the precedent cited by the U.S. Supreme Court, Benton County may not prohibit a private landfill operator from accepting solid waste from outside Benton County.

Question 1eB: For regulatory areas unrelated to land use approvals, what are the Benton County and other agency reporting requirements?

Answer: Each regulatory authority has specific reporting requirements for operations or permits within its jurisdiction.

Discussion:

Following is a summary of the state and local agencies with regulatory authority over Coffin Butte Landfill operations:

i. **Oregon Department of Environmental Quality (DEQ) solid waste permit:** Includes semiannual inspections, semi-annual groundwater monitoring (usually in April and October); results are submitted in an annual report every month to DEQ.[105]

ii. **DEQ Title V air permit:** Bi-annual inspections; Coffin Butte also utilizes third-party technology to monitor landfill gas twice monthly. Results are reviewed in real time and submitted to DEQ twice a year. In addition, Coffin Butte submits monthly and semi-annual reports to DEQ on well readings, flare readings and other routine operations.

iii. **DEQ stormwater permit:** Coffin Butte staff performs weekly and monthly visual inspections of the stormwater and stormwater related infrastructure. Stormwater monitoring (taking samples and sending them to a third-party laboratory for analysis) is conducted four times a year during rainy season and reported to DEQ quarterly. DEQ also conducts its own inspections every five years or so.

iv. **City of Corvallis wastewater disposal permit:** Subject to an annual inspection as well as weekly monitoring and monthly reporting to the City.

[105] The references to an "annual report" and "every month" needs clarification.

v. **City of Salem wastewater disposal permit:** Subject to semi-annual inspection as well as semi-annual monitoring to the City and reporting to the City.

The following table (Table 3) summarizes the reporting requirements for both Benton County other agency non-land use regulations.

Table 3: Reporting Requirements

#	Authority	Reporting Requirement
1	Landfill Franchise Agreement:	Operational Reports
2		Capacity Reports
3		Other Reports: copies relative to the operation of the landfill (Benton County & Valley Landfills, Inc., 2020)
4	OAR Chapter 340, Division 94: "(13) Records" (Oregon Secretary of State, 2022)	(A) Daily listing by load of the volume or weight of solid waste received;
5		(B) Monthly and quarterly accumulations of amounts of daily waste received."
6	DEQ Solid Waste Permit Reporting Requirements (GeoLogic Associates, 2021)	Operating Record
7		Daily amount of each waste type received and approved alternative daily cover
8		If applicable, every quarter, record the amount of each material recovered for recycling or other beneficial purpose.
9		Solid Waste Disposal Report/Fee Calculation form.
10		Wasteshed Reporting (as part of the Opportunity to Recycle Reporting)
11		Retain copies of all records and reports for 10 years after their creation.
12		Update all records to reflect current conditions at the facility
13		Annual Environmental Monitoring Report (AEMR)
14		Statement of compliance
15		Annual leachate treatment report
16		Split sampling submittal Includes semiannual inspections, semi-annual groundwater monitoring (usually in April and October. Groundwater results are submitted annually (by 3/31). DEQ inspection results are submitted to VLI as they occur throughout the year.
17		Quality Assurance and Quality Control (QA/QC)

#	Authority	Reporting Requirement
18	DEQ NPDES Permit (Geo-Logic Associates, 2021)	Coffin Butte staff performs weekly and monthly visual inspections of the stormwater and stormwater related infrastructure. Stormwater monitoring (taking samples and sending them to a third-party laboratory for analysis) is conducted four times a year during rainy season and reported to DEQ quarterly. DEQ also conducts its own inspections every five years or so.
19	Federal Fish and Wildlife Depredation Permit (Geo-Logic Associates, 2021)	Annual Report
20	Oregon Title V Operating Permit for Site Air Emissions (Geo-Logic Associates, 2021)	Bi-annual inspections; Coffin Butte also utilizes third-party technology to monitor landfill gas twice monthly. Results are reviewed in real time and submitted to DEQ twice a year. In addition, Coffin Butte submits monthly and semi-annual reports to DEQ on well readings, flare readings and other routine operations.
21	City of Corvallis wastewater disposal permit.	Subject to an annual inspection as well as weekly monitoring and monthly reporting to the City.
	City of Salem wastewater disposal permit.	Subject to an annual inspection as well as weekly monitoring and monthly reporting to the City.

1f. How does the county interpret ambiguous terms in its code?

Question: How are ambiguous terms interpreted and what deference is given to that interpretation?

Answer: The rules of statutory construction describe how ambiguous terms are to be interpreted. When an interpretation is made, as long as it is plausible, LUBA's standard of review is highly deferential to that interpretation.

Discussion:

An ambiguous term is one that is typically undefined by statute or code. *See State v. Arnold*, 302 Or. App. 765, 772 (2020). If a term is capable of two or more plausibly reasonable explanations, it is ambiguous. *Hoffman Const. Co. of Alaska v. Fred S. James & Co. of Oregon*, 313 Or 464, 470-71 (1992). When confronted with an ambiguous term, the decision-making body must engage in what is referred to as "statutory construction."

PGE v. Bureau of Labor and Indus., 317 Or 606, 611 (1993) and *State v. Gaines*, 346 Or 160 (2009) establish a framework for interpreting statutes based upon text, context, and legislative history. This same framework also applies to the interpretation of local code provisions. *Church v. Grant County*, 187 Or App 518, 527 n.4 (2003) (citing *Lincoln Loan Co. v. City of Portland*, 317 Or 192, 199 (1993)).

The text is the best evidence of intent: If a term in not defined in the code or is not otherwise a term of art, the courts in Oregon apply a "plain, ordinary meaning" rule, where they turn to the dictionary.

Context includes provisions in the same code section and within the regulatory scheme.

Legislative intent is determined by reviewing evidence of the intent of the legislative body (in this case, the Benton County Board of Commissioners) at the time of enactment.

Within this framework, the governing body then reaches an interpretation of the ambiguous term.

This raises the next question: How much deference is given to the governing body's interpretation? The Oregon legislature and the state Supreme Court have both answered this question. ORS 197.829 reads:

(1) The Land Use Board of Appeals shall affirm a local government's interpretation of its comprehensive plan and land use regulations, unless the board determines that the local government's interpretation:

   (a) Is inconsistent with the express language of the comprehensive plan or land use regulation;

   (b) Is inconsistent with the purpose for the comprehensive plan or land use regulation;

   (c) Is inconsistent with the underlying policy that provides the basis for the comprehensive plan or land use regulation; or

   (d) Is contrary to a state statute, land use goal or rule that the comprehensive plan provision or land use regulation implements.

ORS 197.829 refers to the Land Use Board of Appeal (LUBA)'s review of governing bodies' interpretations because appeals of land use decisions are made to LUBA.

The Oregon Supreme Court applied and explained the breadth of this statutory deference in a case involving the City of Medford's interpretation of its development code: "[W]hen a governing body is responsible for enacting an ordinance, it may be assumed to have a better understanding than LUBA or the courts of its intended meaning. * * * [T]hat assumption is equally relevant to * * * the governing body's intention." *Siporen v. City of Medford*, 349 Or. 247, 258 (2010).

The Court found when a local government interprets its own development code, it is "entitled to the deference described in ORS 197.829(1)." *Id.* And the extent of that deference is substantial:

> "[W]hen a local government plausibly interprets its own land use regulations by considering and then choosing between or harmonizing conflicting provisions, that interpretation must be affirmed, as held in *Clark v. Jackson County*, 313 Or. 508 (1992) and provided in ORS 197.829(1)(a), unless the interpretation is inconsistent with *all* of the "express language" that is relevant to the interpretation, or inconsistent with the purposes or policies underpinning the regulations. (emphasis in original)." *Id.* at 259.

When LUBA evaluates whether an interpretation is "plausible," the standard of review is "highly deferential" to the governing body and the "existence of a stronger or more logical interpretation does not render a weaker or less logical interpretation 'implausible.'" *Mark Latham Excavation, Inc. v. Deschutes County*, 250 Or. App. 543, 555 (2012), quoted in *Crowley v. City of Hood River*, 308 Or. App. 44, 52 (2020).

Thus, as long as the Benton County Board of Commissioners' interpretation of its development code is plausible, LUBA must defer to that interpretation. It should be noted, deference only applies to interpretations by the governing body (the Board of Commissioners) and not to interpretations of other county decision-makers, such as staff, the Planning Commission, or the Solid Waste Advisory committee. [106]

1g. Other Entity Rights and Obligations

Question: **What are other governmental entities' rights and obligations related to operation of a landfill?**

Answer: The environmental services industry is heavily regulated at the local, state and federal level, with specific rights or obligations established based on the scope of each entities' regulatory authority.

Discussion:

The following table lists various federal, state, tribal, and local entities regarding rights and obligations. The table includes preliminary research relating to entity roles and authority.

[106] Note that the exercise of interpreting a code or statutory provision only applies if the term is ambiguous; an interpretation of a non-ambiguous term can't be used to amend a code in the guise of an interpretation. *Central Eastside Indus. Council v. City of Portland*, 74 Or LUBA 221 (2016).

Table 4: Other Entity Rights and Obligation

	Agency	Question	Right or Obligation	Responsible Party	Authority
1		What are DEQ's rights and obligations regarding **groundwater** associated with landfills?	459.248 Cleanup of hazardous substance contaminating ground water. In addition to any other authority granted by law, if the Department of Environmental Quality finds that ground water is contaminated with a hazardous substance originating at a land disposal site, the department may require cleanup of the hazardous substance pursuant to authority under ORS 465.200 to 465.545. As used in this section, "hazardous substance" has the meaning given that term in ORS 465.200. [1993 c.526 §3] (State of Oregon, 2021)	Republic Services, Oregon DEQ	ORS 459.248

	Agency	Question	Right or Obligation	Responsible Party	Authority
2		(continued) What are DEQ's rights and obligations regarding **groundwater** associated with landfills?	(6) Additional Requirements to Protect or to Monitor Potential Threats to Groundwater. When a person applies to construct a new or expanded landfill cell at a municipal solid waste landfill, the Department shall evaluate the need to provide protection to groundwater in addition to the requirements of 40 CFR, Part 258, Subpart D. The Department shall also evaluate whether the specific conditions at the site require an enhanced ability to monitor potential threats to groundwater in addition to the requirements in 40 CFR, Part 258, Subpart E. The evaluation shall be based on site-specific data, including but not limited to location, geography, hydrogeology and size of the site. To assist in the Department's evaluation, the applicant shall provide necessary relevant data. The Department may require a secondary leachate collection system, and/or leak detection system, or other design or technology providing equivalent protection to the environment if the Department determines that: (a) There is significant potential for adverse impact to groundwater from the proposed cell; or (b) Additional measures are necessary to provide adequate monitoring of potential threats to the groundwater.	Republic Services, Oregon DEQ	OAR 340-094-0060

	Agency	Question	Right or Obligation	Responsible Party	Authority
3		(continued) What are DEQ's rights and obligations regarding **groundwater** associated with landfills?	Groundwater Monitoring and Corrective Action If a municipal solid waste landfill is subject to 40 CFR, Part 258 as provided in 40 CFR, §258.1, the owner or operator shall comply with groundwater monitoring and corrective action requirements in 40 CFR, Part 258, Subpart E. Consistent with those requirements, all municipal solid waste landfill owners and operators shall also comply with this rule: (See rule for more detail)	Republic Services, Oregon DEQ	340-094-0080
4		(continued) What are DEQ's rights and obligations regarding **groundwater** associated with landfills?	(4) Sensitive Hydrogeological Environments. In addition to the requirements of 40 CFR, Part 258, Subpart B, no person shall establish or expand a landfill in a gravel pit excavated into or above a water table aquifer or other sensitive or sole source aquifer, or in a wellhead protection area, where the Department has determined that: (a) Groundwater must be protected from pollution because it has existing or potential beneficial uses (OAR 340040-0020); and (b) Existing natural protection is insufficient or inadequate to minimize the risk of polluting groundwater.	Republic Services, Oregon DEQ	340-094-0030

	Agency	Question	Right or Obligation	Responsible Party	Authority
5		What are DEQ's rights and obligations regarding **leachate** associated with landfills?	(3) Leachate. In addition to the requirements of 40 CFR, Part 258, Subpart D, any person designing or constructing a landfill shall ensure that leachate production is minimized. Where required by the Department, leachate shall be collected and treated or otherwise controlled in a manner approved by the Department. Leachate storage and treatment impoundments shall be located, designed, constructed and monitored, at a minimum, to the same standards of environmental protection as municipal solid waste landfills.	Republic Services, Oregon DEQ	OAR 340-094-0060
6		What are DEQ's rights and obligations regarding **noise** associated with landfills?	OAR 340-030-0035 established DEQ regulation of industrial or commercial noise levels. OAR 340-030-0110 states legislative funding for DEQ's oversight of noise control was defunded in 1991.		OAR 340-035-0030, OAR 340-035-0110
7		What are DEQ's rights and obligations regarding **odors** associated with landfills?	(4) Gas Control. No person shall establish, expand or modify a landfill such that: (a) The concentration of methane (CH4) gas at the landfill exceeds 25 percent of its lower explosive limit in facility structures (excluding gas control or gas recovery system components) or its lower explosive limit at the property boundary; (b) Malodorous decomposition gases become a public nuisance.	Republic Services, Oregon DEQ	OAR 340-094-0060

	Agency	Question	Right or Obligation	Responsible Party	Authority
8		What fugitive **methane** emissions standards and monitoring is required by the landfill?	ii. Air Quality Permit (1) All sources subject to this division must have an Oregon Title V Operating Permit that assures compliance by the source with all applicable requirements in effect as of the date of permit issuance. (Oregon Secretary of State, n.d.-a) OAR 340-239-0100 Landfills with Greater Than or Equal to 200,000 Tons of Waste-in-Place (4) The owner or operator of a landfill having greater than or equal to 200,000 tons of waste-in-place must submit an annual Waste-in-Place Report to DEQ pursuant to OAR 340-239-0700(3)(e) and an annual Methane Generation Rate Report, pursuant to OAR 340-2390700(3)(f), until the owner or operator submits a Closure Notification pursuant to OAR 340-239-0700(3)(a). The initial Waste-in-Place Report and Methane Generation Rate Report submitted by a landfill pursuant to sections (1), (2) or (3) shall satisfy this requirement for the initial year it applies to a landfill. OAR 340-239-0800 Test Methods and Procedures When required as provided in OAR 340239-0100 through 340-239-0700, the owner or operator of a landfill must comply with the test methods and procedures for monitoring and measurements in this rule. (Oregon Secretary of State, n.d.-b)	Republic Services, Oregon DEQ	340-218-0010 340-239

	Agency	Question	Right or Obligation	Responsible Party	Authority
9		Can or should the County consider **DEQ permitting topics** when assessing the local land use application criteria?	The county does consider, and incorporates, DEQ's permitting into its conditions of approval. Typically, conditions of approval will include the requirement that the applicant obtain, and maintain, the relevant and required approvals and/or permits from other regulatory agencies, e.g., DEQ, DSL, ODOT. The condition recognizes the outside agency's jurisdiction over the issue and links the lawful status of Benton County's permit to the applicant's compliance with the agencies rules and regulations. If the applicant later violates, or is unable to meet the agency's, regulations, that failure would constitute a violation of a condition of Benton County's approval.		
10	Oregon Department of Fish and Wildlife (ODFW)	a. What restrictions does the landfill have regarding **wildlife**?	(3) Endangered Species. In addition to the requirements of 40 CFR, Part 258, Subpart B, no person shall establish, expand or modify a landfill in a manner that will cause or contribute to the actual or attempted: (a) Harassing, harming, pursuing, hunting, wounding, killing, trapping, capturing or collecting of any endangered or threatened species of plants, fish, or wildlife; (b) Direct or indirect alteration of critical habitat which appreciably diminishes the likelihood of the survival and recovery of endangered or threatened species using that habitat. (Oregon Secretary of State, 2022)	Republic Services, Oregon	OAR 340-094-0030
11	Oregon Department of State Lands (DSL)	What are the rights and obligations both retained and delegated by DSL, which are associated with landfills, hauling, and materials management?			

	Agency	Question	Right or Obligation	Responsible Party	Authority
12	Water Resource Commission	What are the rights and obligations both retained and delegated by Water Resource Commission, which are associated with landfills, hauling, and materials management?			
13	Oregon Department of Transportation (ODOT)	What are the rights and obligations both retained and delegated by ODOT, which are associated with landfills, hauling, and materials management?			
14	Metro	What are the rights and obligations associated with landfills, hauling, and materials management?	a. Financial Reporting	Republic Services, Metro	Designated Facility Agreement, Metro Contract No. 936520 (Metro, 2019)

	Agency	Question	Right or Obligation	Responsible Party	Authority
15	City of Corvallis	What are the rights and obligations both retained and delegated by Corvallis, which are associated with landfills, hauling, and materials management?	a. Stormwater Discharge Reporting	Republic services, City of Corvallis	City of Corvallis Industrial Wastewater Discharge Permit No. 5
16			Solid Waste Collection Franchise, negotiations with the hauler heavily influence Benton County's agreement.	City of Corvallis, Republic Services	City of Corvallis Ordinance No. 2015-13
17	City of Salem	What are the rights and obligations both retained and delegated by Salem, associated with landfills, hauling, and materials management?	a. Stormwater Discharge Reporting	Republic Services, City of Salem	City of Salem Wastewater Discharge Permit No. WD7577

1h. DEQ landfill permitting authority and "regional landfill" designation

Question 1hA: Is DEQ prohibited from permitting another land fill west of the Cascades?

Answer: No.

Discussion: See ORS 459.047 and 459.049.

Question 1hB: What does the "regional landfill" designation mean?

Answer: Oregon Revised Statute (ORS) 459.005(23) defines a Regional Disposal Site as "a disposal site that receives … more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located…." The immediate service area of Coffin Butte is Benton County. Coffin Butte Landfill has received more than 75,000 tons from outside its immediate service area every year since at least 1993. Coffin Butte thus meets the definition of a regional landfill per ORS.

Discussion:

The State of Oregon implemented and began permitting "regional landfills" in the 1970s, as a more environmentally reasonable approach to solid waste management and disposal. Coffin Butte was designated a regional landfill in 1974 under a cooperative effort between Benton, Linn, Marion, Yamhill and Polk Counties. The plan noted that "individual communities will be unable to effectively solve the economic, social, scientific and technical problems of solid waste disposal" and that a "regional approach to solid waste disposal will be necessary" for the area's economy. Today, these counties all depend upon Coffin Butte for responsible waste disposal through various contracts, requirements or other enforceable arrangements, which cannot be wished away.

Oregon Revised Statute (ORS) 459.005(23) defines a Regional Disposal Site as follows:

> "Regional disposal site" means a disposal site that receives, or a proposed disposal site that is designed to receive more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located. As used in this subsection, "immediate service area" means the county boundary of all counties except a county that is within the boundary of the metropolitan service district. For a county within the metropolitan service district, "immediate service area" means the metropolitan service district boundary.

The immediate service area of Coffin Butte is Benton County. To constitute a regional disposal site, Coffin Butte must have been designed to "receive more than 75,000 tons of solid waste a year" from outside Benton County.

The definition set forth in ORS 459.005(23) was enacted in 1987, but at that time, limited the 75,000-ton threshold to solid waste received from commercial haulers. In 1993, the statutory definition of regional disposal site was amended to remove the reference to commercial haulers and has remained substantively unchanged since that time.

The 1994 annual report submitted by Benton County's Environmental Health Department showed solid waste received at Coffin Butte from outside Benton County in 1993 totaled

250,655 tons. In every year thereafter, Coffin Butte has received solid waste in excess of 75,000 tons from outside Benton County.

While the statute uses the term “designed to receive” rather than “receives,” Coffin Butte has received more than 75,000 tons of out-of-county solid waste per year and the facility is clearly designed to accommodate those volumes. Its annual out-of-county solid waste volume exceeds the statutory threshold for meeting the definition of a regional disposal site.

Before the Oregon legislature defined regional disposal sites, Benton County established Coffin Butte as a regional disposal site through the land use process. The Board order dated May 15, 1974, declared “that the proposed Coffin Butte landfill be and is hereby approved as a regional sanitary landfill site as recommended by the Chemeketa Regional Solid Waste Program Report.” The staff report accompanying that order identifies Polk, Yamhill, Marion and Linn Counties as being served by the regional sanitary landfill. Benton County Comprehensive Plan Policy 6.5.8 identifies Coffin Butte as a “Regional Sanitary Landfill.”

The Chemeketa Report designated Coffin Butte as a regional landfill. Report, pg. 24. Pursuant to the Chemeketa Report, the region to be served by Coffin Butte included Polk, Yamhill, Marion, Linn and Benton Counties.

In 1988, by Board Order, Benton County included Tillamook County among the counties to be served by Coffin Butte. In 1993-94, the Board authorized the inclusion of Lincoln County in the region.

SECTION B: Land Use Review Tasks

A. State and Local Land Use Process

***Overview of the Statewide Land Use Framework*.**

Under Oregon land use law, an application for a land use permit is considered "quasi-judicial" (as opposed to legislative) because the local government is judging whether an applicant has submitted sufficient evidence to demonstrate compliance with the applicable criteria. As part of the quasi-judicial process, an applicant is entitled to an impartial decision-maker, the ability to present and rebut evidence, and a written decision that applies the established applicable criteria to the facts, and which is subject to review by the Oregon Land Use Board of Appeals (LUBA). A local government may not apply criteria or policy choices outside the applicable approval criteria. ORS 215.416(8)(a).

An applicant is statutorily entitled to approval or denial of its application based upon the standards and criteria in effect at the time of the application. (This requirement is called the "no changing-of-the-goalposts" rule). ORS 215.427(3). If the local government desires to change the applicable criteria, it must first go through a post-acknowledgement plan amendment (PAPA) process. That process is considered "legislative" (meaning it applies generally rather than to a specific application). A PAPA is subject to notice from the local government; review by the Land Conservation and Development Commission; compliance with the comprehensive plan and Statewide Land Use Planning Goals; and a public hearing and adoption process. After they are approved, these regulations apply to applications submitted after the date the new regulations become effective, but can't be retroactively applied to prior approvals or pending applications filed prior to their effective date.

How does a land use decision get made in Benton County?

1. Application submitted. Application must include:
    a. Completed form;
    b. Submission of fee;
    c. Documentation to support a demonstration of compliance with the applicable criteria in the Development Code (and, in some instances, in state law).
2. 150-day clock[107] starts after application is deemed complete. County must reach a final decision within 150 days after county planning official deems the application complete.
3. County must determine whether application is complete within 30 days. If Planning Official determines application is "incomplete" (i.e., missing any of the documentation required by "c." above) planning official must notify applicant within 30 days of application submittal.
    a. Once application is complete or applicant directs application to proceed without the missing information, 150-day clock starts.
4. The County mails notice to property owners within ordinance-prescribed notification area and other interested parties identifying a public comment period. The County also publishes notice in the newspaper.
5. Staff researches and prepares a report evaluating the proposal relative to the applicable criteria.

[107] Discussed further in separate section below.

6. Depending on type of application, Planning Official either issues a decision or recommendation to Planning Commission.
    a. If Planning Official issues a decision, notice of decision is mailed as in #4.
    b. 14-day appeal period; if no appeal, decision is final.
7. If appealed, or for land use applications that go directly to the Planning Commission, a Planning Commission hearing is scheduled. Notice of the hearing is mailed as in #4, above.
8. Planning Commission receives staff presentation, applicant presentation, public testimony, applicant's rebuttal.
    a. Planning Commission may ask questions of any testifiers.
    b. Planning Commission may (and if requested by any participant must) keep record open for additional written testimony or may continue hearing for additional oral testimony.
    c. Planning Commission deliberates, votes to approve or deny the application.
9. Notice of Planning Commission decision is sent to all participants and others requesting to be on notification list. Practice has been to mail as in #4, above.
    a. 14-day appeal period.
    b. If no appeal, decision is final decision
10. If appealed, Board of Commissioners hearing is scheduled. Process is the same as for Planning Commission hearing (#9, above)
11. Board of Commissioners decision is final local decision, and must be issued within 150-days after application is deemed complete.
12. Notice of Board of Commissioners decision mailed to, at minimum, all participants.
    a. 21-day appeal period
    b. Appeal is to the Oregon Land Use Board of Appeals and from there to the Oregon Court of Appeals and then to the Oregon Supreme Court. Federal constitutional issues (such as regulatory takings of property without just compensation) may be appealed to the U.S. Supreme Court.

Decision-making Process for Planning Commission or Board of Commissioners

1. Criteria applicable to the land use proposal are identified.
    a. County criteria are all within the Benton County Development Code
    b. Some instances where state rules or statute are directly applicable; examples:
        i. Exceptions to a statewide planning goal
        ii. Expansion of an urban growth boundary
2. Decision-makers consider available evidence in determining whether the proposed use complies with the applicable criteria. When the criteria are subjective, this analysis (either explicitly or implicitly) involves interpretation of what the criteria mean. Evidence and testimony can address the interpretation of the criteria as well as whether the proposal meets the criteria.
    a. Staff research and analysis
    b. Public testimony, including from other agencies
    c. Members of the Planning Commission or Board of Commissioners are discouraged from doing their own research as that can lead to issues or perception of bias or ex parte contact.
3. A motion is made; deliberations (oral discussion of the matter) are held by the decision-making body, including reasons why the proposal does or does not comply with the

applicable criteria, and a vote is taken. If the motion fails, another motion is made, and so on, until a motion approving or denying the application passes.

The County's decision on a conditional use permit must be based on the evidence submitted into the record. Evidence must be submitted into the record before the record is closed. The Planning Commission makes the initial decision on a conditional use application to expand the landfill, and the record includes all evidence submitted into the record before the Planning Commission makes its decision. The Planning Commission's decision may be appealed to the Board of Commissioners. The Board considers the record of the decision being appealed (all evidence and testimony submitted to the Planning Commission) and any new evidence or testimony that is submitted into the record at the Board's appeal hearing. The record closes either at the end of the final hearing on the application, or if there has been a request to leave the record open before the end of the final hearing, on the date specified at that hearing.

Interpretation of the Terms Found in BCC 53.215.

BCC 53.215 includes the criteria for approval of conditional use permits.

For context, Benton County's Development Code (BCC) allows for both "permitted uses" and "conditional uses." Permitted uses are land uses that are "consistent with the purpose of the zone" (BCC 53.105); and conditional uses are "land uses which may have an adverse effect on surrounding uses in a zone." (BCC 53.205). Permitted uses are generally considered compatible in the zone in which they are allowed, without any review process. (BCC 53.110).[108] Conditional uses are required to demonstrate that compatibility by establishing compliance with specific criteria. (BCC 53.215.)[109] To reduce the adverse impacts of conditional uses, the county may "impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code." (BCC 53.220).

The existing landfill and expansion area are located on property specially designated for a landfill site on the comprehensive plan and zoning maps and are zoned Landfill Site (LS). The landfill is a permitted use in the Landfill Site zone. (BCC 77.105) However, under the county Development Code, any expansion of the landfill within the landfill site zone requires CUP approval by the County. (BCC 77.305).

Under BCC 53.315, an application to expand the existing landfill is approvable under criteria that focus on potential off-site impacts: The applicant is required to demonstrate that the expansion (1) does not "seriously interfere" with uses on adjacent property, with the character of the area, or with the purpose of the zone, and (2) does not impose an "undue burden" on public improvements or services available to the area. The decisional history contained in the Past Land Use Approvals section of the Workgroup Report indicates that these criteria should

[108] BCC 53.110 requires that, in some instances, permitted uses must go through a review process. In those cases, the approval is based on "clear and objective standards."

[109] Under BCC 53.215, in order for a conditionally allowed use to be approved, the Planning Commission must determine 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 this code."

be considered in the context of the existing operation—e.g., whether a proposed expansion creates impacts that exceed or are more significant than the impacts of the existing landfill operation. The legislative and decisional history indicates that the purpose for creation of the Landfill Site zone was to recognize the existence of the landfill and to support its continued operation. These terms apply specifically under the county's code, and are not defined by state law or case law.

Interpretation of the review criteria for a landfill-expansion conditional use permit requires determinations that are based on the facts of the specific application. The rules of statutory construction describe how ambiguous terms are to be interpreted: text, context, and legislative history. However, LUBA's standard of review is highly deferential to the local decisionmaker's interpretations, so if the interpretation is plausible (does not conflict with the provision's language), LUBA (and the courts) will uphold the local interpretation. This gives the decision-maker a lot of flexibility in interpreting their own code provisions. In response to a request by the Board of Commissioners, the following section provides historical information from County staff, particularly regarding the past 25 years, on how the County decision-makers have interpreted these terms across the full range of conditional use applications the County reviews. This information is not a recommendation on how the Planning Commission and Board should interpret future applications. Restated, each body fully retains its flexibility in interpreting the conditional use criteria in the context of the specific application before it.

53.215 Criteria. *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;

The term "seriously interfere" is crucial to the determination of whether a proposed conditional use can be approved, and it is a quite subjective term that must be interpreted in the context of a specific application based upon the evidence in the record. The term is not defined in Benton County Code.

Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered factors such as: does the proposed use make it difficult to continue uses on the adjacent property; would it create significant disruption to the character of the area; would it conflict, in a substantive way, with the purpose of the zone. As noted above, the county decision-makers have wide discretion in evaluating whether a use will "seriously interfere." In the past, "seriously interfere" has generally been applied as meaning more than an inconvenience or irritation but is a lesser threshold than rendering the uses on adjacent property impossible. Speculated effect on property values has not been a primary consideration in determining serious interference.

Hypothetical examples: A building that obstructs a portion of the view from a neighboring residence typically is not, by itself, serious interference. A noise-generating use such as an auto-repair shop locating next to an established meditation retreat center could be considered as seriously interfering with the use on the adjacent property if the noise could not be mitigated and would make it difficult to continue the land use on the neighboring property.

In the findings adopted by the Planning Commission in the matter of the 2021 conditional use permit for expansion of Coffin Butte landfill (File No. LU-21-047; see attachment), the meaning of the term "seriously interfere" is not explicitly addressed. The Planning Commission identified a number of impacts to adjacent properties and the broader area and did not find it necessary to parse the term "seriously interfere" in order to reach a conclusion that the proposal did seriously interfere with uses on adjacent property, the character of the area and the purpose of the zone. Nonetheless, the Planning Commission's findings are useful to this charge topic in that they identify the types of concerns that are likely to be important in considering whether any future landfill-related conditional use permit application can be approved. A future application would be formally evaluated on its own merits, not in relation to the previous application, but the Planning Commission's findings provide information as to what applicants and decision-makers in the future would do well to consider.

In the phrase "character of the area" in BCC 53.215(1), how narrow or broad has "the area" typically been?

When the County is evaluating the "character of the area", the "area" is based on the facts of each application and how far the effects of the proposed land use are likely to extend. The impacted area will be unique to each application and may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa).

Because each review is unique, examining past cases for the specific distances utilized may not be illuminating. Staff reports that in past CUP applications the Planning Official, Planning Commission or Board has considered these factors in determining the character of the area and its extent include:

- The particular attributes of the geographic setting (including existing operations in the vicinity.)
- Is there a distinct change in the area's physical characteristics beyond a certain point (such as a change from flat land to hills or from one river basin across a ridgeline into another)?
- What features or elements give the area its character? Is it a homogenous or heterogeneous character (is there a high degree of similarity, or is it mixed)?
- How far are the effects of the proposed land use likely to extend? This may differ by particular effect—for example, the impact of noise might extend farther than visual impact (or vice versa).

(2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and

In the conditional use review criterion of: "*The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area"* [BCC 53.215(2)], what constitutes a "burden" is again based on the facts of the application. Staff has stated that in past CUP applications the Planning Official, Planning Commission or Board has considered a "burden" on public infrastructure and service is likely "undue" if it overloads the system or causes significant degradation in terms of quality, effectiveness or timeliness of infrastructure or service. Lesser burdens may also

be "undue" if the effect jeopardizes people's health, safety, or welfare. Burdens that the County has typically not considered "undue" include those that can be mitigated through planned improvements, that are incremental service additions[110] consistent with that generated by other uses in the area or that fall below an established threshold (such as road classification standards). For planned improvements to be relied upon in determining that a burden is not undue, the implementation of those improvements must be certain, such as through a condition of approval specifying the improvement and the timeline for implementation. Again, as noted above, so long as the interpretation is plausible, the decision makers have wide discretion in interpreting the term "undue burden.".

(3) The proposed use complies with any additional criteria which may be required for the specific use by this code.

If the county has adopted additional code criteria that apply to a proposed use implicates other code provisions in effect at the time of application, then those code provisions would apply. This does not a allow the county to apply unadopted criteria that are not in the code at the time of application or to require information about a topic that is not relevant to compliance with an applicable criterion. While BCC 77.305 lists requirements the narrative. In applying for a proposed landfill expansion application, those application requirements are not approval criteria. expansion in the Landfill Site zone, the BCC Chapter 77 does not adopt any additional criteria for a proposed expansion in the Landfill Site zone, and, therefore BCC 53.215(3) does not apply to a proposed landfill expansion, no additional criteria apply.

Provisions in the Landfill Site Zone Regarding a Conditional Use Application:

BCC 77.305 Conditional Uses Approved by the Planning Commission. *Any proposal to expand the area approved for a landfill within the Landfill Site Zone is allowed by conditional use permit approved by the Planning Commission. The Benton County Environmental Health Division and the Solid Waste Advisory Council shall review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Plan Map and narrative. The Oregon Department of Environmental Quality shall be given an opportunity to review and comment on any proposal which may affect this site. [Ord 26I, Ord 90-0069]*

This section directs the Solid Waste Advisory Council (SWAC) to review and make recommendations; however, the code does not specify any criteria or considerations that recommendation should be based on. Any action of SWAC should be consistent with that Council's role as specified in its bylaws: "assist the Board of Commissioners (Board) in Planning and implementation of solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance." As such, SWAC should review the proposal and provide input from a solid waste management perspective. (If/when SWAC's overall role shifts to sustainable materials management, instances of the term "solid waste management" above should be replaced with "sustainable materials management.") The Planning Commission's role is to review the

[110] Incremental service additions are additions to the overall burden on services that are small relative to the total. For example, adding 10 daily vehicle trips to a road currently experiencing 300 daily vehicle trips could be considered an incremental service addition.

proposal from a land use perspective, relative to specific criteria listed in the Development Code, and to make a decision. The Planning Commission is the body with land use expertise and tasked with considering the BCC 53.215 criteria, whereas SWAC's expertise is on questions of solid waste management. Based on SWAC's bylaws and role in planning and implementing solid waste management, it appears that the intent of the language in BCC 77.305 is that the Planning Commission rely on SWAC for guidance on the impacts of the Site Development Plan and Narrative on solid waste management. However, the language of BCC 77.305 does not expressly limit the scope of SWAC's recommendations.

Per BCC 51.405(3), the Planning Commission has exclusive decision-making authority on land use applications for which it is the initial decision maker (such as a conditional use permit to expand the landfill). BCC 77.305 states SWAC "shall review and make recommendations * * * regarding the Site Development Plan Map and narrative." BCC 77.310(2)[111] describes the Site Development Plan. The second sentence of that section lists the elements to be included on the map. The third sentence says "[a] statement shall be placed on the map that the site plan map and narrative together are considered the Site Development Plan." The question then is does BCC 77.305 limit SWAC's review and recommendation to only the narrative on the site plan map? Or does the language of BCC 77.310(2) create sufficient ambiguity that "narrative" could include the entire land use application narrative?

That second option is doubtful when considering the detail included in 77.310(2) to describe what constitutes a site plan map. It is more likely the phrase "Site Plan Map and narrative" used in 77.305 is intended to mean the elements of the map plan described in 77.310(2).

To infer "Site Plan Map and narrative" includes the entire application would draw in every element of 77.310(1), when subsection (2) deliberately only included screening

[111] 77.310 Conditional Use Review.

(1) The applicant for a conditional use permit shall provide a narrative which describes:
  (a) Adjacent land use and impacts upon adjacent uses;
  (b) Future use of site as reclaimed, and impacts of that reclamation on adjacent uses;
  (c) Provisions for screening of the site from public roads and adjacent property;
  (d) Egress and ingress; and
  (e) Other information as required by the Planning Official.

(2) A site plan map shall accompany a conditional use permit application. The map shall contain at least a scale, north arrow, assessor map numbers, location of existing landfill, access, proposed alteration, leachate treatment or monitoring areas surface water systems, and existing and proposed screening (location and types of materials). A statement shall be placed on the map that the site plan map and narrative together are considered as the Site Development Plan. A signature block shall be included for the date the approval is given and the signature of the Planning Official indicating approval.

(3) A conditional use permit application shall contain a reclamation plan describing present efforts and future reclamation plans related to the site.

(4) The following environmental and operational considerations shall be reviewed prior to changes in the documents referenced above:
  (a) Geology;
  (b) Groundwater and surface water;
  (c) Soil depth and classification, and erosion control factors;
  (d) Slope; and
  (e) Cover material availability, transportation, and use.

and access from the list of subsection (1) land use narrative components. To include all of the subsection (1) elements would subsume subsection (2) and render it meaningless. The intent of BCC 77.305 appears to be to set SWAC's scope of review as that described in BCC 77.310(2).

Amendments to the Development Code may be needed in order to create a clear and legally consistent process for SWAC's involvement in review of a CUP. Pursuant to the Development Code as written, the only criteria that a CUP decision can be based upon are those of BCC 53.215, and the Planning Commission is the decision-making body; yet the code states an ambiguous role for SWAC in that process and seems to imply that other considerations beyond those of BCC 53.215 should go into the decision-making process. This needs clarification. The Legal & Land Use Issues subcommittee recommends that the Board of County Commissioners:

a. Amend the Development Code to clarify SWAC's role in reviewing a CUP, and

b. Articulate SWAC's scope of review, focused on the solid waste management aspects of the application. Examples of areas that may be appropriate for SWAC to comment on:

   - Is the proposed expansion consistent with long-term plans for the landfill site?
   - Is the proposal consistent with principles of responsible solid waste management?
   - What (solid waste management) benefits do you see to the proposed expansion?
   - What potential (solid waste management) negative effects do you see?
   - Are there ways to minimize or mitigate those effects?

(If/when SWAC's overall role shifts to sustainable materials management, instances of the term "solid waste management" above should be replaced with "sustainable materials management.")

BCC 77.310 Conditional Use Review.

(1) The applicant for a conditional use permit shall provide a narrative which describes:

(a) Adjacent land use and impacts upon adjacent uses;
(b) Future use of site as reclaimed, and impacts of that reclamation on adjacent uses;
(c) Provisions for screening of the site from public roads and adjacent property;
(d) Egress and ingress; and
(e) Other information as required by the Planning Official.

(2) A site plan map shall accompany a conditional use permit application. The map shall contain at least a scale, north arrow, assessor map numbers, location of existing landfill, access, proposed alteration, leachate treatment or monitoring areas surface water systems, and existing and proposed screening (location and types of materials). A statement shall be placed on the map that the site plan map and narrative together are considered as the Site Development Plan. A signature block shall be included for the date the approval is given and the signature of the Planning Official indicating approval.

(3) A conditional use permit application shall contain a reclamation plan describing present efforts and future reclamation plans related to the site.

(4) The following environmental and operational considerations shall be reviewed prior to

changes in the documents referenced above:

(a) Geology;
(b) Groundwater and surface water;
(c) Soil depth and classification, and erosion control factors;
(d) Slope; and
(e) Cover material availability, transportation, and use.

These provisions are application requirements; not approval criteria. They list the documents and information the Planning Official will consider in determining whether the application is complete for purposes of review. A determination that an application is complete for purposes of review does not mean that the applicant's information satisfies the approval criteria.

While most of the application requirements are fairly prescriptive, BCC 77.310(1)(e) lists "*Other information as required by the Planning Official."* With any land use application, one of the roles of the Planning Official is to identify information that is needed for the decision maker to determine whether the applicable criteria have been met. As emphasized by LUBA, such information must relate to the approval criteria. And, as noted above, it is the applicant that determines whether to submit any information requested by the Planning Official; and the applicant's failure to submit any requested information is relevant to the decision on the application only to the extent that the decision maker determines that the information is necessary to comply with an approval criterion.

In *Murphy Citizens Advisory Committee v. Josephine County*, 25 Or LUBA 312 (1993), petitioner asserted information required by the local code had not been submitted by the applicant and that such omission rendered the application deficient. *Id.* at 320. LUBA rejected the argument, saying:

> Thus, in order for a petitioner to obtain reversal or remand of a challenged decision because required information is missing from the subject application, petitioner must argue that the missing information is not found elsewhere in the record, and must explain why the missing information is necessary to determine compliance of the proposed development with applicable approval standards. In this case, petitioner does not relate the allegedly missing site plan information to specific requirements of JCZO 15.218(1)-(24), does not respond to intervenor's argument and citations that some of the allegedly missing information is found elsewhere in the record, and does not explain how the missing information prevents determination of compliance with applicable site plan or conditional use permit approval standards. (emphasis added)

Id. See also *Venable v. City of* Albany, 33 Or LUBA 1 (1997); *Hopper v. Clackamas County*, 15 Or LUBA 413, 418 (1987); *Hershberger v. Clackamas County*, 15 Or LUBA 401, 408-09 (1987).

The identification of "other information" most commonly occurs during the first 30 days after an application has been submitted. This timeframe is when the Planning Official reviews the initial application to determine whether it is complete for review purposes. If the Planning Official asks the applicant to submit additional information, it can be for two purposes: (1) to provide planning staff with enough information to allow it to

review the application. *Sperber v. Coos County*, 56 Or LUBA 763, 770 (2008); see also *Frewing v. City of Tigard*, 59 Or LUBA 23, 31 (2009); or (2) "to allow or request that the applicant submit additional information believed necessary to satisfy the applicable approval standards." *Frewing* at 31.

In either case, the applicant may choose to provide all, some or none of the identified information. The failure to provide identified information is not grounds for denial of the application. If the applicant fails to provide additional information, or provides inadequate information, the issue then becomes an evidentiary matter. Once the application has been deemed complete (by staff or the applicant upon notification to county of refusal to submit additional information), staff reviews the application, based on the submitted information, and makes a determination or recommendation to approve or deny the application, based on whether the applicant has submitted substantial evidence sufficient to meet the approval criteria. This process is now codified for counties in ORS 215.427.

If the application is one that goes to the Planning Commission, it is the job of the planning commission to determine whether to approve or deny the application based upon whether the evidence submitted into the record during the hearing process demonstrates that the applicant has complied with each and every criterion for approval. The County's job as the trier of fact is determine whether a preponderance of the evidence supports approval under the applicable criteria. *Friends of Yamhill County v. Yamhill County*, 351 Or 219, 246-247 (2011).

On appeal, LUBA reviews a County determine to determine whether it is supported by substantial evidence in the record. "Substantial evidence in the record" is evidence that a "reasonable person" would rely on to make a decision when considering all of the evidence in the record including any conflicting evidence. See e.g., *Younger v. City of Portland*, 305 Or 346, 353-57, 752 P2d 262 (1988). LUBA will uphold the local government's evidentiary determination if it concludes that "a reasonable decision maker could decide as the local government did in view of all the evidence in the record," i.e., evidence that supports and detracts from the decision.

The workgroup could make recommendations regarding what "other information" would be helpful in a narrative to adequately describe the items listed BCC 77.310. However, any committee recommendations would have to be limited to information related to the applicable criteria and could not expand that criteria. "Additional information" required by the Planning Official does not become part of the applicable criteria. When the County adopts a Sustainable Materials Management Plan, it should amend BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with any appropriate, specific provisions of an adopted SMMP. BCC 77.310 states only what the applicant's narrative shall include; it does not identify criteria for SWAC's review of a CUP application.

In the past, the Planning Official has used the statutory completeness review process to request additional information. However, in addition to the Planning Official's review of the information after the application has been submitted, the Board could amend the code to require that the Planning Official conduct a "preapplication conference" with the applicant to discuss the information that is required. It could also require a "neighborhood meeting" before the application is filed that requires the applicant to

present its proposal to the public and allow the applicant to obtain more information about the proposal. Public comment during a pre-application neighborhood meeting, as with other public comment submitted before the application is complete and notification is sent, is not part of the formal record of the land use review and cannot be considered by decision-makers. The record includes only public comment submitted after formal notification has been sent to affected parties stating that the comment period is open.

BCC 77.405 Review of DEQ Permits. *Copies of materials submitted to the Oregon Department of Environmental Quality as a part of any permit process shall be submitted to the Planning Official. If at any time the Planning Official determines that permit application materials or conditions of DEQ permit are judged to merit public review, a Public Hearing before the Planning Commission shall be scheduled.*

This provision is unusual and a bit unclear.[112] How the Planning Official would determination that "permit application materials or conditions of DEQ permit are judged to merit public review" is subjective and the kind of public hearing is not specified. Typically, a public hearing results from an application submitted by a property owner which is then reviewed relative to code criteria and approved or denied. But this code provision does not state that the property owner shall submit an application . The code may intend that a public hearing (more of a public conversation?) be held in which the terms of the DEQ permit are discussed but with no land use action to occur. Or the code may be obliquely stating that if the Planning Official determines that what the applicant proposes to DEQ or what DEQ permits is different from what the County has given land use approval to, then an application for a revised conditional use permit is required. This is already required by BCC 53.225[113], but the lack of cross-reference or use of similar terminology in section BCC 77.405 is confusing. The subcommittee's initial interpretation is that BCC 77.405 simply requires new review of a conditional use permit if, as described in BCC 53.225, the use originally approved has been modified. The Planning Official could make such a determination by means of a formal "Interpretation" pursuant to BCC 51.205(1). A Workgroup recommendation on how public review of DEQ permit requirements could most benefit the public would be helpful. A code amendment is recommended. For example, a code amendment could require that when DEQ issues a landfill permit, the Planning Official shall review the permit and conditions of approval and, if discrepancies with the County's land use approval are noted, determine whether this constitutes a "modification of a conditional use permit" (BCC 53.225) and, if so, require the applicant to submit application for such modification.

[112] The provision might have been codified before adoption of the current state agency coordination requirements, which now require a land use compatibility statement (LUCS) as part of any application for a state permit in which local land use is implicated.

[113] 53.225 Modification of a Conditional Use Permit. An original applicant or successor in interest may request that a conditional use permit be modified if a change in circumstance has occurred since approval which would justify a change in the permit. Such application shall be processed as a new request for a conditional use permit.

B. Land Use Process Questions

Question B1: Do statements in a land use application, in which the applicant says they will do certain things, become binding?

Answer: Statements made by the applicant do not become conditions of approval unless those statements are specifically included or incorporated, directly or by reference, into the final decision. While a statement that is not incorporated as a condition of approval is not part of the final *decision* it is still part of the *record*. Not everything in the record is part of the decision.

Discussion:

In *Hood River Valley Residents' Committee v. City of Hood River*, 33 Or LUBA 233 (1997) a Conditional Use application included a statement of how it would comply with a grading and contour approval criteria. While the specific assignment of error alleged the statement was not supported by substantial evidence, LUBA ruled that allegation was immaterial: "While the planning commission adopted a finding very similar to the quoted application statement, the city council did not incorporate that finding in its decision. Petitioner has not established that the statement it described as a finding is, in fact, a part of the city's final decision. Thus it is immaterial whether the identified statement is supported by substantial evidence in the record." *Id*. at 234-35.

Additionally, in *Todd v. Columbia County*, 24 Or LUBA 289 (1992), one question posed was whether a local code provision had been interpreted in the final decision. LUBA found that, yes, county staff had interpreted the code provision at issue, but that "portion of the staff report was not incorporated into the board of county commissioners' decision." *Id.* at fn 3. As a result, LUBA found "the county has not interpreted and applied [its code] and this decision must be remanded." *Id*. at 293.

A final decision must include all conditions the county wishes to impose on an applicant. Failure to include a condition, or finding, or interpretation in the final decision means the missing element is unenforceable or may not be relied upon when evaluating permit compliance. And, just to clarify: something can be included in the final decision either by direct statement or by reference. Both will suffice to bring a necessary component from the record into the decision. For example, a condition of approval requiring the applicant to establish the proposed use "as described in the application" binds the applicant to establishing the use in the manner they described in their application. That said, it is best practice for the approving authority to specifically identify parameters or other details which the applicant has proposed and which are particularly important to ensure that the use, over time, complies with the review criteria. For example, if limited hours of operation are necessary to mitigate interference with surrounding uses and the applicant states that the hours of operation will be 9am to 5pm, a condition of approval should specifically require those hours of operation.

In issuing land use decisions, Benton County decision-makers should:

a. Draft clear findings and be certain to incorporate into the conditions of approval the items that are intended to be binding.

b. State conditions of approval in clear and explicit terms and ensure that what is expected of the applicant in order to comply is clearly stated in the text of the conditions.

Question B2: How does the 2002 Memorandum of Understanding fit into the Workgroup considerations?

Answer: The 2002 Memorandum clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements.

Discussion:

In 2002 Benton County and Valley Landfills, Inc. (VLI) executed a Memorandum of Understanding (MOU) Relating to Land Use Issues. The purpose of this document was to clarify the parties' understanding of how VLI could expand landfill activities into cells within the landfill area. That document can be found at: www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/landfill_mou_2002.pdf

The MOU was created because knowledgeable, involved personnel, at both Benton County and VLI had changed such that little institutional memory remained to guide land use issues at the landfill site. More specifically, without knowledgeable individuals familiar with the history of the various land use approvals, it was unclear whether VLI had authority to expand landfill disposal operations within either the landfill areas or the landfill zone. The MOU clarified those questions.

Specifically, the MOU states:

1. VLI "is entitled to conduct all forms of landfill activities, including but not limited to the placement of solid waste, consistent with State and local regulations with the 194 acres as designated within the Landfill Zone which is north of Coffin Butte Road." MOU, pg. 3, §(16)(a).
2. VLI "will not conduct, without the prior approval of Benton County and the State of Oregon, the placement of solid waste on the approximate 56 acres, within the landfill zone which it owns south of Coffin Butte Road." MOU, pg. 3, §(16)(b).
3. "Since 1996, Benton Co. has signed the Land Use Compatibility Statements, hereinafter referred to as (LUCS), indicating to DEQ that the landfill was being operated in compliance with Benton County Ordinances." MOU, pg. 3, §14.
4. "Based upon the LUCS statement, DEQ has reviewed and found that the operations of the landfill are in compliance with the state law. The last approval from DEQ was granted in 2000." MOU, pg. 3, §(15).
5. The MOU was reviewed by the Solid Waste Advisory Council (SWAC) on Aug. 27 and Sept. 24, 2022. The Benton County Board of Commissioners considered the MOU at its Nov. 5, 2002 meeting at which the MOU was "placed on the agenda * * * for public discussion prior to signature." MOU, pg. 4, §§(16)(g) and (h).

Thus, the MOU acknowledges VLI's authority to utilize existing or future cells within the 194-acre landfill area north of Coffin Butte Road without additional approval from Benton County.

Conversely, County and State approval are required before VLI may dispose of waste on the 56 acres in the Landfill Zone south of Coffin Butte Road. Related landfill activities such as collection and management of leachate are permitted, without additional County approval, on the 56 acres south of Coffin Butte Road. MOU, pg. 3, §(16)(c).

Additionally, section 14 states Benton County signed LUCS documents verifying the landfill was operating in compliance with local requirements. The MOU does not address whether the County's determination of "compliance with local requirements" includes compliance with all conditions of past land use approvals. DEQ acted upon that verification to find Coffin Butte was operating in compliance with local land use regulations and state laws and regulations as of 2000. In Sections 14 and 15 the MOU indicates that there were no known land use violations at the landfill as of November 5, 2002, when the Benton County Board of Commissioners executed the MOU.. The MOU does not describe the extent to which Benton County investigated the compliance status of any conditions of past land use approvals in preparing the MOU. The MOU did not negate or supersede conditions of past land use approvals.

The MOU was not a land use decision but did address the status of land use approvals at the landfill. As of the date of the MOU, "the landfill was being operated in compliance with Benton County Ordinances." It is not clear from the text of the MOU whether this statement includes both compliance with code ***and*** compliance with conditions of land use approvals. The land use compatibility statement (LUCS) signoffs referenced in the MOU *imply* that conditions as well as code were in compliance. A permit is not an ordinance; however, to operate in compliance with the ordinance requires being in compliance with the permit and conditions.

150-Day Time Limit on Land Use Application Review

The following was prepared to provide an understanding of the legal requirements for the County to process a land use application and to address the question that has arisen as to whether the public can provide input to the determination of whether an application is complete.

Legal Requirements.

In Oregon, the statutory time limit for a local government to reach a final decision on a land use application is specified by ORS 215.427[114] (That statutory requirement is restated in Benton County Development Code BCC 51.535.) That time limit is 150 days[115] from the time that an application is deemed complete. Pursuant to the Benton County Development Code, the determination of completeness is made by the Planning Official. The Planning Official must determine whether an application is complete within the first 30 days after the application was filed.

An application for land use action may be submitted at any time, following submittal procedures put in place by the County. Once an application is submitted, the Planning Official shall determine whether the application is complete and shall, within 30 days of the application's filing, notify the applicant either that the application is complete or that it is incomplete and exactly what information is missing from the application. If the application is

[114] The governing body of a county or its designee shall take final action on all other applications for a permit . . . including resolution of all appeals under ORS 215.422 . . . within 150 days after the application is deemed complete.

[115] The time limit is 120 days if the application regards mineral aggregate extraction or if the property is located within an urban growth boundary.

complete, the 150-day clock begins on the date the Planning Official provides that notification. If the application was deemed incomplete and the applicant subsequently makes the application complete, then the 150-day clock starts on the date the additional information was submitted. If the applicant submits in writing that they will provide no additional information, then the clock starts on the date of that submittal.

What constitutes a complete application is a factual determination, which can also involve subjective determinations, depending on the application and what impacts may need to be mitigated. Clearly, if the applicant fails to address one of the applicable criteria, the application is incomplete. Less clear is when the applicant addresses all the criteria but falls short of providing enough information for the County to fully evaluate whether the application satisfies the criterion. In either case, the Planning Official may determine that application is incomplete. If the applicant disagrees, there is no appeal process; the applicant may simply state that no additional information will be submitted. At that point, the application is deemed "complete" regardless of whether the Planning Official believes enough information has been submitted to evaluate the application; the land use review process must commence.

If the County does not take final action on an application within 150 days of the date the application is deemed complete, "the applicant may elect to proceed with the application according to the applicable provisions of the county comprehensive plan and land use regulations or to file a petition for a writ of mandamus." [116] In other words, the applicant "may either elect to continue with the application process or file a petition for writ of mandamus to compel the county to approve the application. Where the applicant elects to continue with the application process after the deadline, a subsequent county decision approving or denying the application is not void or moot because it is issued after the applicable deadline."[117] Upon filing a petition for writ, jurisdiction for all decisions regarding the application, including settlement, shall be with the circuit court.[118]

Of course, whether the application is "complete" or not, the absence of certain information from an application may lead to a determination by the decision maker (Planning Official, Hearings Officer, Planning Commission or Board of Commissioners) that one or more specific criteria are not met. The purpose of the 30-day completeness review is to attempt to provide the decision maker with the necessary information to make an informed decision; it does not *ensure* that the information provided is adequate.

The applicant may choose to pause the 150-day clock by stating in writing the time period for which they want the clock paused. The maximum allowable duration of any or all such pauses (or extensions of the 150-day time limit) is 215 days, for a total time of 365 calendar days from the time an application is deemed complete.

Question B3: Is there opportunity for public input to the determination of whether an application is complete?

Answer: The public may submit comments on the completeness of an application. However, the completeness process is not a review of the application's merits;

[116] ORS 215.429
[117] Oregon Land Use Board of Appeals opinion in *Davis v. Polk County, 58 Or LUBA 1 (2008).*
[118] ORS 215.429

only whether sufficient information has been submitted to the application's merits can be evaluated through the public hearing process. And there are no statutory or code requirements for incorporating public input on the county's administrative determination of whether an application is complete.

Discussion:

"Completeness" is a statutorily required process for the Planning Official to determine whether an applicant has submitted sufficient information for the decision maker to evaluate the application for compliance with the approval criteria during the evaluation and public hearing process. Completeness does not indicate that the applicant has satisfied the applicable approval criteria; and the completeness process is not intended for a review of the merits of an application. If information submitted is not adequate to demonstrate compliance with the approval criteria, the public hearing process is intended to ensure that the public can assert that position on the record before the decision maker. In addition, even if the Planning Official determined an application incomplete and requested additional information, the applicant is not required to provide that information if it does not believe it is necessary.

With a complex application, reviewing the submitted materials in sufficient detail to determine whether the application is complete often takes substantial time. This is an internal review process conducted by professional planning staff, augmented by input from other agencies relevant to a given land use application. The Development Code does not preclude the Planning Official from obtaining input from the public during this process; and information from the public related to whether the applicant has submitted the code-required information can be useful to the Planning Official's completeness review.

However, under state statute, the determination of whether an application is complete must happen fairly quickly. The statutory 30-day window for the completeness determination presents challenges to obtaining and meaningfully reviewing public input related to completeness and incorporating it into the completeness determination. And the Planning Official's ability to review and incorporate completeness-related input is significantly limited if evidence or argument related to the merits of the application is interspersed with evidence specifically directed to completeness.

Because the completeness process is based on state statute, the county could not legislatively build into its process a delay in the completeness determination process for the public to provide input on whether the applicant had provided enough information for the county to determine the application is complete. The county could, however, amend the Development Code to further clarify the elements of a "complete" land use application concerning a landfill expansion. The county staff could also build into its process (without a code amendment) the means for the public to more easily review the application materials, both to assess whether sufficient information has been submitted to evaluate the application (the completeness process) and for future evaluation of the merits of whether the application satisfies the approval criteria (the public hearing process.)

To facilitate the public's review of the application and participation in all phases of the application review, including completeness, the county could post all of the application materials on its website and provide email notification to the public that an application has been received and is available for review. To ensure that the public is fully informed of the process, that notification could describe both the completeness review process and the public

hearing review process; and describe the functions of each stage in the process. It could also set a time certain in which members of the public would be welcome to submit comments on the completeness of the materials.

That window for public comments would necessarily be fairly narrow. There would be no obligation on the part of the Planning Official to utilize or respond to such comments, but the comments could provide a useful, broader vetting of the application. Staff has concerns that the 30-day time frame may be too short for meaningful public review and comment and that public comments could range well beyond the question of completeness which would complicate making use of such comments in the completeness determination. For these reasons, staff encourages the BCTT workgroup to provide as much input as possible regarding what is needed for a complete application prior to County receipt of an application

Protocols for the timely and broad distribution of CUP-related information to the public, other governmental entities, and internal committees, groups, and divisions.

Legal Requirements and Past Practices

Note: The Legal & Land Use Subcommittee is limiting its input on this topic to legal requirements and past practices, understanding that the Charge E subcommittee will use that information to help in developing recommendations for future practice.

Required Notification. Requests for quasi-judicial land use decisions, such as an application for a conditional use permit, are subject to notification procedures mandated in ORS 215.146 and in Benton County Development Code Sections 51.605 through 51.630. The Benton County Development Code provisions reflect the statutory requirements and are designed to implement those requirements without need for reference to the statute.

Completeness Notification: Upon receipt of a land use application, the Planning Official must determine whether the application is complete and, within 30 days of the application's filing, must notify the applicant either that it is complete or exactly what information if any is missing from the application. There is no legal requirement for notification to the public at this stage in the process. (See above for a complete discussion of the 150-day time limit.)

Notice of Application: In the case of a conditional use permit or similar application, the Development Code requires physically mailed notice to the owners of property located within a certain distance of the property that is the subject of the land use application. The distance is measured from the perimeter of the subject property; any property that lies partially or fully within that distance is entitled to mailed notification. The distance of the measurement depends on the zoning of the subject property:

100 feet if located within an urban growth boundary

250 feet if outside an urban growth boundary and not within a farm or forest zone

750 feet if located within a farm or forest zone

If the County sends notice to only property owners within the specified distance, the law has been fulfilled. However, these distances are minimums. The Code states an intent to notify property owners who could be affected by the proposed land use decision and states that additional notice beyond the distances listed above may be provided "where the County in its discretion deems additional notice to be appropriate."

Additionally, notice is to be sent to any neighborhood or community organization recognized by the Board of County Commissioners and whose boundaries include the site. In Benton County, the recognized community organizations are the Community Advisory Committees (CAC), of which three are currently active.[119]

Public Hearing Notice: In the case of a land use request that involves a public hearing, the Code also requires publication of a notice in a newspaper of general circulation within the county as well, at least 10 days prior to the hearing.

Specifically in the Landfill Site zone, which encompasses the majority of the Coffin Butte landfill and the majority of the landfill expansion area proposed in 2021, a conditional use application for landfill expansion is subject to approval by the Planning Commission. Additionally, the code requires that "the Solid Waste Advisory Council [SWAC] shall review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Plan Map and narrative." The procedure for this review by SWAC is not specified in the Development Code, including whether any specific notification of the SWAC meeting should be sent out (beyond the standard public meeting notice that is sent to the newspaper) and whether SWAC should conduct a public hearing with testimony from the public or should review and discuss among SWAC members without public testimony.

Notice of Decision: When a decision is rendered on a land use request, notice of decision is required to be mailed to all people who submitted testimony. If the decision was made by the Planning Official, then notification is also required to be mailed to owners of property within a certain distance of the subject property as described above. The notice of decision describes the nature of the decision and how to appeal the decision.

Notice of Appeal: If a decision is appealed, then notice of the appeal hearing is distributed following the same procedure as for the notice of application.

Typical Practice. In addition to providing the notification discussed above, Benton County staff have typically utilized some or all of the following for a given land use application:

- Prior to receiving a land use application for a complex land use action, staff will encourage a **pre-application conference**. The public is not involved at this stage because an application has not been filed. The pre-application meeting is not a public meeting, is not part of the land use review process, and involves no notification to the public.

  In the case of an application for a subdivision, the pre-application conference is *required* by the Development Code. A pre-application conference is not required for a landfill-related request in the Landfill Site zone. A pre-application conference is a meeting between the applicant and County staff at which staff informs the applicant of the necessary applications to file, the review criteria that will be applied, and areas of concern to review, and provides an overview of the review process. Staff from external agencies with jurisdiction are invited to participate; for example, the Oregon Department of Transportation if the proposed land use is near or accesses a state highway.

[119] The North Benton CAC, which would encompass the Coffin Butte landfill and surrounding areas, is currently not active. Activating and maintaining a CAC is no small undertaking and doing so requires both action and capacity on the part of community members and the County.

- Staff may recommend to the applicant that they hold a **public informational meeting** prior to submitting an application. There is no requirement for this in the Development Code, so it is up to the applicant whether to hold such a meeting. These meetings can be helpful for informing members of the public about a pending application as well as for the applicant to obtain input from members of the public that the applicant may choose to address through modifications of their plans prior to submitting an application. Such meetings are not part of the land use review process.

  Upon receipt of a land use application, the Planning Official determines completeness. Once the application is deemed complete, a decision-making process and schedule are determined. At the appropriate time in the schedule, the legally required notification is mailed out as described above. Additionally, typical practice in Benton County has been to notify by email a list of people who have requested notification of all land use applications or certain categories of land use applications. The mailed/emailed notifications summarize the proposed land use action and inform people how they can find out more information and how they can provide input. Additional information is available by phoning or emailing staff. For certain land use applications, staff posts the application materials on the Community Development Department website. These are typically applications that require a public hearing before the Planning Commission or applications that otherwise may generate substantial public interest. Not all applications are posted to the website due to limited staff time and the logistics of maintaining such a webpage.

- Once a decision has been made, the legally required notification is mailed as described in the prior section. While the legal requirement is that notice of a decision made at a public hearing need be mailed only to those who testified, typical practice in Benton County has been to mail notice to owners of property in the vicinity as well.

Necessary Tasks to Start Planning Reopening of Existing Hauling Agreement

Section 2 of the June 7, 2022, collection franchise agreement between Benton County and Allied Waste Services of Corvallis ("Republic Services") contains a limited reopener provision. Specifically, the provision states:

> This agreement shall be amended by July 1, 2024 to include the same or similar terms as the forthcoming City of Corvallis collection franchise agreement, including, but not limited to, the same termination date, as well as concepts from the consensus-seeking process.

Contract negotiations are not conducted in public. With that said, there is enough public interest in a potential reopener negotiation that some believe a process should be implemented to allow public input, comment and feedback on any provisions subject to Section 2 that may be negotiated between the parties to the agreement.

One such process could be designed as follows:

> After the parties have begun discussing what specific terms may be amended pursuant to Section 2, but no more than 60 days prior to any amendment being approved by the Board of Commissioners, the County will publish a notice that it is

seeking suggestions from the public for negotiation topics generated from the "concepts from the consensus-seeking process."

Any input received would be presented to the Board of Commissioners at a work session at which time the Board would identify those ideas or suggestions that may be included as negotiation topics.

Following the work session and as part of the ongoing negotiations, Benton County Staff will discuss with Republic Services the topics and ideas identified by the Board of Commissioners.

At such time as Benton County and Republic Services reach a tentative agreement on the renegotiated terms, Staff would bring the proposed franchise changes to the board meeting, where consideration of the amended franchise agreement would be conducted in a public hearing pursuant to BCC 23.235, which will include an opportunity for the public to present testimony. The Board could approve the agreement as presented or may direct staff to resume negotiations with Republic Services to include specific topics as identified by the Board.

The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both Benton County and Republic Services. At such time as the terms have been agreed upon, and the Board is satisfied that public input has been adequately included or addressed in the renewed agreement, the franchise agreement will be the subject of a public hearing and, ultimately, approval by the Board of Commissioners at a regular board meeting.

Future Timeline for Discussing any Needed Changes to the Benton County Code Flowing from WORKGROUP Recommendations

Code Changes Process & Timeline Generally

Process. Code changes to both the Benton County General Code and the Development Code are affected through enactment of an ordinance. An ordinance is the vehicle which carries code changes.

Benton County Charter Section 14 establishes the general procedure for enacting ordinances. That section allows the ordinance to be enacted by the Board of Commissioners following two readings by title, which occur no less than 13 days apart.

In practice, the following is the usual process for the Board to consider and enact an ordinance amending the Benton County General Code.

Typically, the responsible department will identify the need for a change to a particular code provision. Depending on the change, the department may choose from a number of processes to create new code language. For example, it may solicit feedback from outside agencies or citizens; or, it may convene a workgroup to work on and develop changes; or, it may contact other governmental entities for input and examples; or, as frequently happens if the amendments are to comply with statutory changes, staff may simply make the changes as required by the new laws.

Once the department has generated the code amendment language, it will schedule a work session with the Board of Commissioners (BOC). The purpose of this work session is to inform

the Board of the need for the code amendment, the process the department used to engage the necessary interested parties and to give the Board a chance to see and understand the proposed new language.

Following the work session discussion, the Board will take one of three actions: (1) direct staff to bring the proposed code change, and the ordinance, to a public hearing at a regular board meeting; or (2) direct staff to make changes to the proposed language, re-engage interested parties or both; or (3) decline to authorize staff to bring the proposal to a public hearing.

If the Board directs staff to move the proposed amendment forward, the ordinance, with the code changes, is scheduled for a public hearing at which public testimony is taken. If the Board votes to enact the ordinance effecting the code amendment, it will conduct a reading of the ordinance title. At that point, the ordinance will be scheduled for a second reading, no less than 13 days later. The second reading takes place at a regular meeting, but not a public hearing. Once the ordinance has been read a second time, it becomes effective 30 days later.

Timeline. Following development of proposed new code language, regardless of the process used, a standard timeline for enactment would look like this:

Day 1 – Staff submits proposed language, supporting documentation and rationale to the BOC office for placement on a work session agenda. This must occur at least 14 days before the scheduled work session.

Day 14 – Work session held. If BOC directs the proposal to move forward to a formal public hearing, staff must work with BOC staff to identify a date for the public hearing.

Day 21 – Staff submits proposed code amendment language, ordinance and supporting documentation to BOC staff for placement on a Board agenda.

Day 35 – Public hearing is held to consider enactment of the ordinance and adoption of the new code language. If enacted, a first reading is conducted.

Day 49 – The Board conducts the second reading of the Ordinance, formally adopting the proposed new code language.

Day 80 – Ordinance and new code language become effective.

Development Code Changes

Amending the Development Code generally follows the above process, once the matter reaches the Board of Commissioners. However, state statute and the Benton County Development Code prescribe additional process and review criteria for amendments to a county's land use regulations. The procedure for amending the Development Code text is contained in BCC 53.605 through 53.630.[120]

Initiating the Amendment. Changes to the Development Code may be initiated by the Board of Commissioners, as described above. Alternatively, the Planning Commission may initiate a text amendment, provided the Planning Commission notifies the Board of Commissioners. The BOC must then conceptually approve the amendment before the Planning Commission may hold a public hearing.

[120]The Development Code refers to this as a "text amendment," as opposed to a "zone change" which is the other amendment procedure associated with the Development Code.

Notification.

All text amendments: Notice of public hearings is published in the newspaper. The County notifies parties who, within the past year, have requested notification regarding the topic under consideration. The County also makes reasonable effort to notify parties who participated in previous legislative action on the same topic within the past four years. The County may provide notice to additional parties. The County must also provide notice to the State of Oregon Department of Land Conservation and Development not later than 35 days before the first evidentiary hearing on the proposed change (which would be the Planning Commission hearing, as noted below).

Text amendments that would limit or prohibit a use: In addition to the notification described above, individual property owners must be mailed notification if the amendment would re-zone their property or would limit or prohibit a land use currently allowed on the property. Notice must be mailed 20 to 40 days[121] before the first public hearing.

Text amendments to conform to changes in state law: No notification or public hearing pursuant to the Development Code is required. Notification and public hearing held by the Board of Commissioners, as required by the Benton County Charter and discussed above for amending the General Code, is still required.

Public Hearings. The Planning Commission conducts a public hearing, receives public testimony, deliberates, and makes a recommendation to the Board of Commissioners. The BOC then holds a subsequent public hearing to make the final decision, as described above for the Benton County General Code.

Decision Criteria. The Development Code does not list specific criteria for text amendments. However, the adopted Development Code must be consistent with the Benton County Comprehensive Plan and with applicable statewide planning goals, Oregon statute and administrative rules.

Timeline. In practice, the timeline for amending the Development Code varies depending on the complexity of the topic, the clarity of any applicable guidance from state statute, rules or goals, the level of public participation, and the staff time available for the endeavor. The quickest text amendments take approximately four months from initiation to the ordinance going into effect. Most text amendments take longer, typically six to nine months. Complex topics requiring significant research, public input, numerous drafts and revisions can take one to two years or longer.

Process for Proposing Changes to General Code or Development Code

1. Identify topic areas or code sections where amendments are desired.
2. Determine whether it is the County General Code or the Development Code that should be amended, as this determines the amendment procedure.
3. Articulate desired outcomes.
4. Identify any requests of the process (such as interest groups to involve, research to consult, public engagement processes) and level of urgency.

[121]Or, at least 30 days if the amendment results from a requirement of periodic review of the comprehensive plan pursuant to state law ORS 197.

Land Use File No. PC-83-7

1) Question: Were the site plan and narrative in PC-83-7 regulatory conditions of approval?

Answer: No.

Discussion:

The Board adopted the applicant's site plan and narrative in PC-83-07 as "findings" but did not specifically adopt them as conditions of approval. Findings are not conditions of approval. Rather, they explain how the decision was reached and the facts the decision maker relied on to determine compliance with a criterion. For compliance with specific findings to be enforceable they must be made conditions of approval.

The conditions that were adopted through the 1983 decision, described as "conditions of development", specified changes to be made to the applicant's site plan. Compliance with those revisions was not required as a condition of approval; the conditions required only that the revisions be submitted. The decision did not describe these revisions as necessary to establish compliance with any approval criteria and required only submission of additional documentation and a revised narrative.

Because a) the site plan and narrative, while relied upon as findings, were not made conditions of approval, and because b) the conditions imposed in PC-83-07 that required changes to the site plan did not require those changes on the basis that they were necessary to establish compliance with any criterion but rather required only that they be submitted, the site plan and narrative are not conditions approval of PC-83-07.

2) Question: Clarify when formal approval of landfilling Cell 6 (current quarry) was granted.

Answer: The subcommittee concludes that PC-83-7 included the quarry area in the area approved for landfills

Discussion:

Land Use File PC-83-7 has been interpreted by Benton County, including in the 2002 MOU, as authorizing landfilling of the area known as Cell 6, the current quarry. The record in PC-83-07 does not clearly specify that the portion of the property containing the current quarry is authorized for landfilling. However, the Board of Commissioners' findings in PC-83-7 state that 194 acres are approved for landfilling on the property north of Coffin Butte Road; that the total area of the property in the LS zone is approximately 266 acres; and that 59.23 acres of the LS zone are located south of Coffin Butte Road. That leaves approximately 207 acres north of Coffin Butte Road. Given that several areas are clearly shown on the 1983 site plan as being designated open space/buffer, there is no possible configuration of 194 acres out of the 207 acres total that does not include the current quarry area. Based on this analysis, this subcommittee concludes that quarry area was included in the area approved for landfills by PC-83-7.

Appendix C4: Subcommittee Reports: Past Land Use Application Conditions

Introduction

The subcommittee's report is intended to provide an overview of all the Coffin Butte historical documents, starting in 1974, relating to land use provided to the Subcommittee by Benton County as of November 2022. It provides the context needed to better understand how Benton County got to where it is now regarding the Coffin Butte Landfill. All files were reviewed in depth by, at a minimum, the public members of the subcommittee (Catherine Biscoe, Edward Pitera, Mark Yeager).

The subcommittee's report contains a summary and plain language evaluation of each of the historical files. Where possible, real-world examples are used to explain a review. Some situations point to a need for further information from the Oregon Department of Environmental Quality (DEQ). Other situations are annotated as possibly involving requirements stated in the 50-year long historical record that may have been superseded by legal interpretations of land use decisions or new laws or modified by subsequent decisions.

Table 2. Assessments of Land Use Application Conditions of the subcommittee's report provides an overview of 13 historical documents representing 85 conditions of approval or other information contained in the reviewed files. The 85 conditions include 17 associated with power generation and 12 associated with the quarry. Although all conditions were reviewed, the subcommittee's efforts focused on the 56 associated with the landfill. The public members and the County indicated their evaluation of each condition in eight clearly defined categories including "In Compliance", "Compliance Unclear", "Not In Compliance", "No Opinion" etc. The Republic evaluations tended to be as comments making it difficult to summarize how close to consensus the three parties were.

Evaluations of legal theories impacting the enforceability of past land use decisions can be found in the section authored by the Legal Subcommittee with commentary where appropriate from public members of this subcommittee. Some key situations where the Legal Subcommittee findings point to Land Use commitments that may no longer be enforceable are: 1) limitations on the geographical area sending solid wastes to Coffin Butte (1974 CP-74-01) due to legal precedents; 2) screening the landfill from view from County roads, plus how the site is to appear and be used after solid waste disposal operations stop (1983 PC-83-07 / L-83-07) due to how the County decision was structured; 3) A 2002 County/Republic Memorandum of Understanding which provides "evidence" that Conditions of Approval prior to 2002 have been met.

How To Use This Document

This report contains a list of land use actions that are associated with the Coffin Butte Landfill. The first table contains a comprehensive list of documents, with dates of approval and some key aspects of the document. The second table contains only those documents that were Conditional Use Permits, with one item containing two companion documents that represent map amendments to the comprehensive plan and the zoning maps along with text amendments to the comprehensive plan and the land use regulations. Each condition of approval for that application is listed. The subcommittee has provided comments for each condition and their opinions on whether the condition was completed or not by the applicant or if the condition is no longer relevant.

The titles of the land use documents contain different prefixes. The ones that are used are “CP”, “PC”, “L”, “LD”, “S”, and “LU”. This is because the naming convention used by the Planning Department has changed over time. There is no significance to the different prefixes. The second portion of the title is the year that the applicant was submitted, and the last portion is what number it is in the list of files. For example, CP-74-01. CP was the acronym for a conditional use permit at the time. The application was submitted in 1974 and it was the first application of the year, or the first conditional use application of the year depending on the naming convention at the time.

Understanding Conditions Of Approval And How They Are Applied.

Conditions of Approval are formulated with certain expectations that need to be met by the applicant.

One type of conditions is those that need to be completed before the applicant can begin the approved use (preliminary condition). The applicant normally has stated time frame, with the ability to extend, within which these conditions must be completed; if not completed, the approval is voided. There are other conditions that are meant to last the lifespan, or beyond, of the use (operating conditions). In most past land use applications, these two types of conditions have been lumped together under the title Conditions of Approval. The only way to distinguish lifespan conditions from preliminary conditions is in the wording of the condition.

More recently, planning staff have segregated the preliminary conditions from the operating conditions under the umbrella heading Conditions of Approval. If required, the segregation lumps conditions into Conditions of Preliminary Approval, or similar title, and Conditions of Operating Approval, or similar title.

One the Conditions of Preliminary Approval have been met, the applicant is granted Final Approval, a.k.a Operating Approval. This allows the applicant to proceed with development of the use. The applicant is required to comply with the lifespan, or operating, conditions but the County does not actively monitor the use to ensure that they are complying.

> An example of a preliminary condition is, “The applicant shall provide staff with a survey of the subject site.”
>
> An example of a lifespan/operating condition is, “The applicant shall be compliant with the State’s noise level standards.”

There are some conditions that cross-over from a preliminary approval to a lifespan/operating condition.

> An example of this is a requirement to plant a vegetative buffer. The requirement might be that the applicant plant a certain number of trees along the roadway, for example, and once planted that preliminary condition will be deemed complete by county staff. However, the applicant continues to have an obligation to maintain the plantings and replace any vegetation that is dead. It might not be explicitly stated, but the implicit intent of a landscape buffer condition is to shield a view and/or reduce noise, so the intent is that the applicant will maintain the landscape buffer in a healthy condition so that it continues to grow and provide a shield.

Table 1. Landfill Land Use Document Table

List of Land Use Documents associated with the Landfill

This is a list of land use applications and requests associated with the landfill. This list includes street vacations, Conditional Use Permits, Property Line Adjustments, an amendment to the comprehensive plan and zoning maps and text amendments, and Partitions. Street vacations are put forward by the county's Public Works department and approved by the Board of County Commissioners. The vacation is in effect upon approval. Property Line Adjustments and Partitions are approved by staff and there are conditions of approval required to be complete by the deadline stated in the approval, or the land use action is voided. There is nothing further to review once the conditions are completed. Only the conditions of approval in the Conditional Use Permits cited below are ones that may require long term review or actions beyond the time the applicant is given approval to proceed with the land use. A review of each condition of approval for each Conditional Use Permit is organized in the next table. Also included is the land use application amending the comprehensive plan map and text of the plan and amending the zoning map and text of the development code.

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
1	1972; CP-72-09	Preliminary communication regarding proposed landfill site.	None	Unfinished review of the proposed solid waste landfill site No conditions or conclusions.
2	1974; CP-74-01	Conditional Use Permit	PC Approved March 5, 1974; PC Decision Appealed by George Dannen and H. G. Olson March 15, 1974 (page 159 of 2 62 of the CP-74-01 pdf)	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report and Sanitary Landfill expansion. Note: 2-decisions/2-motions 1. designation of the Coffin Butte area as a regional landfill site

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
			BOC Approved	2. a motion relative to conditions, use application from Robert and Daniel Bunn/Corvallis Disposal Company including any qualifications or stipulations Planning Commission decision Conditions of Approval: 5 1. Service area defined and confined to only areas MI, WS, VA, DA, KV, MI, CO, AL, LV, and MH (defined by map enclosed) Expanding should require re-review by BCPC; 2. Site management activities should be reviewed by the County Sanitarian. Report made at least annually to BCPC by the Sanitarian. 3. Efficient leachate collection and treatment maintained. (Test) wells should be established to monitor any seepage in underground aquifers (groundwater pollution) 4. Where feasible, scars that erode face of Coffin Butte should be filled, compacted and eventual visual reclamation including screening…of subject property abutting the county road. 5. By July 1, 1977, a solid waste resource recovery system be prepared and submitted. Planning Commission decision appealed

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
				BOC upholds PC decision with following amendments and additions to conditions: Condition No.4: adds, “when plans meet DEQ approval” Condition No. 5: Date change to July 1, 1976 Condition No. 6 (new) The landfill operation shall be phased so that only a small acreage is used for fill at one time and then acreage shall be returned to grazing, another farm-type operation or other permitted use as approved by the PC and BoC Condition No.7 (new) Efforts be made to encourage voluntary separation of recoverable materials…to reduce the amount of landfill materials. What are the other file numbers if any? (post-appeal of PC#...looking for possible BoC number?) Presumed applicant/Property Owner: Bob Bunn, Corvallis Disposal Company based on 1972 pre-application correspondence Benton County Planner: Larry Bauer and Virgil Adams listed in 1972 docs

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
				1972 Pre-application work included Chemeketa Regional Model Plan (name for 5-county study) by Chemeketa Regional Operations Committee.
3	1983; PC-83-07 / L-83-07	Comprehensive Plan and Map Amendments Zoning Ordinance (Development Code) and Zoning Map amendments	BOC Approved	Amendments to the Benton County Comprehensive Plan and Plan Map (Ordinance 251), and amendments to the Zoning Ordinance and Zoning Map (Ordinance 261). Amendments to the Comprehensive Plan Text and Map, amendments to the Zoning Ordinance and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).Ord 261 – July 6, 1983 Any proposal to expand the area approved for landfill must be reviewed and approved by PC. Criteria for review includes: Provision of screening of site from public roads and adjacent property egress/ingress, site plan and reclamation plan
4	1983; LD-83-40	Minor Land Partition	CDD approved	For Tax Lots 10-4-18-301 to create a 25.8-acre forest parcel and a 38.8-acre landfill parcel
5	1983; LD-83-41	Minor Land Partition	CDD approved	To create two forest parcels of 11.37 acres (zoned FC-40) and 59.23 acres (zoned Landfill Site) Created Tax Lot 1107 and Tax Lot 1100
6	1988;	Lot Line Adjustment	CDD approved	A transfer of 37.94 acres from Tax Lot 10-4-18-800 to Tax Lot 10-4-18-1106

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
	LD-88-11			
7	1988; Board Order	Order to Vacate a portion of Tampico Ridge Subdivision	BOC Approved	Original subdivision BOC approved in 1979 with Conditions of Approval. In 1988 some conditions had not been met which appeared to support vacation order decision. Applicant/Property Owner: Valley Landfill Inc./Bill Webber, Pres. / Dan Bunn Director of Public Works: James E. Blair Vacation Order approval document is unsigned, footnote shows November 10, 1988 date. Confirmation of this decision not apparent in docs at this time
8	1988; LD-88-11	Lot Line Adjustment	CDD Approved	A transfer of 37.94 acres from parcel A to parcel B.
9	1992; LD-92-24	Property Line Adjustment	CDD Approved	To transfer 6.5 acres from 10-5-13-202/203 to 10-5-13-1000
10	1994; PC-94-03	Conditional Use Permit	CDD Approved February 16, 1994	For a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source. Applicant: Mr. Bill Webber Property Owner: Valley Landfills, Inc.

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
				Staff Contact: Bob Speaker
11	1994; PC-94-10	Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site	BOC Denied Date of Decision: January 18, 1995	Involves approximately 26 acres including expansion south of Coffin Butte Rd. Property Owner: Valley Landfills, Inc Staff Contact: Jim Allen
12	1994; PC-94-11	Conditional Use Permit	PC Conditional Approval February 28, 1995 PC Decision Appealed March 13, 1995 Jeffery Morrell Application Withdrawn March 16, 1995	To expand the area approved for a landfill within the Landfill Site Zone and update the site development plan. Notice of Decision states PC-94-11 as "A conditional use permit to update the site development plan within the area that is currently zoned Landfill Site Zone." Property Owner: Valley Landfills, Inc. Staff Contact: Jim Allen
13	1994; PC-94-12	Application to Expand or Change a Nonconforming Use	PC Approved	A change of nonconforming use from a duplex to an office within the existing structure for on-site landfill management
14	1994; LD-94-26	Property Line Adjustment	CDD approved, applicant did not complete requirements to complete the transfer, file closed	Transferred 21 acres from 10-4-19B-1600 to 10-4-18-1107

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
15	1997; S-97-58	Conditional Use Permit	Community Development and Parks Department Approved (the departments were briefly combined)	To expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW. Approval contingent on compliance with Noise Control Regulations for Industry and Commerce (OAR 340-0335-0035). "Applicant responsible for ongoing monitoring of noise levels, available upon request of Planning Official to determine compliance." Property Owner: Valley Landfills, Inc.
16	1999; PC-99-06	Conditional Use Permit	PC approved	For mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation. Update: quarry operations on this parcel have ceased
17	2002; PC-02-07	Conditional Use Permit	PC approved December 18, 2002	For landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
				Condition of Approval: 10 (Obtain approval from DEQ for landfill operations, dust-free roads, permitted sound levels, on-site parking, security fencing, operational hours, maintain dual-access/emergency road system, landfill activity limited to 600-foot contour elevation, copies of water quality, stormwater runoff and air quality permits and data) Applicant: Valley Landfills, Inc. Staff Contact: Chris Bentley
18	2002; Resolution 2002-070	Vacation of a portion of Coffin Butte Road	BOC approved	0.65 miles of road vacated, vacated a bridge at the westerly end of Coffin Butte Road that was closed in 1999
19	2003; PC-03-11	Conditional Use Permit	PC approved October 3, 2003	For excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle). Conditions of Approval: 10 (Operate within DEQ approval, dust-free roads, permitted sound levels, on-site parking, security fencing, operational hours, maintain dual-access/emergency road system, copies of water quality, stormwater runoff and air quality permits and data,

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
				landscape buffer plan to mitigate visual impacts, DSL approval for wetland activity) Property Owner: Valley Landfills Inc. Staff Contact: Chris Bentley
20	2011; LU-11-004	Pre-application meeting	Planning staff review	For placing recycling facility on Tax Lot 104180000801
21	2011; LU-11-016	Conditional Use Permit	PC approved April 6, 2011	For the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone Conditions of Approval: 1-4; also 1-10 below (Community Development Dept to determine compliance; approval valid for 2 years) Development shall comply with plans and narrative in applicant proposal, modifications require request and approval, record of declaratory statement of rights of adjacent/nearby property owners to conduct forest operations, compliance with siting standards (BCC60.405), comply with applicable facility code provisions.

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
				PC 03-11 Conditions of Approval that remain applicable: 1-10 Obtain DEQ approvals for landfill operations, dust-free roads, maximum sound levels, on-site parking, security fencing, operational hours, dual-access/emergency road system, water quality, air quality, storm-water runoff permits and data available for public inspection. Property Owner/Applicant: Valley Landfills, Inc Staff Contact: Eric Adams/Chris Bentley Planning Official: Greg Verret
22	2013; LU-13-061	Conditional Use Permit	PC approved November 5, 2013	For "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure. Conditions of Approval: 1-4; also 1-10 below (Community Development Dept to determine compliance; approval valid for 2 years) Development shall comply with plans and narrative in applicant's proposal (Attachment 'A') except as modified by conditions below; all other modifications shall require review and approval by request, declaratory statement of rights of adjacent/nearby property owners

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
				re: forest operations, any new/change to existing access shall require permit, NPDES permit requirement for construction disturbance of 1 acre or more. Conditions of Approval 1-10 from prior approvals that remain in effect: Obtain DEQ approvals for landfill operations, dust-free roads, maximum sound levels, on-site parking, security fencing, operational hours, dual-access/emergency road system, water quality, air quality, storm-water runoff permits and data available for public inspection. Property Owner/Applicant: Valley Landfills, Inc
23	2015; LU-15-001	Alteration of a nonconforming use to continue and enhance a stormwater treatment facility in the Exclusive Farm Use Zone, associated with Coffin Butte Landfill.	CDD Approved September 16, 2015	Conditions of Approval: 2 (Community Development Department will objectively determine compliance with all Conditions of Approval) Development shall substantially comply with the plans and narrative in the applicant's proposal; modifications require approval, applicant shall obtain/maintain compliance with necessary federal state and local permits for construction and operation of stormwater system described in application Property Owner/Applicant: Valley Landfills, Inc./Republic Services, Inc. Staff Contact: Chris Bentley

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
				Planning Official: Greg Verret
24	2021; LU-21-047	Conditional Use Permit to expand Coffin Butte Landfill. Republic Services proposed: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way*) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures. Closing Coffin Butte Road will likely require	PC Denied December 7, 2021; PC Decision Appealed; Appeal Withdrawn	Property Owner/Applicant: Valley Landfills, Inc./Republic Services Staff Contact: Inga Williams CAC Planning Area: North Benton (not active)

#	Date; Planning File #	Applicant Request	Result PC = Planning Commission BOC = Board of County Commissions CDD = Community Development Department	Key Aspects
		improvement of at least one other roadway in the area to accommodate increased traffic—potentially Tampico Road or Wiles and Robison Roads.		

Assessments Of Land Use Conditions

Definitions of the Compliance Phrases Used Within The Following Table:

In Compliance = Compliance demonstrated. Basis: cite basis e.g., In County Records

Not In Compliance = Basis: cite basis e.g., Need more specific information. Explanation: provide citations. References: provide when available. Suggestions or Open Items: for coming into compliance.

Compliance Status Unclear = Assessment not made due to one or more of the following: regulatory requirements not triggered, information sources not available, condition appears to have lesser environmental / ecological / economic / public safety, etc. impact, or insufficient information available.

County Requirement Superseded = Requirement no longer relevant. Cite over-riding County land use decision, DEQ reference, LUBA opinion, state statutes or administrative rules, county code, county comprehensive plan etc.

Compliance Not Demonstrated = Additional information from the County and/or DEQ needed to assess compliance.

Use Decision Provided for Background = Information in document provides useful insight of community/governmental perspectives at the time.

Note
The format for evaluation of more complex conditions by subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager is:

Subcommittee Members
Compliance Opinion:
Basis:
Explanation:
Notes:
Open Item(s)

Table 2. Assessments of Land Use Conditions

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved
Conditions of Approval			
1. The service area to be served by the Coffin Butte Site should be defined and the approval should be confined to serving only areas MI, WS, DA, KV, MI, CO, AL, LV, and MH, as defined on the enclosed map[123]. Expanding Coffin Butte to service additional areas should require a re-review by the Planning Commission.			
Comments <u>County</u> County Requirement Superseded. This condition was rendered unenforceable by a 1998 Supreme Court decision that found that limiting areas to be served by a regional landfill were unconstitutional violations of the Commerce Clause (see memorandum prepared by Legal Subcommittee and appended to their report). Prior to that, it was superseded by the 1983 land use decision adopting the Landfill Site zone and text amendments to the Benton County Code and Comprehensive Plan. <u>Workgroup Committee</u> • Unable to accept this assessment until additional research is complete. • Modified in 1983, but still relevant as to intent – not sure how to rank this…with every land use application there has consistently been discussion about how much Benton County residents did not want out-of-county waste being deposited into the landfill; I believe the meeting minutes reflect that the applicant stated that the landfill was just for Benton County • Republic: Republic Services acquired Coffin Butte Landfill in 2008. Certain records prior to that date may be incomplete. We agree that the changes to the County's land use regulations and subsequent conditional use approvals mean that the analysis			

[122] The Chemeketa Regional Solid Waste Program Report was produced in 1974 as part of a regional collaborative effort between Benton, Marion, Linn, Polk, and Yamhill counties (Stevens, Thompson & Runyan, Inc., 1974a). This report details recommendations and options for disposal sites, collection strategies, and other materials management approaches.

[123] The Chemeketa Regional Solid Waste Program Report labels specific Chemeketa Region Service Areas, including the general areas of Monmouth/Independence (MI), West Salem (WS), Dallas (DA), Kings Valley (KV), Corvallis (CO), Albany (AL), Lobster Valley (LV), and Monroe/Harrisburg/Halsey (MH), which are **mapped and detailed on Figure IV-7 of the Report** (Stevens, Thompson & Runyan, Inc., 1974b).

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved
Conditions of Approval			

and the conditions in the 1974 decision are no longer relevant. Further, Republic Services[124] has reported the counties of origin and tonnage for the last 20 years to the Board of Commissioners under the terms of its franchise agreement.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: Not In Compliance

Basis: RSI [Republic] Annual reports over multiple years indicate solid wastes outside of the geographical area defined in this 1974 Approval have been and continue to be disposed of at Coffin Butte e.g. (see RSI [Republic] annual report (add link to most recent report))

Explanation: Further searches of County and RSI [Republic] files are needed to establish if or when this condition was superseded to authorize landfilling materials outside of the 1974 defined area. Benton County Code 25I dated 1983 authorizes acceptance of material from Sweet Home and Lebanon. Alternatives to finding historical authorization may include BOC and Planning Commission action to void limitations on the geographic area allowed to bring material to Coffin Butte. A relevant concept is the DEQ definition of "regional" landfill. It is based on tonnage received. It does not refer to a geographic area. It is based on tonnage processed. Additional searches for State statues or regulations that prohibit counties from limiting the areas from which wastes can be received from is suggested.

Notes: Support for 1977 geographical definition found in:

- 1983 Code reference "BEFORE THE BOARD OF COMMISSIONERS FOR BENTON COUNTY, OREGON An Ordinance Amending the Benton County Comprehensive Plan and Specifically Amending the Public Facilities and Services and Environmental Quality Elements and Amending the Comprehensive Plan Map Ordinance 25I" Specific language to be inserted in the code under "Landfill and Solid Waste Policies" includes:

  "27. The Coffin Butte site shall have a landfill site designation and shall serve as a regional landfill servicing a geographical area including Linn, Polk, and Benton Counties."

[124] For ease of reference, "Republic Services" is used throughout this version of the document but depending on the topic the actual legal entity on the applicable permits documents or otherwise may be Valley Landfills, Inc.

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved

Conditions of Approval

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Note: 1974 Chemeteka report defines "regional" in physical geography terms, DEQ defines "regional" in terms of amount of tonnage received. DEQ Reference: 23) "Regional disposal site" means a disposal site that receives, or a proposed disposal site that is designed to receive more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located. As used in this subsection, "immediate service area" means the county boundary of all counties except a county that is within the boundary of the metropolitan service district. For a county within the metropolitan service district, "immediate service area" means the metropolitan service district boundary. *From <https://www.oregonlegislature.gov/bills_laws/ors/ors459.html> per B Fuller to S Imperati email 110722*

Status of search for County business related documents mentioning geographic service area:

- Franchise Agreements prior to 2020 not found. Need to find this.
- No mention of geographic service area in 2020 Franchise Agreements (https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/valley_landfills_landfill_franchise_agrmt_2020.pdf
- There is a 2016 Benton County / RSI [Republic] Memorandum of Understanding the is an "…acknowledgement that Coffin Butte Landfill will be accepting municipal solid waste currently being delivered to Waste Management's Riverbed Landfill for a term of 1-2 years, beginning in January of 2017. (https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/republic_svcs_riverbend_landfill_500952_mou_120116.pdf)

Open Item: Search DEQ permits for information allowing geographic areas to use CB Landfill.

Subcommittee Member - Republic

Disagree with subcommittee members that conclude "not in compliance." This condition was superseded by the 1983 change to the County's regulatory structure as evidenced by subsequent decisions which did not carry forward this condition. It is also evidenced by the 2002 Memorandum of Understanding between Republic and Benton County, which concluded that the Republic was in full compliance with county regulations as of that date. In any event, such locational limitations were rendered

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Conditions of Approval

unenforceable by a 1998 Supreme Court decision, which found that such limitations were unconstitutional violations of the Commerce Clause. (This decision is discussed in detail in a memorandum prepared by Legal Subcommittee and appended to their report.) This condition has been long superseded and any attempt to impose a similar condition would be unconstitutional (and is also now outside the County's scope of review under the Development Code.)

2. The site management activities conducted at Coffin Butte should be reviewed periodically by the County Sanitarian (ex-officio member of the Planning Commission). A report of compliance to all state and local standards should be made at least once annually to the Planning Commission by the Sanitarian.

Comments

<u>County</u>

County Requirement Superseded. First, this condition is directed at the county to complete, not the applicant, and should not have even been included as a Condition of Approval for the applicant. Second, staff has come across minutes and other documents that reference annual reporting by the County Sanitarian to the Planning Commission. Third, subsequent to the Solid Waste Advisory Committee being instituted, this information was relayed to that group, not the Planning Commission. Fourth, currently, the County Sanitarian has been replaced by a Solid Waste and Water Quality Program Coordinator.

<u>Workgroup Committee</u>

- The report was supposed to be annual but this assessment only mentions one year. More information needed to confirm compliance.
- I see annual reports dating back to 2005. Were there annual reports submitted before then?
- Replaced by DSAC in 1983, but still relevant as to intent; if DSAC had been regularly informed of non-compliance with conditions of approval, perhaps the landfill would have been more compliant

<u>Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager</u>

Compliance Opinion: Compliance Status Unclear

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved

Conditions of Approval

Basis: Reporting requirement may have been met by Disposal Site Advisory Committee in 1983 (Workgroup Committee Comments). DSAC records need review to ascertain if this condition is being met. SWAC reportedly receives annual landfill reports however neither the County Sanitarian not the Planning Commission are involved in reviewing the reports.

Note: Planning Commission review as PC and as Citizen Advisory Committee (CAC) per Oregon Statewide Land Use Planning Goal Number 1, is unclear at this time

Subcommittee Member - Republic

This condition was superseded by subsequent decisions that did not carry it forward.

3. Efficient leachate collection and treatment, including the old site, should be maintained by the applicant to insure against pollution of nearby waterways. In addition, wells should be established on the periphery of the solid waste site to monitor any potential seepage into underground aquifers (groundwater pollution).

Comments

County

County Requirement Superseded. This is an oversight function for DEQ. The applicant supplies a description of the leachate collection system and monitoring wells within their annual reports.

Workgroup Committee

- Disagree strongly with staff: "efficient leachate collection and treatment" is extremely relevant, a continuing problem, and in fact domestic wells have been contaminated, which should be noted in the "common understandings" document. Contamination of domestic wells has been a continuing concern of owners of parcels adjacent to the landfill, for good reason (see 1993 Coffin Butte Annual Report, the Helms Well, page 4). Current leachate treatment is impossible onsite, as promised in the most recent CUP (2003), it is certainly possible to argue that the intent of this provision was not to have landfill leachate treatment burden public facilities (the Corvallis water treatment facility is so overburdened by leachate that 15 million gallons/year +/- are trucked to a Salem facility). Let's have the discussion about whether it is "efficient" to import waste into

Date	File #	Request	Result
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Conditions of Approval

Benton County instead of diverting it to landfills with less precipitation (which consequently produce less leachate) and whether discharging dioxins/PFAS into the Willamette is "polluting…nearby waterways"

- These requirements are still relevant. Has the original collection-retention lagoon been maintained and was it effective in iterating leachate? Past members of SWAC assessed that it was not effective.
- Wells were required to monitor potential seepage of contaminants into groundwater. "Runoff" refers to surface waters, not groundwater, so this assessment does not address the original requirement.

<u>Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager</u>

Mark Yeager: The fate of leachate generated by the landfill should not simply be ignored by the County and delegated to DEQ. The requirement to "insure against pollution of nearby waterways" is very much still relevant. Trucking of leachate to Corvallis' sewage treatment plant does not result in effective treatment or insure against pollution of nearby waterways. Many of the toxic pollutants contained in leachate simply pass through the treatment plant with very little or no pollutant removal and end up in the Willamette River (PFAS, heavy metals, pesticides, pharmaceuticals, personal care products (PCP)). The Willamette River is a key recreation asset (boating, fishing, swimming, etc.) for residents of Benton County, and a source of drinking water supply for downstream residents (e.g., Adair Village).

Compliance Opinion: Compliance Not Demonstrated

Basis: A review of DEQ and RSI [Republic] records is needed. Evidence that "Efficient leachate collection and treatment…" is occurring is needed.

Explanation: It is understood from RSI [Republic] that leachate treatment no longer occurs at the landfill. Leachate is being trucked to the city sewage treatment facilities in Corvallis and Salem for treatment and discharge to the Willamette River. Evidence that treatment to levels suitable for discharge to the river is needed to confirm RSI [Republic] is in compliance.

Notes: The landfill generates about 25 million to 32 million gallons per year of leachate to be trucked off site to city treatment facilities. This volume equates to approximately twenty trucks per day traveling to Corvallis or Salem. Concerns include the impacts on county roads, road traffic, road safety and the Willamette River. Many of the toxic pollutants contained in leachate simply pass through the treatment plant with very little or no pollutant removal and end up in the Willamette River (PFAS, heavy metals, pesticides, pharmaceuticals, personal care products (PCP)). The Willamette River is a key recreation asset (boating, fishing,

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved

Conditions of Approval

swimming, etc.) for residents of Benton County, and a source of drinking water supply for downstream residents, e.g. Adair Village.

Open Items: Staff's comments on the applicability of "later conditions for run-off" to leachate need clarification. Caution to readers, "Leachate" is not the same as "runoff". [Note Out of BCTT Charge: A review treatment system performance records would be prudent.]

Subcommittee Member - Republic

Republic agrees with Staff. Leachate regulation is within the exclusive jurisdiction of DEQ. The County has no authority or expertise to regulate leachate or to adopt or impose environmental conditions or regulations that conflict or add to DEQ's regulations. Republic has permits with the City of Corvallis and the City of Salem. The cities handle the treatment of the leachate and have and must continue to comply with permits to discharge wastewater. Republic's disposal of Leachate is in compliance with its DEQ and City of Corvallis permits.

4. The scars that erode the face of Coffin Butte, when plans meet DEQ approval, shall be filled and compacted to a condition permitting re-seeding and eventual visual reclamation of the area and including screening with natural vegetation that portion of the subject property abutting the county road.

Comments

County

County Requirement Superseded. Subsequent expansions of the footprint and additions to uses on and adjacent to the site made this condition unrealistic to fulfill until the entirety of the landfill is completed. This specific condition is no longer relevant as new reclamation plans have been approved.

Workgroup Committee

- Disagree strongly with staff. "Temporary" cover of tarp-covered closed landfill cells sitting "temporarily" for a generation is clearly not the intent of this provision. Meeting minutes and applicant statements provide clarification as to the intent of this provision. This provision additionally requires "visual reclamation" of an area which has been so deformed by an accumulation of

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Conditions of Approval

garbage that is geographic in scope. This provision also addresses screening, which is also clearly a non-complied-with condition of approval.

- This was part of conditions of approval for a landfill that was then scheduled to close by 2000. The condition was not met. To date, no part of the site has been reclaimed by seeding with native vegetation. The "scars eroding the face of Coffin Butte" have in fact been increased by subsequent expansions, to a height well above the proposed grade for the currently permitted landfill design, even after expansions.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinions:

A. Physical Design Requirements: In Compliance

B. Reclamation & Visual Requirements: Compliance Status Unclear

Basis: DEQ has oversight of the geotechnical design of the landfill and has issued permits for the landfill. DEQ also regulates both the timing and scope of reclamation through closure and post closure requirements. Cessation of dumping at the landfill triggers the application of these requirements.

The appearance of the facility is the purview of Benton County. It is unclear how the County has interacted with DEQ to ensure the County's requirements for the appearance of the closed landfill are reflected in closure and post closure plans approved by DEQ.

Explanations:

- "Scars" are not defined in the CUP condition. It is presumed that "scars" refer to areas where earth or rock has been excavated from the butte. Additional landfill cells are planned to be built along this rock face. It is unclear what type of plan needs to be submitted to DEQ for approval to meet this condition?
- While this land use action is nearly 50 years old, it sets the baseline expectations for how this industrial activity can be allowed to exist as a non-compatible land use in AG, forest, and rural residential lands.

Notes:

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved

Conditions of Approval

Ref: County File: Reclamation Plan - Closure-Post Closure Plan_Report_Final. Report Title: "Worst Case" Closure and Post-Closure Plan, Coffin Butte Landfill, Benton County, Oregon, Prepared by GeoLogic, September 2020

Open Item(s): DEQ records concerning the landfill need to be reviewed.

Subcommittee Member – Republic

Republic agrees with Staff. The landfill has changed substantially since 1974 and certain areas of the landfill have been closed and covered and seeded over time per DEQ regulations. This condition is no longer relevant. Reclamation of the site will continue as cells close and will be part of the final Closure Plan.

5. That by July 1, 1976, a plan including detailed elements on design, location, management, and financing of a solid waste resource recovery system be prepared and submitted to the Planning Commission for further consideration. Until such a plan is completed, the conditional use approval shall be limited to only the sanitary landfill method of waste disposal.

Comments

County

In Compliance. The condition was completed with the creation of the 1977 Waste Control Systems, Inc. Solid Waste Management Plan

Workgroup Committee

- Needs detail, & relevant as to intent: This plan said that the landfill would close by the year 2000 and be replaced by a waste-to-energy facility. Approval of a landfill in 1974 was not a "forever landfill" – it was a bridge to a different way of dealing with solid waste. It is important to note that, in order to not repeat prior mistakes

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: In Compliance

Basis: Document (1977 Waste Control Systems, Inc. Solid Waste Management Plan)

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved

Conditions of Approval

Note: Not available via County records, subcommittee has procured and exists in appendix

6. The landfill operation shall be phased so that only a small acreage is used for fill at one time and then this acreage shall be returned to grazing, another farm-type operation or other permitted use as approved by the Planning Commission and the Board of County Commissioners.

Comments

County

County Requirement Superseded. Subsequent expansions of the footprint and additions to uses on and adjacent to the site made this condition unrealistic to fulfill until the entirety of the landfill is completed. This specific condition is no longer relevant as new reclamation plans have been approved.

Workgroup Committee

- DEQ approval of a reclamation plan does not supersede county conditions of approval. No part of the landfill has yet been restored to grazing, farming, or even natural alternatives such as native prairie vegetation.
- Disagree strongly with staff. Land use is land use, and is a County regulation. Unless specifically referred to in the land use language, DEQ has parallel, authority, not overriding authority. Land use policies deal with compatibility issues (i.e. generation of odors/dust); DEQ policies deal with environmental quality. Those are different regulatory bodies and one saying "this is OK" does not negate the authority of the other (Unless that is specified within the regulation itself, which in this case it is not)

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinions:

A. Physical Design Requirements: In Compliance

B. Reclamation & Visual Requirements: Compliance Status Unclear

A. Compliance Opinion for "small acreage" condition: In Compliance.

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved

Conditions of Approval

Basis: Based on participant observations and company testimony during September 2022 County sponsored Coffin Butte Tour (see Site Tour Notes on BCTT website).

B. Compliance Opinion for "…shall be returned to grazing…" condition: Compliance Status Unclear
Basis: Per DEQ guidance, Closure of the landfill does not occur until all disposal operations cease. Potentially this is 15 or more years from now. RSI [Republic] is not required to submit a Closure Plan until 5 years prior to Closure. In the interim, if the landfill were to close today, RSI [Republic] provides a "Worst Case" Closure and Post-Closure Plan which describes the condition the site is to be left. The current "Worst Case" plan provides for a grass cover on slopes. There is no mention of visual screening.

Explanation: Landfill operations and closure are governed by DEQ requirements. Some of the landfill areas have not received wastes since the 1990s, others since 2011. RSI [Republic] has determined areas of the landfill are "In Closure" under Federal rules. Approximately 41.7 planimetric acres have already received Final Closure. This area should already have a 1.5 feet thick Vegetative Cover per Federal requirements and be suitable for reuse.

Notes: RSI [Republic] closure representations and DEQ position:

- RSI [Republic] Ref: County File: 5Reclamation Plan - Closure-Post Closure Plan_Report_Final. Report Title: "Worst Case" Closure and Post-Closure Plan, Coffin Butte Landfill, Benton County, Oregon, Prepared by GeoLogic, September 2020

  2.3 Areas to Receive Final Closure

  The present "worst case" closure scenario consists of constructing a final cover over the existing active landfill minus the areas that have already received final closures to-date. At present, landfill liner has been constructed through Cell 5C (see Figure 1), totaling 123.5 planimetric acres of lined waste footprint. Approximately 41.7 planimetric acres have already received final closure; therefore, the area still to receive final cover is 81.8 acres.

- DEQ

  Ref. From: FULLER Brian * DEQ <Brian.FULLER@deq.oregon.gov>, Sent: Monday, November 21, 2022 5:03 PM, To: Edward Pitera Subject: RE: Cells in Closure

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved

Conditions of Approval

Our interpretation of "MSWLF Unit" is that it applies to the entire landfill not individual cells. Being that the landfill is not yet full, the "clock" on final closure has not yet started. It is common for landfills to build new cells on top of older filled cells that are in temporary cover/closure. Final closure/capping under this scenario would occur when these uppermost cells are full or waste sequencing for an area is completed. This also allows for multiple cells to share leachate and gas collection and control systems. Approval could be considered granted via DEQ approval of the Site Development Plan and through the further refined final engineered closure plans.

CFR 258.2 Definitions

Municipal solid waste landfill (MSWLF) unit means a discrete area of land or an excavation that receives household waste, and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under § 257.2 of this chapter. A MSWLF unit also may receive other types of RCRA Subtitle D wastes, such as commercial solid waste, nonhazardous sludge, very small quantity generator waste and industrial solid waste. Such a landfill may be publicly or privately owned. A MSWLF unit may be a new MSWLF unit, an existing MSWLF unit or a lateral expansion. A construction and demolition landfill that receives residential lead-based paint waste and does not receive any other household waste is not a MSWLF unit.

Open Items: A pathway to achieve the County's expectations of what closure of the landfill will look like is needed.

Subcommittee Member – Republic

Republic agrees with staff. Republic notes that the active landfill area remains approximately the same size when the Landfill moves from one cell to another. This has been true for the life of the Landfill.

7. That efforts be made to encourage voluntary separation of recoverable materials such as tin, aluminum, paper, glass, etc. to reduce the amount of landfill materials.

Comments

County

In Compliance. The applicant has and is fulfilling this condition.

Workgroup Committee

Date	File #	Request	Result
1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report[122] and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved

Conditions of Approval

- Some efforts have been made but they have been largely ineffective. Benton County's ratio of recycling to landfilling has not improved appreciably since the 1970s.
- Presumably the intent of this provision was to have recycling efforts contribute to increasing the life of the landfill. Currently, Benton County could go to zero waste tomorrow, and presumably, the landfill would still take in the maximum volume cap within a short time, because of the new owner's vertical integration. This should be noted in the Common Understandings document.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: Compliance Status Unclear

Explanation: RSI [Republic] is "In Compliance" in Benton County based on personal experience but Benton County contributes less than 10% of the total volume sent to the landfill and is only one of more than 20 counties RSI [Republic] draws material from.

Subcommittee Member – Republic

Republic is in compliance with this condition, and since 1974 has gone much further in encouraging and making it easier to recycle. Goals/targets for recycling are appropriate considered as part the LTMMP process but are not appropriately considered as part of the CUP process. The regulatory framework has changed significant since 1974.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

1. Cross reference the narrative and the map in both documents.

Clarification On Content Needed. See Subcommittee Comments

Comments

County

In Compliance. The narrative was updated to provide information related to conditions 1 through 7. The updated narrative is found in the document titled "PC-83-07-C(3)" starting on Page 3 of 60

Workgroup Committee

- impossible to assess with missing narrative

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager *Clarification Of Condition Content

Information in "PC-83-07-C(3)" includes requirements for terracing, post closure grazing and "…will be consistent with the expected future use of these lands as indicated by the existing farm and forest land use designations."

Note: County records incomplete although referred to in "PC-83-07-C(3)" no site plan is included.

Excerpts follow:
Reclamation, physical layout, and maintenance provisions: From pdf file pages 4 & 5 (original document page 4)

"ii. Reclamation (Conditions No. 2 and 6)
When completed the present landfill area (see site development map) will appear as a low terrace rising from Coffin Butte Road into the site. The expansion area, labelled " Additional Landfill Disposal Areas" on the site plan, will consist when completed of a series of terraces progressing up the lower south slope of Coffin Butte. Each
terrace in the expansion area will consist of a +/- 12 ft, high vertical " confinement berm" sloping3/ 1, and a 10 20 ft, wide horizontal surface at 2% slope. The overall slope of the terraced hillside will be similar to the existing slope. An upgradient cutoff drainage system see site plan will be provided to intercept seasonal surface drainage and route it around the new fill

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

area. The feasibility of reclaiming the site in this manner is discussed in the attached letter dated May 23, 1983, prepared for Valley Landfills by Sweet, Edwards & Assoc., geological consultants.

All disposal areas, including the terraces, will be reclaimed for pasture. Portions of this landfill property including the completed disposal area site plan, as well as some of the outside lands in the vicinity of the landfill, are v.arrently use for this purpose. The area within the landfill reclaimed for pasture will be maintained by periodic regrading and replanting as required to compensate for settling. Otherwise, maintenance will consist of farming methods commonly used for pastureland."

Reclamation From pdf file page 4: (original document page 2)

"Reclamation of the: landfill in the manner described will be compatible with the existing predominant open space and resource lands characteristics of the adjacent and surrounding lands and the current uses of these lands, and will be consistent with the expected future use of these lands as indicated by the existing farm and forest land use designations."

Reclamation From pdf file page 18 (original document page 8):

… "Reclamation of the landfill in the manner proposed will be compatible with the predominately open space and resource lands characteristics of the adjacent and surrounding lands and the current uses of these lands, and will be consistent with the expected future use of these lands as indicated by the current farm and forest land use designations.
Based on the need to provide facilities for waste disposal, the lack of any other existing or planned disposal sites within this area, the environmental, economic, social and
energy benefits from maintaining the e fisting landfill, and the established compatibility' of the landfill with the adjacent land uses, changing the land use designation for the
Coffin Butte Landfill qualifies for an Exception to Goal 4."

Reclamation From pdf file page 16 (original document page 6):

"The long- term environmental consequences of this proposal to the region served by the landfill will be to have a recognized site for waste disposal operating under a D.E.Q.- approved development plan and meeting D.E.Q. standards."

End of quotations

Compliance Opinions:

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

A. Physical Design & Geotechnical Requirements: Compliance Status Unclear
B. Reclamation Requirements: Compliance Status Unclear (Not triggered see CP-74-01 (6))

Compliance Opinion(s):

A. Compliance Opinion for Physical Design & Geotechnical Requirements: County Requirements Superseded
   Basis: Landfill design concepts conveyed in site plans from 1983 appear to be superseded by subsequent DEQ approved Site Development Plans.
   Explanation: DEQ requirements on landfill design, operation and closure have primacy over County requirements.
   Notes: County provided records are incomplete. Although referred to in "PC-83-07-C(3)", no site plan drawing is included.
   Open Item: Referred to site plan is needed since it may point to areas where DEQ approved plans incorporate County requirements.

B. Reclamation Requirements: Compliance Status Unclear (Not triggered per DEQ. See DEQ 2022 explanation in CP-74-01 (6))
   Basis: Closure not triggered see CP-74-01 (6)
   Explanation: Site is an on-going operation and not subject to DEQ reclamation requirements at this time.
   Notes: The reclamation requirements cited in 1983 need review. Current practices to manage the risks to human health and the environment posed by a closed landfill plus current practices for maintaining the integrity of the final cap need to be considered.
   Open Item(s): None

<u>Subcommittee Member – Republic</u>

Republic agrees with Staff. The 1983 Narrative is no longer relevant to the current operation given the subsequent CUP approvals have changed the operation.

2. Expand the narrative statement, section (1.a.ii), on reclamation to include the physical configuration of the completed landfill areas and method of maintenance of the proposed pasture uses. Include a statement regarding the effects of methane and internal heat generation on the long-term maintenance of the pasture, and include irrigation plans if proposed.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Comments

County

In Compliance. The narrative was updated to provide information related to conditions 1 through 7. The updated narrative is found in the document titled “PC-83-07-C(3)” starting on Page 3 of 60

Workgroup Committee

- impossible to assess with missing narrative
- We have not been provided with the necessary information to assess whether the narrative was amended to fully address these issues, or whether the assessment of methane generation was adequate for purpose. As noted above, there is still no "pasture" on the site.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: The first narrative is not included in the record. The revised narrative does, in fact, use the words methane, heat generation, screening, leachate, etc. Reading the narrative, it can only be concluded that none of the promises in the narrative have been completed. The most obvious of these are the restoration to pastureland, grazing, and screening. Leachate is not currently being used to irrigate the trash.

*See ‘Clarification Of Condition Content’ under Subcommittee Comments for PC-83-07 / L-83-07 Condition 1

Compliance Opinions: County Requirements Superseded

Basis: There are three aspects of this condition: Physical Configuration, Maintenance Method, and Methane Statement. Landfill design concepts conveyed in site plans from 1983 appear to be superseded by subsequent DEQ approved Site Development Plans and site closure requirements.

Notes:
“Methane Statement”

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

From pdf file pages 5 (original document page 3) “The completed disposal areas will be covered by a minimum eight inch clay cap covered by twenty-eight inches of soil. The depth of the cover will minimize the effect of methane on the pasture grasses. Similarly the cover crop should not be affected by internal heat generation. Rather, warm subsurface temperatures have proved beneficial to root development.”

Explanation: None

Open Item(s): None

Subcommittee Member – Republic

Republic agrees with staff. The 1983 narrative is no longer relevant to the operation given subsequent approvals and changes over time.

3. Describe in more detail in the narrative, the method of screening: include a description of the location, height, width, depth and physical composition of the berm; and include the type and location of vegetative screening; and include a statement regarding the long-term maintenance of the berm and vegetative screens.

Comments

County

In Compliance. The narrative was updated to provide information related to conditions 1 through 7. The updated narrative is found in the document titled “PC-83-07-C(3)” starting on Page 3 of 60

Workgroup Committee

- For this and other statements regarding "updates of the narrative, the Solid Waste working group has not been supplied with sufficient information to evaluate compliance. This same comment applies to all entries below. We are being asked to opine on these things without adequate information. I suggest that we should not be giving a rubber stamp of approval to statements that we have not actually had opportunity to examine fully -- it's both meaningless and likely to be abused in future CUP applications.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

- impossible to assess with missing narrative

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: There is a very detailed description of the promised screening in the narrative. However, none of the promises have been kept, nor has the County taken any enforcement actions to ensure completion of screening requirements.

Compliance Opinions. There are three aspects of this condition:

Physical berm: County Requirement Superseded by subsequently issued DEQ Site Development Plans
Vegetative screening: Not In Compliance
Maintenance: Not In Compliance based on current appearance of site

Basis:

Screening Requirements: physical berm, vegetative screening, and their maintenance
From pdf file pages 6 & 7 (original document page 4 & 5)
It is recognized that these conditions are from a 1983 document. Actions may have been taken at that time but the County did not provide records to substantiate compliance at that time nor continued maintenance of screening requirements.

"iii. Screening (Condition No. 3)
Additional screening will be provided in keeping with the current site screening program used at the landfill. This program consists of a keyed berm with conifers planted 10' on center along Coffin Butte Road from 99W to the landfill entrance _road, and similar plantings extending north along 99W from Coffin Butte Road to the north landfill property line.

The permanent, fixed, keyed berm is represented. on the site development plan by the solid black line labelled " Approximate Solid Waste Disposal. Boundary." As shown, the berm encompasses the present landfill area and the existing development area. The berm is 10 - 12 feet high, 10 feet wide at the top and 60 - 70 feet wide at the base, and has an outside slope of 3/ 1. The depth of the key is three feet. The berm is composed of low permeability materials from on- site sources. The berm has been hydroseeded and will be grazed.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Screening plants will consist of trees from the tree farm owned by Valley Landfills on their land south of Coffin Butte Road. Initial height of the plantings will range from 6 - 10 feet. Additional plantings can be made on the terraces to screen disposal operations on the slopes, as needed. The plantings will receive ongoing maintenance by the landfill operators."

Explanation: None

Notes: 1983 site plan drawing was not provided in the County documentation.

Open Item(s): None

Subcommittee Member – Republic

The landfill site has changed substantially since 1983, so it likely impossible to determine what was done or not done in 1983.

4. Include in the narrative the anticipated chemical composition of any leachate material to be used for irrigation south of Coffin Butte Road; and include documentation that the material to be utilized as irrigation meet federal and state standards for any run-off that may leave the property lines.

Comments

County

In Compliance. The narrative was updated to provide information related to conditions 1 through 7. The updated narrative is found in the document titled "PC-83-07-C(3)" starting on Page 3 of 60

Workgroup Comments

- For this and other statements regarding "updates of the narrative, the Solid Waste working group has not been supplied with sufficient information to evaluate compliance. This same comment applies to all entries below. We are being asked to opine on these things without adequate information. I suggest that we should not be giving a rubber stamp of approval to statements that we have not actually had opportunity to examine fully -- it's both meaningless and likely to be abused in future CUP applications.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

- impossible to assess with missing narrative

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager/

Mark Yeager: A rudimentary analysis of leachate composition is included in the revised narrative. It is now known that the chemical composition of leachate from landfills is far more complex and dangerously toxic.

Compliance Opinion: In Compliance

Basis: Analysis was provided and is still being performed on leachate sent offsite for disposal. Per RSI [Republic], leachate use for onsite irrigation ceased many years ago.

Subcommittee Member – Republic

This condition is no longer relevant because Coffin Butte no longer irrigates leachate on site. Leachate regulation has gotten stricter since 1983 and DEQ has exclusive jurisdiction over leachate. Republic continues to comply with DEQ requirements.

5. Include in the narrative review of the Environmental and Operational Factors in Art.XXX.05.A.1.(f) for the approximately 10 acres proposed for addition to the landfill area.

Comments

County

In Compliance. The narrative was updated to provide information related to conditions 1 through 7. The updated narrative is found in the document titled “PC-83-07-C(3)” starting on Page 3 of 60

Workgroup Committee

- For this and other statements regarding "updates of the narrative, the Solid Waste working group has not been supplied with sufficient information to evaluate compliance. This same comment applies to all entries below. We are being asked to opine on these things without adequate information. I suggest that we should not be giving a rubber stamp of approval to statements

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

that we have not actually had opportunity to examine fully -- it's both meaningless and likely to be abused in future CUP applications.

- impossible to assess with missing narrative, where are the 10 acres proposed for addition? need drawings

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: County Requirement Superseded

Basis: Current DEQ permits supersede this condition
From pdf file pages 7 & 8 (original document page 5 & 6)

v. Other Information Required by the Development Director (Conditions No. 5 and 7)

A review of the Environmental and Operational Factors of Art. XXX . 05. A1 is contained in a report titled Coffin Butte Sanitary Landfill Expansion Plan prepared by Randy Sweet, Geologist, and Regional Consultants, Inc. in Oct., 1977. This report was submitted to the Benton County Commissioners, Health Department, and Solid Waste Advisory Committee. A copy of this report will be made available to the Development Department if requested.

The small ponds will remain as at present for the next ten years. At the end of this period the use of the ponds and surroundings will be reevaluated and, if anything is to be done, state of the art engineering practices will be employed in conformance with the standards in effect at that time. A modified site development plan will be submitted for County review when appropriate.

Open Item: Address DEQ primacy question

Subcommittee Member – Republic

Republic Agrees with staff for some of the reasons stated above.

6. Provide a detailed reclamation plan that sets form the anticipated physical characteristics of the “terracing” including an average height and width of the terracing, provide documentation that the site is physically available to be reclaimed in this manner.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Comments

County

In Compliance. The narrative was updated to provide information related to conditions 1 through 7. The updated narrative is found in the document titled “PC-83-07-C(3)” starting on Page 3 of 60

Workgroup Committee

- For this and other statements regarding "updates of the narrative, the Solid Waste working group has not been supplied with sufficient information to evaluate compliance. This same comment applies to all entries below. We are being asked to opine on these things without adequate information. I suggest that we should not be giving a rubber stamp of approval to statements that we have not actually had opportunity to examine fully -- it's both meaningless and likely to be abused in future CUP applications.
- impossible to assess with missing reclamation plans (which would probably be in the form of drawings, not “narrative”)

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: There is a very detailed description of the promised screening in the narrative. However, none of the promises have been kept, nor has the County taken any enforcement actions to ensure completion of screening requirements.

Compliance Opinion(s): Compliance Status Unclear

Open Item: DEQ vs. County primacy. Which organization has primacy over what? A clear understanding is needed of DEQ’s and the County’s role in addressing aspects of the landfill such as design, operation, monitoring (including noise, light pollution, odor, etc.), appearance, and screening from public view, etc.

Subcommittee Member – Republic

Republic agrees with Staff.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

7. Submit for review by the Development Director a plan detailing the proposed method Valley Landfills shall use to protect the small ponds found in the Northeast corner of the property.

Comments

County

In Compliance. The narrative was updated to provide information related to conditions 1 through 7. The updated narrative is found in the document titled “PC-83-07-C(3)” starting on Page 3 of 60

Workgroup Committee

- For this and other statements regarding "updates of the narrative, the Solid Waste working group has not been supplied with sufficient information to evaluate compliance. This same comment applies to all entries below. We are being asked to opine on these things without adequate information. I suggest that we should not be giving a rubber stamp of approval to statements that we have not actually had opportunity to examine fully -- it's both meaningless and likely to be abused in future CUP applications.
- Impossible to assess with missing pond protection plans (note: presumably not in compliance since the small ponds currently appear to be buried below a large pile of waste)

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: Compliance Status Unclear

Basis:

Notes: From pages 6-8

> “The small ponds will remain as at present for the next ten years. At the end of this period the use of the ponds and surroundings will be reevaluated and, if anything is to be done, state of the art engineering practices will be employed in conformance with the standards in effect at that time. A modified site development plan will be submitted for County review when appropriate.”

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Explanation: Pond location unclear.

Notes: None

Open Item(s): Address DEQ primacy question

Subcommittee Member – Republic

Republic agrees with staff.

8. The current DEQ operational permit will expire on January 31, 1984. Valley Landfills, Inc. has been requested to submit an updated, long-term leachate control plan as part of the permit renewal process. This plan must contain provisions for a leachate storage facility so leachate irrigation will not occur on pasture lands from November 1 through May 1 of each year. The control plan must also provide for a soil study that designates present and future leachate irrigation areas. This plan must show that the amount of irrigation area available is compatible with future leachate generation volumes so metal or nutrient accumulations in the soils will remain fat below any toxicity levels.

Comments

County

County Requirement Superseded. Leachate is an oversight function of DEQ.
The requirement is for a leachate control plan, there is no requirement that states that all leachate must be treated on-site. Planning staff would not have had enough expertise to be able to dictate how leachate is handled. A CUP application is a government review of a proposed use, hauling leachate is not a land use but an action that is dependent on a land use.
The soil study referenced above was in regard to leachate irrigation areas, not a general review of soil toxicity. Since leachate is no longer disposed of through irrigation, this condition is no longer applicable.

Workgroup Committee

- DEQ does not monitor soil toxicity
- request has been made of Brian fuller, DEQ to find out if DEQ monitors soil toxicity

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

- there has never been a cup submitted to Benton County that included off-haul of all leachate generated at the landfill for treatment at municipal facilities & release into the Willamette. all cup's (1974/1983/2003) where documentation is available have contained, in the application, assertions that all leachate would be treated on-site.
- This statement is not adequate to confirm that these conditions were met, or that they were fully evaluated by DEQ. Certainly in the case of "irrigation area," any such plan did not work and as a result the leachate is being hauled to wastewater treatment plants rather than being irrigated. It would be more accurate to characterize this as a failure of design that led to non-compliance, which required alternative methods to maintain DEQ permitting.
- Republic: Republic Services maintains an active solid waste permit with the Oregon Department of Environmental Quality and is in compliance with that permit. Further, leachate irrigation ceased in the late 1990s, as a result of new regulatory rules. All leachate is sent to a local wastewater treatment plant.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: The effort to absolve the County of any responsibility for ensuring proper management and treatment of leachate ignores the County's duty to ensure compatible land use in Benton County. Leachate generation is a by-product of approving the hosting a landfill in the County. Ignoring the fate of leachate generated by the landfill is akin to approving a residential subdivision without any consideration of how and where the sewage generated is safely disposed.

The fate of leachate generated by the landfill should not simply be ignored by the County and delegated to DEQ. Trucking of leachate to Corvallis' sewage treatment plant does not result in effective treatment or insure against pollution of nearby waterways. Many of the toxic pollutants contained in leachate (PFAS, heavy metals, pharmaceuticals, personal care products, etc.) simply pass through the treatment plant with very little or no pollutant removal and end up in the Willamette River. The Willamette River is a key recreation asset (boating, fishing, swimming, etc.) for residents of Benton County, and a source of drinking water supply for downstream residents e.g. Adair Village

Compliance Opinion: County Requirement Superseded (Specific requirement no Longer Relevant)

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Basis: Leachate storage exists on site for holding leachate prior to trucking to off-site locations. No leachate is currently being land applied on landfill properties. No soil study needed

Note: Leachate processing at a wastewater treatment facility may not be an appropriate or effective treatment for leachate and subcommittee recommends further evaluation

Open Item(s): Management and effectiveness of current leachate transfer/treatment at city treatment works.

Subcommittee Member – Republic

Republic agrees with Staff. This condition is no longer relevant because Coffin Butte no longer irrigates leachate on site. Leachate regulation has gotten stricter since 1983 and Republic continues to comply with DEQ requirements.

9. As the site expands eastward, additional monitoring wells will be required. Depending on DEQ budget limitations, the permittee may have to share in the responsibility for sampling and monitoring of these wells.

Comments

County

In Compliance. This is an item under the oversight of DEQ. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.

Workgroup Committee

- Republic: Republic Services has added additional monitoring wells as required and continues to be in compliance with its DEQ permits.
- As above, there should be a check of whether DEQ has actually evaluated this. Just because DEQ approved a permit does not necessarily mean that this condition was met.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

- domestic wells have been contaminated. current subchapter part “d” dual landfill liners have been required since 1993. this technology is less than 30 years old, and may have to continue to perform for hundreds of years, during which time the liner can become brittle. the EPA has concluded that all landfills will eventually leak "no liner ... can keep all liquids out of the ground for all time. eventually liners will either degrade, tear, or crack and will allow liquids to migrate out of the unit. some have argued that liners are devices that provide a perpetual seal against any migration from a waste management unit. EPA has concluded that the more reasonable assumption, based on what is known about the pressures placed on liners over time, is that any liner will begin to leak eventually. "citation: EPA, 1988
- is any leachate collected in the secondary collection system? if so, the liner is already leaking

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: Compliance Status Unclear

Basis: Documentation unclear as to what wells involved and which organization is to provide it. Presumed in RSI [Republic] Annual Report.

Explanation: Presumed in RSI [Republic] Annual Report. Needs further information on how the reports are reviewed for compliance with site groundwater contamination goals.

Subcommittee Member – Republic

Republic agrees with Staff. Monitoring wells are within the jurisdiction of DEQ. The County can exercise no oversite of DEQ’s responsibilities. Republic has a DEQ approved Environmental Monitoring Plan that includes a map of all monitoring wells.

10. Screen the landfill operation with fencing or berms so it cannot be seen from the County Road or adjacent properties.

Comments

County

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Compliance Status Unclear. The screening may have been installed but has eroded or been removed during further site development. It should be recreated and maintained to be in compliance with the requirement.

Workgroup Committee

- Republic: Republic Services' records are incomplete, as this amendment is nearly 40 years old, and the company was neither the owner, nor the operator of the landfill at that time. However, Republic Services has planted trees to screen the landfill from Highway 99. Based on the age of the condition and the changing site conditions over the past four decades, Republic disagrees with the conclusion that this condition has not been completed.
- not in compliance document not included letter from the Oregon justice department regarding screening requirement per the 1967 highway beautification act
- There should be a more clear statement that the applicant is not in compliance with this requirement.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: The revised narrative submitted by the applicant is very detailed. None of the requirements have been completed or maintained. The County has not taken any enforcement action to ensure that these requirements be met.

Compliance Opinion: Not In Compliance

Basis: Personal observations

Subcommittee Member – Republic

Our comments remain the same. The site has changed so much since 1983 it is impossible to determine what might have done and any screening requirements imposed then would no longer be relevant to the current operation. And required screening will be addressed at the time of the new CUP (as occurred in the 2021 process.)

11. Daily cover of refuse with earth is not possible at this site due to the clay soils. The current (and future) permit addresses requiring daily compaction of refuse and require exposed refuse areas to not exceed 2 acres during the periods of October 15 to June 1 and to not exceed ¾ of an acre during all other periods. This shall be adhere to.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Comments

County

County Requirement Superseded. This is under the oversight of DEQ. The landfill uses an alternative daily cover approved by DEQ, which includes Covanta Ash material. The landfill also uses temporary cover.

Workgroup Committee

- Republic: Republic Services generally agrees with this assessment but would like the record to reflect that we do use site soils as daily cover, in addition to alternative daily covers.
- land use requirement not addressed by staff: this is a land use requirement; DEQ is not mentioned, and does not have override authority need more information: does the area of open fill exceed ¾ of an acre from June 2 through October 14? what is it now? does the area of open fill exceed 2 acres during the periods of October 15 through June 1?
- The statement here does not address whether exposed refuse areas have been limited to the acreages stated. There should be a more clear statement of whether this has been complied with, and whether the county has done any monitoring.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Using highly toxic Covanta Ash material to cover the garbage is another example of the County absolving itself from any obligation to protect Benton County residents from incompatible land uses. Oregon DEQ does not have a stellar record for effectively preventing pollution (air or water) through their permit processes.

Compliance Opinion: County Requirement Superseded by Subsequent DEQ Operating and Monitoring Permits

Notes: Unclear if there are environmental impacts of the alternative cover material used at the site such as leaching constituents in wet weather, airborne dust generation in dry weather, etc. An example issue of Covanta incinerator ash as alternate daily cover. Information on chemical composition and physical testing should be made available. Generally recognized assessments of leachable materials such as the Toxic Characteristic Leaching Procedure (TCLP) should be used.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Subcommittee Member – Republic

Our comments remain the same. Regulation of landfill cover is within DEQ's exclusive regulation and the County no authority to differ from DEQ. This condition is no longer relevant because DEQ now requires the landfill to fully cover the waste each day with soil or approved alternative daily cover.

12. Occasionally, leachate seeps through the site berms during heavy rainfall periods. If these occur in the future, a requirement to channel these flows into the leachate collection system within a timely period (i.e., 3 days) may be added.

Comments

County

County Requirement Superseded. Overseen by DEQ. This condition appears to be no longer be applicable. If the condition were still applicable, it authorizes the County to add a requirement in the future if leachate seeps through the berms. The applicant is in compliance unless a) the County has subsequently directed the applicant to channel leachate flows and b) the applicant has failed to do so; there is no evidence that both a) and b) have occurred, therefore the applicant is not out of compliance. Whether the County should have done more monitoring is a question that can be discussed but is not relevant to determining whether this condition has been complied with.

Workgroup Committee

- Republic: This condition was put in place prior to today's highly-engineered landfill design requirements. At the time, landfill liners were not required. Republic Services complies with all current regulatory requirements, which include liners. Leachate does not seep through perimeter berms.
- disagree with staff: DEQ not mentioned, therefore DEQ does not have regulatory authority. question: does leachate seep through site berms? is not answered
- Whether overseen by DEQ or not, there should be a clear statement of whether this condition has been complied with, and whether the county has ever checked on this.

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: Compliance Status Unclear

Basis: The locations the berms in question have not been provided. The berms may be along Coffin Butte Road between the road and three unlined areas (Old Closed Land, Cell 1, Cell 1A). It should be recognized that not all of the landfill cells constructed in the past 50 years were built to the same environmental standards and have different levels of leachate control.

Subcommittee Member – Republic

Republic complies the current DEQ requirements for leachate management.

13. DEQ permits are normally issued for a maximum of 5 years. As part of the permit renewal process, DEQ requires updated operational and construction plans to reflect the current permit period. As such, changes in environmental controls may be required to incorporate new technology into the landfill operation.

Comments

County

In Compliance. This is an advisory to the applicant rather than a condition that needed to be met.

Workgroup Committee

- As mentioned therefore it is appropriate to refer to DEQ compliance, although if the LUCS is not current, the permit may not be valid

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: Compliance Status Unclear

Basis: Compliance not demonstrated. Need DEQ solid waste permits from period 1983 to 2000.

Subcommittee Member – Republic

Date	File #	Request	Result
1983	PC-83-07 L-83-07	Amendments to the Comprehensive Plan Text and Map, amendments to the Development Code and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.
Conditions of Approval			
This condition is no longer relevant. There have been multiple iterations of subsequent DEQ permits since 1983.			

Date	File #	Request	Result
1994	PC-94-03	A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.	Community Development Department Approved

Conditions of Approval

1. The facility shall be housed in a structure approximately 50 by 100 feet or less in size, as described in the application materials.

Comments

County

In Compliance. Original generator building 3,900 square feet. Superseded by subsequent expansion approval.

Workgroup Committee

- missing information: application materials
- This is actually a really great way to answer a factual question. Allowable structure size, 5000 sf, built structure, 3,900 square feet, that's verifiable data. It would of course be good to have the application materials, since that is referenced (for example, were other building materials specified?)

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: None given as of 12/11/22

Basis: Low Priority

Subcommittee Member – Republic

Republic agrees with staff.

2. Noise levels shall comply with the New Industrial and Commercial Noise Standards (OAR 30403-355)-as measured at the nearest dwellings existing on the date of approval of this conditional use permit.

Comments

County

In Compliance. Noise testing completed in 1997.

Workgroup Committee

Date	File #	Request	Result
1994	PC-94-03	A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.	Community Development Department Approved

Conditions of Approval

- noise is an issue at the landfill and 1997 was a long time ago -- ensure the facility is still in compliance; verify that noise standards have not been updated
- Was there ever a follow-up study after the facility was expanded?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: To ensure land use compatibility, compliance with noise requirements cannot be a snapshot in time. Periodic testing and monitoring to ensure continued compliance is required and the County does not monitor or enforce land use (e.g., noise impacts) requirements.

Compliance Opinion: Compliance Status Unclear

Basis: County staff represent that compliance with noise limits is driven by resident complaints. More detailed information on the County process for receiving, managing, and resolving complaints of this nature is needed to establish if this condition is being met.

Subcommittee Member – Republic

Republic agrees with staff. The condition required compliance at approval. Whether other members of the committee think the condition was inadequate can't be collaterally attacked after 18 years and isn't relevant to whether the power plant complied.

3. The applicant is responsible for ongoing monitoring of noise levels. Upon request of the Planning Official, the applicant shall provide the County with sufficient information to determine whether the facility is in compliance with Condition 2 of this permit.

Comments

County

In Compliance. The applicant is only required to provide documentation at the request of the Planning Official. Available records do not indicate any such requests by the Planning Official.

Workgroup Committee

Date	File #	Request	Result
1994	PC-94-03	A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.	Community Development Department Approved

Conditions of Approval

- Republic: Republic Services agrees with the County's assessment. Our available records do not indicate any such requests by the Planning Department.
- County has not monitored.
- noise is an issue at the landfill: ask the applicant to demonstrate that the facility is in compliance

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: To ensure land use compatibility, compliance with noise requirements cannot be a snapshot in time. Periodic testing and monitoring to ensure continued compliance is required and the County does not monitor or enforce land use (e.g., noise impacts) requirements.

Compliance Opinion: Compliance Status Unclear

Basis: County staff represent that compliance with noise limits is driven by resident complaints. More detailed information on the County process for receiving, managing, and resolving complaints of this nature is needed to establish if this condition is being met.

Subcommittee Member – Republic

This condition is only triggered if the Planning Official so requests. If there is no evidence that the Planning Official ever made such a request, then the power plant has been in compliance.

4. The applicant shall obtain and comply with all applicable permits from Oregon Department of Environmental Quality (DEQ). The applicant shall provide copies of all DEQ permits to the County.

Comments

County

In Compliance. The requirement is that the applicant send a copy of the DEQ permit to the county, so the county is simply a receiving body for this information. This is a standard type of condition that ties a county permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency

Date	File #	Request	Result
1994	PC-94-03	A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.	Community Development Department Approved

Conditions of Approval

determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

Workgroup Committee

- when was the most recent LUCS on file at DEQ completed?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: Compliance Not Demonstrated

Basis: No record of required action provided.

Subcommittee Member – Republic

This condition was imposed on the power plant.

5. Expansion of the generating capacity of the facility is authorized under this permit as long as all conditions of approval, including those specifying building size and noise levels, are met. The Planning Official may require that the applicant obtain a new conditional use permit in order to expand the facility if, in his judgment, conditions existing at the time of the proposed expansion warrant a conditional use review.

Comments

Staff

In Compliance. The applicant submitted for a new CUP approval (S-97-58) for the expansion of the facility.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: Compliance Not Demonstrated

Basis: No record of required compliance with noise levels provided.

Note: need to add CUP document reference as notated above in staff comment

Date	File #	Request	Result
1994	PC-94-03	A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.	Community Development Department Approved

Conditions of Approval

6. Lighting shall be located so that it does not face directly, shine or reflect glare onto an adjacent street or property.

Comments

County

In Compliance. Monitoring of this condition is complaint driven. Staff has no records of complaints regarding lights at the power generation facility.

Workgroup Committee

- County has not monitored
- Not enough information to determine if this condition is met.
- staff comment is non-responsive; check the facility at night
- While we are on the landfill tour on Saturday, I heard you [Ian] talking with Joel Geier, and the subject of the arc lamps on the scene came up (photo attached). You told Joel that the lamps were not used mornings, only in afternoons. However, I went out this morning at 6 am and saw that the lights were indeed already on atop Coffin Butte, and there appeared to be operations going on, as I could see the red taillights of trucks moving around up there also. So it seems you are mistaken about the use of the arc lamps, and have been for some time. All last winter, for example, the lights were on every workday morning. I know this because I can see them from where I live when I go out to get the paper, weather permitting. They were on even if I got up at 5 am.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Can the County describe the system for documenting, responding to, and resolving complaints received? A complaint driven system of enforcement is unsatisfactory, particularly when Benton County residents are unaware of specific requirements and certainly rely on Benton County staff to monitor and enforce land use requirements.

Compliance Opinion: Compliance Not Demonstrated

Basis: No record of addressing compliance with lighting complaints provided.

Date	File #	Request	Result
1994	PC-94-03	A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.	Community Development Department Approved

Conditions of Approval

Subcommittee Member – Republic

We note that this condition only applies to lighting at the power plant. There is no evidence that power plant has ever been in violation of this condition or that there have been any complaints. We would say "in compliance" or "no evidence of non-compliance."

7. Obtain all required septic, access, building, plumbing, mechanical, electrical, and other applicable permits prior to construction.

Comments

County

In Compliance. Staff was able to find the following permits: Electrical - C9500565, C9501197, C9600514, C9600852. No building permits were found but this does not mean that they were not submitted, it is more a function of the county's issues related keeping track of old records. Ultimately, if the permits had not been submitted and approved and the building inspected then the building could not have been put into use.

Workgroup Committee

- septic/ada/building/plumbing/mechanical? certificate of occupancy?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: None given as of 12/11/22

Basis: Low Priority

Date	File #	Request	Result
1994	PC-94-10	Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site.	BOC Denied

Conditions of Approval

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager believe that the record and rational of this land use proceeding is relevant to the evolution of the Coffin Butte Landfill.

Compliance Opinion: None given as of 12/11/22

Basis: Low Priority

Review of the record in this land use proceeding provides important historical context. The public comments and the Notice of Decision in this matter are critical to understanding the history of the landfill and the sentiment of the residents of Benton County at that time.

Open Items: need to review this documentation

Date	File #	Request	Result
1994	PC-94-11	A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan.	PC Approved; PC Decision Appealed; Application Withdrawn

Conditions of Approval

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager believe that the record and rational of this land use proceeding is relevant to the evolution of the Coffin Butte Landfill.

Review of the record in this land use proceeding provides important historical context. The public comments and the Notice of Decision in this matter are critical to understanding the history of the landfill and the sentiment of the residents of Benton County at that time.

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

1. The Phase I generation facility shall be located in a structure approximately 75 by 85 feet; as shown in the application. The Phase 2 expansion shall be located in a building approximately 120 by 200 feet, as shown in the application materials. The Phase 2 expansion shall be located at least 300 feet from State Highway 99W, as shown in the application materials.

Comments

County

In Compliance. The expansion added 4,300 square feet to the original building.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: None given as of 12/11/22

Basis: Low Priority

2. Both the Phase 1 and Phase 2 expansions shall be constructed in accordance with the application materials. In addition, the siting standards of BCC 60.405 (2) and (3) and BCC 60.415(4), (5), (9), and (11) shall be met.

Comments

County

In Compliance. Staff was able to find the following permits: Permit B0700147 Phase I expansion & Permits B0700323, B0700416, B0700415, F0600068, B1400497. Zoning Compliance review occurs concurrent with the construction plan review to ensure that the site plan submitted with the building permit meets county regulations and conditions of approval.

Workgroup Committee

- certificate of occupancy?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

Compliance Opinion: None given as of 12/11/22

Basis: Low Priority

3. Noise levels for both Phase I and Phase 2 expansions shall comply with the Noise Control Regulations for Industry and Commerce in Oregon Administrative Rules 340-035- 0035 as measured at the nearest dwellings existing on the date of approval of this conditional use permit.

Comments

County

In Compliance. Noise Compliance Monitoring memorandum submitted on June 11, 1997, by Pacific Northwest Generating Cooperative. Subsequent to the compliance monitoring memorandum, the County would require additional testing only if there was reason to believe the noise standards were no longer being met, such as through a noise complaint received from an adjacent dwelling.

Workgroup Committee

- And were complaints received? Not enough information to determine if this condition was met.
- County has not monitored subsequent
- Is this document available to the public?
- noise is an issue at the landfill; ensure the facility is still in compliance; verify that noise standards have not been updated

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Can the County describe the system for documenting, responding to, and resolving complaints received? To ensure land use compatibility, compliance with noise requirements cannot be a snapshot in time. Periodic testing and monitoring to ensure continued compliance is required and the County does not monitor or enforce land use (e.g., noise impacts) requirements.

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

A complaint driven system of enforcement is unsatisfactory, particularly when Benton County residents are unaware of specific requirements and certainly rely on Benton County staff to monitor and enforce land use requirements.

Compliance Opinion: Compliance Status Unclear

Basis: County staff represent that compliance with noise limits is driven by resident complaints. More detailed information on the County process for receiving, managing, and resolving complaints of this nature is needed to establish if this condition is being met.

Subcommittee Member – Republic

The Power Plant was in compliance at the time of approval and there have been no complaints since.

4. The applicant is responsible for ongoing monitoring of noise levels. Upon request of the Planning Official, the applicant shall provide the County with sufficient information to determine whether the facility is in compliance with Condition 3 of this permit.

Comments

County

In Compliance. Available records do not indicate any requests for noise monitoring by the Planning Official.

Workgroup Committee

- Republic: Republic Services agrees with the County's assessment. Our available records do not indicate any such requests by the Planning Department.
- County has not monitored
- noise is an issue at the landfill; ensure the facility is still in compliance
- Not enough information

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Requiring the Applicant to self-monitor and regulate without any oversight by the County is ineffectual and a disservice to the residents of Benton County to whom County staff and the Board of Commissioners are accountable.

Compliance Opinion: Compliance Status Unclear

Basis: County staff represent that compliance with noise limits is driven by resident complaints. More detailed information on the County process for receiving, managing, and resolving complaints of this nature is needed to establish if this condition is being met.

Subcommittee Member – Republic

The Planning Official has never asked for additional information, so the Power Plant is in compliance or that there is no evidence of non-compliance.

5. The applicant shall continue to provide sanitation facilities for the generation plant employees that are located on site. The facilities shall include:

a) Drinking water within the generating plant building by a potable water container, refilled periodically;
b) A portable toilet located at the generating plant site;
c) Plumbed restroom facilities, with water closets and hot and cold running water shall be available for use by employees at the Coffin Butte Landfill office;
d) Generating plant employees shall have vehicles available for trips to the Coffin Butte Landfill office restroom facilities;
e) The maximum number of generating plant employees shall be five (5).

Comments

County

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

In Compliance. An OSHA letter from September 29, 1997, relating to the toilet facilities and drinking water stated that the facility was compliant with OSHA standards for sanitation. The County does not monitor ongoing compliance with conditions such as this, unless there is reason to believe the operation may be out of compliance.

Workgroup Committee

- applicant "shall continue"…is the facility still in compliance? is potable water still available, are the other conditions complied with? portable toilet/available vehicles/5 maximum employees?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: None given as of 12/11/22

Basis: Low Priority

6. The applicant shall obtain and comply with all applicable permits from the Oregon Department of Environmental Quality (DEQ). The applicant shall provide copies of all DEQ permits for the generation facility to the Community Development and Parks Department.

Comments

County

In Compliance. This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

Workgroup Committee

when was the most recent LUCS on file at DEQ completed?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

Compliance Opinion: Compliance Not Demonstrated

Basis: No record of required actions provided.

Subcommittee Member – Republic

This is a responsibility of the power plant.

7. Lighting shall be located so that it does not face directly, shine, or glare onto an adjacent road or property.

Comments

County

In Compliance. Monitoring of this condition is complaint driven. There are no records of any complaints. If there is current concern that the power plant lighting is out of compliance with this condition that could be investigated, but at this time there is no evidence of noncompliance.

Workgroup Committee

- check the facility at night
- County has not monitored
- Not enough information

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Can the County describe the system for documenting, responding to, and resolving complaints received? A complaint driven system of enforcement is unsatisfactory, particularly when Benton County residents are unaware of specific requirements and certainly rely on Benton County staff to monitor and enforce land use requirements to ensure compatibility.

Compliance Opinion: Compliance Not Demonstrated

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

Basis: No record of addressing compliance with lighting complaints provided.

Subcommittee Member – Republic

If there is no record of complaints and, ergo, no record that the power plant has failed to respond to complaints, then there is no basis for a conclusion that the Power Plant has done anything other than comply.

8. The property owner shall submit a declaratory statement to be recorded in the Benton County Deed Records for the subject property that recognizes the rights of adjacent forest uses, consistent with BCC 620.220().

Comments

County

In Compliance. The document was submitted and recorded.

Workgroup Committee

- provide copy in documentation

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: No compliance opinion

Basis: Low priority

9. The applicant shall prepare a site-specific development plan addressing emergency water supplies for fire protection. The plan shall be submitted to the local fire protection agency for review. The plan approved by the local fire protection agency shall be shall submitted to the Community Development and Parks Department prior to the issuance of building permits for the structure for Phase 1. A revised site-specific development plan shall be completed prior to issuance of construction permits for the Phase 2 expansion. The site development plan shall address:

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

a) Emergency access to the local water supply in the event of a wildfire or other fire-related emergency;
b) Provision of an all-weather road or driveway to within 10 feet of the edge of identified water supplies which contain 4,000 gallons or more and exist within 100 feet of the driveway or road at a reasonable grade (e.g. 12 percent or less);and
c) Emergency water supplies shall be clearly marked along the access route with a Fire District approved sign.

Comments

County

In Compliance. This is a standard requirement for a building permit. The site plan and construction drawings are reviewed by the applicable fire agency. The agency supplies a review based on adopted fire requirements and state fire codes. The building permit for the addition could not have been approved without fire review.

Workgroup Committee

- Republic: Republic Services is also conducting further research.
- appears to be not in compliance. these (plus assurance of power generation in an outage) would be a good start at considering requirements for the LS zone in a potential revisit of chapter 77
- This explanation of status cannot be accepted until the topic has been researched.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Landfill activities have a high potential of igniting fires and there have been fires previously at Coffin Butte. The potential for starting a wildfire is also great given the location of this industrial activity. Further, the frequency of power outages and landfill operations (e.g., pumps for water supply, leachate management and methane gas extraction) are dependent on reliable power supplies.

Compliance Opinion: Compliance Not Demonstrated

Basis: No record of required action provided.

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved

Conditions of Approval

Subcommittee Member – Republic

This condition was imposed on expansion of the power plant, not on the landfill. We note that the landfill maintains an onsite water truck and water stand approximately 1 mile from the landfill entrance and 1.5 miles from the power plant entrance. The landfill uses daily cover to keep the amount of waste that is uncovered and available to burn to a minimum. Operators are trained on what to do if a fire starts and how to contain it.

10. The applicant shall obtain all required septic, road approach, building, plumbing, mechanical, electrical, and other applicable permits prior to commencement of construction for both the Phase I and Phase 2 expansion. Contact the Permits Clerk and Building Official at the Community Development and Parks Department regarding permits and fees.

Comments

County

In Compliance. Standard advisory condition. Completed for Phase 1. Phase 2 of the expansion has not been utilized by the applicant.

Workgroup Committee

- CO for Phase 1? CO for Phase 2?
- Republic Services' records do not show any non-compliance issues with Phase II. While the owner/operator of Coffin Butte Landfill was the applicant for this CUP request, primary responsibility for compliance would have been with Pacific Northwest Generating Cooperative, an independent third-party contractor and not a Republic Services' subsidiary.
- What about Phase 2?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: No compliance opinion

Date	File #	Request	Result
1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved
Conditions of Approval			
Basis: Low priority			

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

1. Obtain approval of a reclamation plan from the Oregon Department of Geology and Mineral Industries or the Oregon Division of State Lands. Operation and reclamation plan shall demonstrate consistency with the intended subsequent site use.

Comments

County

In Compliance. This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

Workgroup Committee

- extraction believed to be completed, see next permit request, staff should verify. is there a CUP closeout process at Benton County CDD?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: What is the mechanism whereby any State agency is informed of a County land use action to allow an activity that requires a permit from a State agency? If the County issues an approval for a land use prior to the landowner getting the required permits, how will the County ensure that all the required permits have been received since the County does no monitoring or enforcement.

Compliance Status Unclear. No record of required action provided.

Subcommittee Member – Republic

The reclamation plan for the quarry is governed by DOGMI and the operation cannot close the site until those permits are obtained. The current reclamation plan is eventually landfill in the quarry area and cap it when the landfill closes.

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

2. if the mining is the primary cause of traffic on the unpaved public road, that road shall be kept dust-free by the applicant if dwellings are located within 300 feet of the roadway. The applicant and lease-holding operator shall endeavor to use only those public roads designated for truck usage, unless making local deliveries of mineral and aggregate resources to residential areas serviced by roads not designated for truck usage.

Comments

County

In Compliance. This would be Coffin Butte Road and this road is paved.

Workgroup Committee

- extraction believed to be completed, see next permit request, staff should verify. is there a CUP closeout process at Benton County CDD?
- Is there no equivalent condition about dropping rocks which create road hazards on the highway?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: This is a classic example of an unenforceable condition of approval – who or how will the "primary cause" of traffic be determined? Then the requirement that the applicant or quarry lease holder "endeavor" to use only roads designed for truck traffic, what does that mean? A meaningless condition that does not have any chance of being enforced. Issuing a land use approval to a property owner binds the property owner and that obligation cannot be transferred to the lease holder.

Compliance Status Unclear. No record of required action provided.

Subcommittee Member – Republic

There is no quarry traffic on any unpaved roads. The primary road that the quarry traffic uses is paved (Coffin Butte Rd). An occasional truck might use one of the roads to the north of the site to deliver gravel to a homeowner or if the county is doing maintenance on a gravel road, but is not very common. Rock trucks are not the primary traffic on any of the gravel roads surrounding the site. This condition has never been triggered.

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

3. The applicant or lease-holding operator shall provide screening to partially obscure the mining site from view by adjoining occupied property and public roads in Soap Creek Valley and north Benton County to the extent reasonable and practicable to do so. The screening shall consist of an ornamental fence or wall, a vegetated berm, or preservation of vegetated natural slope in character with the natural landscape of Soap Creek Valley.

Comments

County

County Requirement Superseded. The 1.43 acres is located along the north side of the quarry and the landfill. This is now part of a landfill cell so screening just this small piece of land is impracticable. The wording of this condition is unfortunately subjective, making determination of compliance not clear and objective.

Workgroup Committee

- Republic: Republic Services did not own Coffin Butte Landfill at this time. Therefore, we do not have detailed records about any screening that was done. While the owner/operator of Coffin Butte Landfill was the applicant for this CUP request, primary responsibility for compliance with these and other requirement would have been the third-party quarry contractor. It appears from Google Earth historical photos that the third-party contractor did make an attempt to construct some berms and screening, but Republic Services do not have access to those records.
- extraction believed to be completed, see next permit request, staff should verify. is there a CUP closeout process at Benton County CDD?
- Not in compliance. The quarry is visible for miles around.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply. Further, making an attempt to provide screening is not compliance. Again, County inability or unwillingness to monitor or enforce conditions of approval makes the whole land use review and approval process meaningless.

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

Compliance Status Unclear. Field verification needed.

4. The applicant or lease-holding operator shall ensure that the mining operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality. The applicant or lease-holding operator shall monitor noise generated by mining activities on one randomly selected day per month when noise complaints are received, notwithstanding a minimum of one time per year. Noise data and reports of findings from this monitoring shall be placed on file, in a timely way with the Benton County Community Development Department for public inspection. A berm, or other sound-absorbing construction materials such as acoustical cinder blocks or other similar methods may be used to reduce the sound off-site to levels at or below those permitted by the Oregon Department of Environmental Quality. Any sound-reduction construction will be consistent with the visual buffering required in Condition #3 above. The applicant or lease-holding operator shall limit blasting to the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday.

Comments

County

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.
- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply. Again, County inability or unwillingness to monitor or enforce conditions of approval makes the whole land use review and approval process meaningless.

Compliance Status Unclear. No record of required action provided.

Subcommittee Member – Republic

As noted above, mining has long ceased at this site. There is some evidence that the berm was constructed but has since been removed. Conditions of this CUP relating to mining operation on site are no longer relevant.

5. Provide on-site parking for employees, customers, and visitors to the mining site.

Comments

County

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.
- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?
- In compliance

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply.

Condition No. 5

No Compliance Opinion

6. Maintain a security fence between the mining operation and the public road when such road is located within 200 feet of the mining operation.

Comments

County

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.
- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?
- In compliance

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply.

No Compliance Opinion

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

7. Not excavate in a manner which would result in disturbance of perimeter fencing or screening, or would impair the intent of the reclamation plan.

Comments

County

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.
- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?
- The provision for screening has not been met, as noted above.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply.

No Compliance Opinion

8. The quarry operation hours shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday, and 7:00 a.m. and 3:00 p.m. on Saturdays. Quarrying operations shall not be conducted on Sundays.

Comments

County

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.
- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?
- Generally in compliance (the quarry has been a better neighbor than the landfill, in this regard).
- "Operating hours" seem to be where there is most reluctance to make a clear statement that the landfill is out of compliance. Three or four special kinds of "operations" are mentioned that take place outside of the operating hours that were stated as conditions for the permits. On this last issue, for comparison I took a look at Lane County's Short Mountain Landfill. That landfill only serves commercial account holders, yet they seem to be able to restrict those haulers to their stated operating hours (7 AM to 5 PM weekdays and Saturdays). Seems like there's a lesson for Benton County our working group in there.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply. Again, County inability or unwillingness to monitor or enforce conditions of approval makes the whole land use review and approval process meaningless.

Limiting “quarry operations” to 7:00 am to 5:00 pm creates a potential conflict with prior condition #4.

In Compliance: Periodic County inspections are suggested to address resident concerns.

9. The applicant shall retain the dual-access road system to provide for emergency service access to the subject site.

Comments

County

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.
- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?
- There is only one serviceable route in to the quarry site for emergency service. The bridge over Soap Creek is no longer passable for emergency vehicles (both structurally unsound and with barriers in place).

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply. Again, County inability or unwillingness to monitor or enforce conditions of approval makes the whole land use review and approval process meaningless.

Compliance Status Unclear

10. The quarrying activity shall be limited to the 600-foot contour elevation and below, as shown by the applicant on Attachment 2 to the application.

Comments

County

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.
- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?
- Google Earth images from 8/13/2020 show that quarrying activity extends up to approximately the 700 ft contour.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply. Again, County inability or unwillingness to monitor or enforce conditions of approval makes the whole land use review and approval process meaningless.

Compliance Status Unclear.

Subcommittee Member – Republic

The referenced Google Images are of the LS zoned area in which quarries are an outright permitted use, not the area of this CUP. The excavation in this area complied with the 600 foot limit.

11. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.

Comments

County

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved

Conditions of Approval

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.
- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?
- This explanation of status cannot be accepted until the topic has been researched.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply. Again, County inability or unwillingness to monitor or enforce conditions of approval makes the whole land use review and approval process meaningless.

Compliance Status Unclear. County records need to be reviewed

12. Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection.

Comments

County

County Requirement Superseded. This 1.43 acres is no longer being quarried.

Workgroup Committee

- Republic: As noted above, the owner/operator of Coffin Butte Landfill was the applicant for this CUP only because it was the property landowner. Primary responsibility for compliance with these and other requirements would have rested with the third-party quarry contractor.

Date	File #	Request	Result
1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved
Conditions of Approval			

- extraction believed to be completed, see next permit request, staff should verify. is there a cup closeout process at Benton County CDD?
- This explanation of status cannot be accepted until the topic has been researched.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: As the property owner, RS or any previous landowner cannot delegate their responsibility to comply with conditions of approval to a third-party. It is the responsibility of the landowner to comply. Again, County inability or unwillingness to monitor or enforce conditions of approval makes the whole land use review and approval process meaningless.

Compliance Status Unclear. County records need to be reviewed.

Date	File #	Request	Result
2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

1. Obtain approval from the Oregon Department of Environmental Quality for landfill operations on this site.

Comments

County

In Compliance. This is a standard type of condition that ties a county permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

Workgroup Committee

- Republic: Republic Services has obtained all the necessary approvals and permits from the Oregon Department of Environmental Quality and remains in compliance with these conditions and approvals.
- does the most recent LUCS on file with DEQ predate
- this cup application?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: What is the mechanism whereby any State agency is informed of a County land use action to allow an activity that requires a permit from a State agency? If the County issues an approval for a land use prior to the landowner getting the required permits, how will the County ensure that all the required permits have been received since the County does no monitoring or enforcement.

Compliance Status Unclear. Site plan for area of interest needs to be provided.

Subcommittee Member – Republic

Republic Services has obtained all the necessary approvals and permits from the Oregon Department of Environmental Quality and remains in compliance with these conditions and approvals. Republic has to have both permits in hand to begin operation in

Date	File #	Request	Result
2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

a new area, and the County will know because of the requirement that the Landfill file copies of the approved permits with the County.

2. In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant.

Comments

County

In Compliance. No longer applicable. Coffin Butte Road is entirely paved. The county considers this condition to be completed.

Workgroup Committee

- See previous comment on this issue re: Robison Rd. and Wiles Rd.
- The public section of Coffin Butte Road is entirely paved.
- there continue to be unpaved public roads in the vicinity of the landfill. does the landfill contribute to traffic on those roads? if so, how much?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: This is a classic example of an unenforceable condition of approval – who or how will the "primary cause" of traffic be determined? Many roads in the vicinity of the landfill are unpaved and are likely to receive traffic headed to the landfill.

No Compliance Opinion

Subcommittee Member – Republic

This condition is moot. There are no unpaved public roads serving the landfill; this condition is not applicable.

Date	File #	Request	Result
2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

3. The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality.

Comments

County

County Requirement Superseded. This condition is only applicable to the 1.43-acre site, not the entire landfill. Since the site was incorporated into a cell, this condition is no longer relevant.

Workgroup Committee

- noise is an issue at the landfill; ensure the facility is still in compliance
- Not enough information.
- Not monitored by the county.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: How and when does the County ensure that the maximum sound level has not been exceeded. Since this is another example of complaint-based enforcement, what system is in place to document, respond to, and resolve noise related complaints? The landowner cannot delegate regulatory compliance or accountability with these types of requirements to a lease-holding operator.

Compliance Not Demonstrated. No evidence of County process to capture / respond to action provided.

Subcommittee Member – Republic

There is no evidence that Republic is not in compliance.

Date	File #	Request	Result
2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

4. Provide on-site parking for employees, customers, and visitors to the landfill site.

Comments

County

In Compliance.

Workgroup Committee

- truck traffic to the landfill begins backing up HWY 99 beginning before 4:30am; ensure that traffic to the landfill does not pose a safety hazard

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No compliance opinion

Subcommittee Member – Republic

Republic has multiple parking spots at its office and scale house.

5. Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation.

Comments

County

In Compliance. Security fence is present

Workgroup Committee

Date	File #	Request	Result
2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

- check fence perimeter to ensure fencing is intact and surrounds the entire perimeter; from a casual inspection, it appears deferred maintenance may be in order

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion

Subcommittee Member – Republic

The subject property is more than 200 feet from any public road.

6. The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers.

Comments

County

County Requirement Superseded. This condition only applies to the 1.43-acre site, not the entire landfill so cannot be enforced.

Workgroup Committee

- Republic: Republic Services is in compliance with this requirement, which governs landfill operations. However, it's important to note that internal operations, which include the arrival of field personnel on-site, begins at 4:30 a.m., Monday through Friday, and at 7:30 a.m. on Saturday. Additional operations not governed by the conditional use permit include work by third party contractors on landfill infrastructure, and commercial customers, who have 24-hour access to the Landfill.
- "Operating hours" seem to be where there is most reluctance to make a clear statement that the landfill is out of compliance. Three or four special kinds of "operations" are mentioned that take place outside of the operating hours that were stated as conditions for the permits. On this last issue, for comparison I took a look at Lane County's Short Mountain Landfill. That landfill

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Conditions of Approval

only serves commercial account holders, yet they seem to be able to restrict those haulers to their stated operating hours (7 AM to 5 PM weekdays and Saturdays). Seems like there's a lesson for Benton County our working group in there.

- How does 24 hour access work with compliance to noise complaints?
- Not in compliance
- Not in compliance. See previous note regarding operating hours.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Not in Compliance. Staff and RS do not get to interpret operating hours to mean something different than what was imposed as a written condition of approval. The words are the words. By definition the industrial activity of operating an active landfill is an incompatible use in an agricultural, forest and rural residential area. As such, operating hours are critical to mitigation of the numerous deleterious effects of the landfill operation. Requiring the landfill to limit operations to mitigate impacts "The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers" means what it says, and the condition of approval was adopted by the Planning Commission. The public has a right to expect the operating hours to be enforced as approved and adopted. Beginning operations at 4:30 a.m. is a violation of this condition of approval. Under staff and RS interpretation, could the landfill operate 24 hours a day?

No Compliance Consensus for Subcommittee

Note: Condition is written poorly and would be improved with better clarification on Hours of Operation

Subcommittee Member – Republic

Republic agrees that the condition could be better written, but County's interpretation that "operating" means open to the public is at least as plausible as Mark's interpretation, particularly given the second part of the sentence which creates an exception for industrial customers. Text has to be interpreted in context, particularly given that some staff obviously have to be there 24/7.

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2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

Historically the site did operate 24 hours a day for commercial customers. That ceased in the early 2000s, but it was Republic's choice to do so and not a county requirement. We operate 5am-5pm for commercial customers. The landfill does have to have staff onsite from 4:30am-5:30pm to support the customers. This is no different than any other business that needs staff before and after their operating hours. Public customers are limited to 8am-5pm.

7. The applicant shall retain the dual-access road system to provide for emergency service access to the subject site.

Comments

County

In Compliance. Complete. The landfill is accessible from Tampico Road (via Soap Creek Road) and from Hwy 99W (via Coffin Butte Road).

Workgroup Committee

- Republic: Republic Services is in compliance with this requirement and has made a dual-access road system. Access is available via Highway 99 and Tampico Road.
- good candidate for Chapter 77 review
- This explanation of status cannot be accepted until the topic has been researched.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion

Subcommittee Member – Republic

Republic agrees with staff.

Date	File #	Request	Result
2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

8. The landfill activity shall be limited to the 600-foot contour elevation and below, as shown by the applicant on the Site Development Plan in the application.

Comments

County

In Compliance. The applicant indicates they are in compliance with this condition.

Workgroup Committee

- Republic: Republic Services is in compliance and operating within the 600-foot contour elevation as specified in the Site Development Plan.
- applicant should provide lidar, coordinate & verify with county GIS
- Not in compliance. The south face of Coffin Butte is scarred/eroded by excavations above the landfill up to approximately 675 ft elevation, per GoogleEarth images dated 8/13/2020

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Did the staff do any independent verification that the landfill is operating within the 600-foot contour?

Compliance Opinion: Compliance Status Unclear

Subcommittee Member – Republic

Republic is in compliance with 600 foot limit; the condition does not apply to parts of the landfill outside of the 1.43 acres.

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2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

9. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.

Comments

County

In Compliance. The condition only requires that copies of documentation are given to the County, not that the county review and ensure that the applicant is in compliance with DEQ conditions. The county regularly receives copies of these documents.

Workgroup Committee

- Are these available for inspection, and if so, where?
- landfill not in compliance with June surface emission methane monitoring required by DEQ; Benton County should obtain an independent assessment of overall methane emissions, arsenic levels in monitoring wells are high, odor: per public records requests, odor complaints to DEQ are not documented/investigated/logged to the extent that residents have given up on making complaints to DEQ. per testimony at CU-21-047, odors are significant enough at the landfill that people sometimes cannot leave their homes; DEQ is apparently unaware of this situation, suggested action: ask DEQ how better to communicate current odor problems at the landfill to DEQ, annual report to DEQ: for many years, the reports required by Benton County DSAC to DEQ "documenting local citizens' concerns and the manner in which the owner or operator [of the landfill] is addressing those concerns" (ORS 459.325) have not been completed and submitted as required by Oregon statute. even now, there is no DSAC meeting dedicated to this required activity. as a result, DEQ has not been informed of many of the problems that citizens experience at coffin butte landfill. dedicated DSAC meeting to which the public are invited to air landfill concerns, include the results of this meeting in DEQ annual report

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Date	File #	Request	Result
2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval

Mark Yeager: Are the reports reviewed? Any independent verification by staff that the monitoring requirements for both air quality and water quality are being met and reported as required? The June 2022 report of methane exceedances and re-testing looks suspect – 7 hours to perform first test, just over an hour for the re-test?

Compliance Status Unclear. County records need to be reviewed

Subcommittee Member – Republic

Republic is in compliance with this condition. The condition does not require (nor does the County have the authority to require) oversight of DEQ's administration of its permits.

10. Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection.

Comments

County

In Compliance. The condition only requires that copies of documentation are given to the County, not that the county review and ensure that the applicant is in compliance with DEQ conditions. The county regularly receives copies of these documents.

Workgroup Committee

- Are these available for inspection, and if so, where?
- see CUP LU-15-001 the area zoned LS is inadequate to fully contain landfill operations and as a result ancillary landfill operations spill out onto properties not zoned for landfill operations (forest conservation/exclusive farm use/rural residential). this is why the landfill has had so many applications for non-by-right land uses over the past 50 years. this is a question that should be addressed holistically, not piecemeal. once landfill operations begin to be allowed on non-landfill parcels, those non-landfill

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Conditions of Approval			

parcels, over time, become indistinguishable from landfill parcels. this incrementally blights the neighborhood and should be addressed in a bcc code revamp

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Are the reports reviewed? Any independent verification by staff that the monitoring requirements for both air quality and water quality are being met and reported as required?

Compliance Status Unclear. County records need to be reviewed

Subcommittee Member – Republic

Republic is in compliance with this condition. The condition does not require (nor does the County have the authority to require) oversight of DEQ's administration of its permits.

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

1. The applicant shall continue to operate within the approval of the Oregon Department of Environmental Quality Solid Waste Disposal Permit No 306.

Comments

County

In Compliance. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance with the County land use approval as well as DEQ rules.

Workgroup Committee

- Republic: Republic Services has obtained all the necessary approvals and permits from the Oregon Department of Environmental Quality and remains in compliance with these conditions and approvals.
- when was the most recent LUCS on file at DEQ completed?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Compliance Opinion: In Compliance

2. In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant.

Comments

County

In Compliance. Coffin Butte Road was paved.

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

Workgroup Committee

- See previous notes re: Robison Rd. and Wiles Rd.
- there continue to be unpaved public roads in the vicinity of the landfill. does the landfill contribute to traffic on those roads? if so, how much?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Same comment as before – who and how is "primary cause" defined and enforced?

Compliance Opinion: Compliance Status Unclear

Subcommittee Member – Republic

Republic agrees with Staff. All county roads to and from the landfill are paved, so this condition is moot.

3. The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality.

Comments

County

County Requirement Superseded. County monitoring of this condition is complaint-based and this condition would only have applied to landfill uses on the 9.45 acre property which has been incorporated into a larger landfill cell.

Workgroup Committee

- County does not monitor.
- noise is an issue at the landfill; ensure the facility is still in compliance

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. How and when does the County ensure that the maximum sound level has not been exceeded. Since this is another example of complaint-based enforcement, what system is in place to document, respond to, and resolve noise related complaints? The landowner cannot delegate regulatory compliance or accountability with these types of requirements to a lease-holding operator.

Compliance Not Demonstrated. No evidence of County process to capture / respond to action provided.

Subcommittee Member – Republic

Republic is in compliance, there is no evidence of any formal complaints about noise levels.

4. Provide on-site parking for employees, customers, and visitors to the landfill site.

Comments

County

In Compliance. Complied with.

Workgroup Committee

- truck traffic to the landfill begins backing up hwy 99 beginning before 4:30am; ensure that traffic to the landfill does not pose a safety hazard

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion.

Subcommittee Member – Republic

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

Queuing onto 99 happens rarely, usually doing big projects. Our gates don't open until 5:00 a.m.

5. Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation.

Comments

County

County Requirement Superseded. This condition was only applicable to the 9.45 acre site. But, all landfill areas adjacent to public roads have a security fence. Complied with.

Workgroup Committee

- check fence perimeter to ensure fencing is intact and there are no deferred maintenance issues

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion.

Subcommittee Member – Republic

This area is more than 1000 feet from any public road.

6. The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers.

Comments

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

County

County Requirement Superseded. This condition only applied to the 9.45-acre site that has been incorporated into a larger landfill cell. No operating hour requirement has been applied to the entirety of the landfill.

Workgroup Committee

- Republic: Republic Services is in compliance with this requirement, which governs landfill operations. However, it's important to note that internal operations, which include the arrival of field personnel on-site, begins at 4:30 a.m., Monday through Friday, and at 7:30 a.m. on Saturday. Additional operations not governed by the conditional use permit include work by third party contractors on landfill infrastructure, and commercial customers, who have 24-hour access to the Landfill.
- not in compliance
- Not in compliance, see previous notes on operating hours.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Not In Compliance. Staff and RS do not get to interpret operating hours to mean something different than what was imposed as a written condition of approval. The words are the words. By definition the industrial activity of operating an active landfill is an incompatible use in an agricultural, forest and rural residential area. As such, operating hours are critical to mitigation of the numerous deleterious effects of the landfill operation. Requiring the landfill to limit operations to mitigate impacts "The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers" means what it says, and the condition of approval was adopted by the Planning Commission. The public has a right to expect the operating hours to be enforced as approved and adopted. Beginning operations at 4:30 a.m. is a violation of this condition of approval. Under staff and RS interpretation, could the landfill operate 24 hours a day?

No Compliance Consensus for Subcommittee

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

Note: Condition is written poorly and would be improved with better clarification on Hours of Operation

Subcommittee Member – Republic

Republic agrees that the condition could be better written, but County's interpretation that "operating" means open to the public is at least as plausible as Mark's interpretation, particularly given the second part of the sentence which creates an exception for industrial customers. See further discussion above.

7. The applicant may relocate the eastern haul road, and shall retain the dual-access road system to provide for emergency service access to the subject site.

Comments

County

In Compliance. The landfill is accessible from Tampico Road (via Soap Creek Road) and from Hwy 99W (via Coffin Butte Road)

Workgroup Committee

- Republic: Republic Services is in compliance with this requirement. The eastern haul access road was relocated, per county regulations, during the construction of Cell 4 in 2012. Access is maintained today.
- good candidate for chapter 77 review
- This explanation of status cannot be accepted until the topic has been researched

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion

Subcommittee Member – Republic

Republic is in compliance.

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

8. Copies of water quality, stormwater runoff, and air quality permits; and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way with the Benton County Community Development Department for public inspection.

Comments

<u>County</u>

In Compliance. The requirement for the county to receive copies of the documents and the county regularly receives copies.
Appendix I
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/2021_cbl_site_development_plan_appendix_g_i.pdf

<u>Workgroup Committee</u>

- Are these documents available for public inspection, and it so, where?
- landfill not in compliance with June surface emission methane monitoring required by DEQ; Benton County should obtain an independent assessment of overall methane emissions, arsenic levels in monitoring wells are high, odor: per public records requests, odor complaints to DEQ are not documented/investigated/logged to the extent that residents have given up on making complaints to DEQ, annual report to DEQ: for many years, the reports required by Benton County DSAC to DEQ "documenting local citizens' concerns and the manner in which the owner or operator [of the landfill] is addressing those concerns" (ORS 459.325) have not been completed and submitted as required by Oregon statute. even now, there is no DSAC meeting dedicated to this required activity. as a result, DEQ has not been informed of many of the problems that citizens experience at coffin butte landfill. contamination: domestic wells have been contaminated

<u>Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager</u>

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

Mark Yeager: Are the reports reviewed? Any independent verification by staff that the monitoring requirements for both air quality and water quality are being met and reported as required? The June 2022 report of methane exceedances and re-testing looks suspect – 7 hours to perform first test, just over an hour for the re-test?

Compliance Status Unclear. County records need to be reviewed

Subcommittee Member – Republic

Republic is in compliance, and you can review the County records at the link provided by staff. The condition does not purport to give the County any oversight role with regard with DEQ's administration of its owner permits and could not do so.

9. A plan for a landscape buffer to mitigate visual impacts shall be approved by the Community Development Department. Landscape screening in the form of deciduous trees between the east triangle and Highway 99W, and a mixed deciduous/evergreen buffer shall be planted and maintained in good health by the applicant.

Comments

County

Compliance Status Unclear. The applicant indicates they placed a screen between the triangle and Hwy 99W but it either died or was destroyed by subsequent development.

Workgroup Committee

- Republic: Republic Services was unable to find records relating to this requirement, nor does it have any indication that there was any enforcement action from the County. Republic Services did plant a mitigating/vegetative buffer in 2016.
- Not in compliance
- not in compliance

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Not In Compliance. The County freely admits that it does no monitoring or enforcement of its adopted conditions of approval, and the County states that it relies on the applicant to comply with the requirements. Republic says they can't find their records related to the screening requirements and states further "nor does it have any indication that there was any enforcement action from the County." Review of this extensive record of land use actions for the landfill demonstrates this exact circumstance over and over. Apparently, the conditions of approval have absolutely no meaning and cannot be relied on to mitigate the impacts of incompatible land use activities performed at the landfill.

Compliance Opinion: Not In Compliance

Basis: Visual inspection.

Subcommittee Member – Republic

As noted previously, Republic did plant a buffer in 2016.

10. Approval shall be obtained from the Oregon Division of State Lands for any activities on the subject property that affect designated wetlands.

Comments

County

In Compliance. This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

Workgroup Committee

Date	File #	Request	Result
2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved

Conditions of Approval

- Republic: Republic Services has obtained all the necessary approvals and permits from the Oregon Department of Environmental Quality and remains in compliance with these conditions and approvals.
- Must be active monitor
- verification of compliance should be obtained. did the wetlands formerly include the small ponds that were slated for protection in the 1983 rezone

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Obviously there are or were wetlands on the property in the vicinity of the activity otherwise the County would not have added this condition of approval. It is again inexplicable that these types of requirements are not monitored or enforced. What is the point?

Compliance Opinion: Compliance Not Demonstrated.

Basis: No record of required action provided.

Subcommittee Member – Republic

Republic has obtained approval from DSL for any wetland disturbances on sit. Republic did construct mitigation wetlands as required and DSL gave their full approval that the wetlands met all requirements in 2017. That concluded Republic obligations under the permit

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

1. Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment 'A' except as modified by the approval or the conditions below. Modifications to the operation of the facility other than those addressed through this decision, including, but not limited to, the relocation of additional activities, or the configuration of relocated activities in a manner not substantially in conformance with the submitted conceptual site plan, shall require approval through a Modification of a Conditional Use Permit request (BCC 53.225).

Comments

County

In Compliance. Standard condition requiring the applicant to implement the conditional use permit as described in their application. Planning staff reviews the building permit to ensure that the site plan meets county code requirements and Conditions of Approval. The building permit would not have been issued without planning staff approval.

Workgroup Committee

- Republic: Republic Services believes it is in compliance with the terms of the 2011 conditional use permit.
- narrative not provided, attachment A not provided
- Why doesn't the county monitor compliance. considering that the county receives $X million per biennium which originally was supposed to be dedicated to issues associated with hosting a landfill?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. It is again inexplicable that these types of requirements are not monitored or enforced. What is the point of having this condition?

Compliance Opinion: Compliance Not Demonstrated.

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

Basis: No record of required action provided.

Subcommittee Member – Republic

Republic is in compliance with this site plan.

2. As required by BCC 60.220 (2) the applicant shall record a declaratory statement acknowledging the rights of adjacent and nearby property owners to conduct forest operations consistent with the Forest Practices Act and Rules prior to issuance of building permits.

Comments

County

In Compliance. Completed. Issuance of the building permit is confirmation that the declaratory statement was signed.

Workgroup Committee

- has staff verified documentation

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. No record presented. In a earlier condition of this nature, staff indicated they did not know whether this action was completed. Where is this statement in the record?

Compliance Opinion: Compliance Not Demonstrated.

Basis: No record of required action provided.

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

3. The applicant shall demonstrate compliance with the applicable siting standards specified in BCC 60.405 through materials submitted for issuance of building permits.

Comments

County

In Compliance. Standard advisory condition. Issuance of the building permit is confirmation that the siting standards were met.

Workgroup Committee

- certificate of occupancy? ADA compliance?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion

4. All new facilities constructed under this approval shall comply with the applicable provisions of Building Code, Electrical Code, Plumbing Code, Mechanical Code, Fire Code, and rules and regulations imposed by state and federal agencies.

Comments

County

In Compliance. Standard advisory condition.

Workgroup Committee

- certificate of occupancy?

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion

Conditions of Approval from PC-03-11 that remain applicable and should be continued (as of the time of this decision):	*References Conditions #'s 1 through 8 of PC-03-11*

1. (5)Obtain necessary approvals from the Oregon Department of Environmental Quality for landfill operations on this site.

Comments

County

In Compliance. Standard advisory condition. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.

Workgroup Committee

- Republic: Republic Services is in compliance with the DEQ requirement.
- DEQ permit approvals should be listed here. Are all of them up to date?
- when was the most recent LUCS on file at DEQ completed?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

Mark Yeager: Compliance Not Demonstrated. How do state agencies like DEQ become aware of some pending or approved land use action by Benton County? Having these types of requirements with no monitoring or enforcement is inexplicable. (MARK YEAGER 121622)

Compliance Opinion: Compliance Not Demonstrated.

Basis: No record of required action provided.

Subcommittee Member – Republic

As noted above several times, Republic cannot proceed with any development requiring a DEQ until it has obtained the permit. And Republic cannot get the permit from DEQ until it has obtained the County permit. The County has no authority to enforce or have any oversight over a DEQ permit. This condition is self-enforcing.

2. (6)In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant.

Comments

County

In Compliance. Coffin Butte Road is entirely paved.

Workgroup Committee

- The status assessment here does not address whether unpaved public roads were kept dust-free prior to paving. For example, Tampico Road has only been fully paved within the past 3 years, and received frequent landfill traffic. Did the applicant demonstrate compliance by performing dust suppression on that road prior to the recent paving by the county? Robison Road,

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

Wiles Road, and Rifle Range Road still receives frequent traffic associated with the landfill, as well as frequent illegal dumping. All of these are still unpaved, except for small sections of Robison Rd. east of Military Rd and at the Soap Creek crossing.

- there continue to be unpaved public roads in the vicinity of the landfill. does the landfill contribute to traffic on those roads? if so, how much?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated (121622) The comments above capture the concern – there are several unpaved roads in the vicinity of the landfill that receive landfill traffic. Who determines "primary cause" and what does the County do about it?

No Compliance Opinion Edward Pitera (112322)

Subcommittee Member – Republic

Republic agrees with staff; this condition is moot.

3. (7)The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality.

Comments

County

In Compliance. This condition only applies to the recycling and transfer station which is unlikely to create more noise than the landfilling activities.

Workgroup Committee

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

- It should be stated more clearly that compliance cannot be confirmed, as the county has never checked.
- noise is an issue at the landfill; ensure the facility is still in compliance

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated (121622) How and when does the County ensure that the maximum sound level has not been exceeded. Since this is another example of complaint-based enforcement, what system is in place to document, respond to, and resolve noise related complaints? The landowner cannot delegate regulatory compliance or accountability with these types of requirements to a lease-holding operator.

Compliance Opinion: Compliance Not Demonstrated.

Basis: No record of County process to capture / respond to complaints provided.

Subcommittee Member – Republic

There is no evidence to indicate that Republic is not in compliance with this requirement. We note that this CUP is specific to the public drop off facility. It is only in operation M-S 8am-5pm. It consists of customers hand unloading material into trailers so it is relatively quiet compared to the main landfill operation.

4. (8)Provide on-site parking for employees, customers, and visitors to the landfill site.

Comments

County

In Compliance.

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

Workgroup Committee

- truck traffic to the landfill begins backing up HWY 99 beginning before 4:30am; ensure that traffic to the landfill does not pose a safety hazard

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion Edward Pitera (112322)

Subcommittee Member – Republic

Republic is in compliance; all staff and visitors have space to park on site.

5. (9)Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation.

Comments

County

In Compliance.

Workgroup Committee

- check fence perimeter to ensure fencing is intact and there are no deferred maintenance issues

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion (Mark Yeager 121622 & Edward Pitera (112322))

Subcommittee Member – Republic

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

Republic is in compliance. The closest public road (HW 99) is more than 200 feet away from the public drop off facility.

6. (10)The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers.

Comments

County

This condition should have been revised to apply directly to the recycling and transfer station, not the entire landfill. This condition, as written, is unenforceable.

Workgroup Committee

- Republic Services: Republic Services is in compliance with this requirement, which governs landfill operations. However, it's important to note that internal operations, which include the arrival of field personnel on-site, begins at 4:30 a.m., Monday through Friday, and at 7:30 a.m. on Saturday. Additional operations not governed by the conditional use permit include work by third party contractors on landfill infrastructure, and commercial customers, who have 24-hour access to the Landfill.
- Clearly not in compliance. if landfill operations routinely start at 4:30 am M-F. Operations are operations, no way to spin this.
- Not in Compliance

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Not In Compliance (121622) Staff and RS do not get to interpret operating hours to mean something different than what was imposed as a written condition of approval. The words are the words. By definition the industrial activity of operating an active landfill is an incompatible use in an agricultural, forest and rural residential area. As such, operating hours are critical to mitigation of the numerous deleterious effects of the landfill operation. Requiring the landfill to limit operations to mitigate impacts "The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m.

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

through 5:00 p.m. on Sundays, with 24-hour access for commercial customers" means what it says, and the condition of approval was adopted by the Planning Commission. The public has a right to expect the operating hours to be enforced as approved and adopted. Beginning operations at 4:30 a.m. is a violation of this condition of approval. Under staff and RS interpretation, could the landfill operate 24 hours a day?

In Compliance Edward Pitera (112322)

Subcommittee Member – Republic

Same comment as above; the Staff interpretation is more plausible than Mark's when read in context (and the County does in fact get to interpret its conditions in the first instance).

7. (11)The applicant shall retain the dual-access road system to provide for emergency service access to the subject site.

Comments

County

In Compliance.

Workgroup Committee

- Republic: Republic Services is in compliance with this requirement. The eastern haul access road was relocated, per county regulations, during the construction of Cell 4 in 2012. Access is maintained today.
- good candidate for chapter 77 review
- This assessment of status is not possible for the working group to confirm until research has been completed.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

No Compliance Opinion (Mark Yeager 121622 & Edward Pitera (112322))

Subcommittee Member – Republic

Republic agrees with staff.

8. OMITTED	*N/A*

9. (12)Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.

Comments

County

In Compliance. The county regularly receives copies. Appendix I
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/2021_cbl_site_development_plan_appendix_g_i.pdf

Workgroup Committee

- landfill not in compliance with June surface emission methane monitoring required by DEQ; Benton County should obtain an independent assessment of overall methane emissions, arsenic levels in monitoring wells are high, odor: per public records requests, odor complaints to DEQ are not documented/investigated/logged to the extent that testimony has been given that residents have given up on making complaints to DEQ, annual report to DEQ: for many years, the reports required by Benton County DSAC to DEQ “documenting local citizens’ concerns and the manner in which the owner or operator [of the landfill] is

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

addressing those concerns" (ORS 459.325) have not been completed and submitted as required by Oregon statute. even now, there is no DSAC meeting dedicated to this required activity. as a result, DEQ has not been informed of many of the problems that citizens experience at coffin butte landfill. contamination: domestic wells have been contaminated

- These have not all been made available for public inspection. Whether this is the fault of the applicant or the county is impossible to judge, as a member of the interested public. During the 2021 CUP process, I had to use Public Information Request procedures to obtain information from DEQ that was not available from Benton County.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Are the reports reviewed? Any independent verification by staff that the monitoring requirements for both air quality and water quality are being met and reported as required?

Compliance Opinion: Compliance Status Unsure

Basis: Insufficient information provided to demonstrate compliance e.g. a documented work process, summary reports, etc.

Subcommittee Member – Republic

Republic is in compliance and the committee review the County records at the link provided by staff. The condition does not purport to give the County any oversight role with regard with DEQ's administration of its owner permits and the County has no jurisdiction to do so.

10. (13)Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection.

Comments

Date	File #	Request	Result
2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved

Conditions of Approval

County

In Compliance. The county regularly receives copies.
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/2021_cbl_site_development_plan_appendix_g_i.pdf

Workgroup Committee

- During the July 2022 DSAC meeting, Applicant's representative stated that runoff reports for the PRC composting facility were provided to DEQ but not to Benton County, because the county had never requested those explicitly. This needs to be clarified.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Are the reports reviewed? Any independent verification by staff that the monitoring requirements for both air quality and water quality are being met and reported as required?

Compliance Opinion: Compliance Status Unsure

Basis: Insufficient information provided to demonstrate compliance e.g. a documented work process, summary reports, etc.

Subcommittee Member – Republic

Republic is in compliance and the Committee can review the County records at the link provided by staff. The condition does not purport to give the County any oversight role with regard with DEQ's administration of its owner permits and the County could not do so.

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

1. Development shall comply with the plans and narrative in the applicant' s proposal identified as Attachment 'A', except as modified by the approval or the conditions below. Modifications to the operation of the facility other than those addressed through this decision, including, but not limited to, the relocation of additional activities, or the configuration of relocated activities in a manner not substantially in conformance with the submitted conceptual site plan, shall require approval through a Modification of a Conditional Use Permit request (BCC 53. 225).

Comments

County

In Compliance. This would have been checked through site plan review.

Workgroup Committee

- narrative not provided, attachment a not provided

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: This list of standard conditions that never get reviewed for compliance or enforced does not build confidence in the land use planning process in Benton County.

No Compliance Opinion

Subcommittee Member – Republic

In the absence of any evidence that Republic in not in compliance, the assumption should be that it is in compliance.

2. As required by BCC 60.220 (2), the applicant shall record a declaratory statement acknowledging the rights of adjacent and nearby property owners to conduct forest operations consistent with the Forest Practices Act and Rules prior to issuance of building permits.

Comments

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

County

In Compliance. This was recorded as required.

Workgroup Committee

- Republic: Republic Services understands this requirement. At this juncture, no building permits have been issued for this area.
- This explanation of status cannot be accepted until the topic has been researched.
- unknown compliance

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: This list of standard conditions that never get reviewed for compliance or enforced does not build confidence in the land use planning process in Benton County.

No Compliance Opinion

3. Any new access to a county road or change to an existing access shall require a permit issued through the Benton County Public Works Department.

Comments

County

In Compliance. Standard advisory condition.

Workgroup Committee

- Republic: Republic Services has not added or requested additional access and understands the stated requirement.
- have changes in landfill access received a public works permit?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

4. Disturbance of 1 Acre or More. A National Pollutant Discharge Elimination System NPDES) permit is required for all construction activities that disturb one acre or more. The NPDES permit must be obtained through Benton County Public Works and the Oregon Department of Environmental Quality.

Comments

County

In Compliance. Standard advisory condition.

Workgroup Committee

- Republic: Republic Services has not added or requested additional access and understands the stated requirement.
- have there been construction activities that disturb one acre or more? if so, have NPDES permits been obtained?
- No evidence of compliance.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. This is a new requirement and will likely make the list of standard conditions of approval that will not be monitored or enforced.

Compliance Not Demonstrated. County records need to be reviewed.

Subcommittee Member – Republic

The access and NPES are independent permitting requirements; Republic must comply with these requirements regardless of whether they are imposed as a condition of approval. That is why staff call them “advisory.” The purpose of these kinds of condition is put the applicant on notice that could be additional permitting requirements. As noted above, Republic’s operation hasn’t triggered either of these permitting requirements, so we shouldn’t be expected to prove a negative.

Conditions of Approval from prior approvals that remain in effect *(as of the time of this decision)*:	*References Conditions #’s 1 through 8 of PC-03-11*

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

1. (5)Obtain necessary approvals from the Oregon Department of Environmental Quality for Landfill operations on this site.

Comments

County

In Compliance. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.

Workgroup Committee

- Republic: This is not part of the Landfill and DEQ permits are not required. If such approvals become necessary in the future, Republic Services will obtain them.
- when was the most recent LUCS on file at DEQ completed? if the landfill is not compliant with land use conditions of aprroval, would DEQ still approve all necessary permits?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. This list of standard conditions that never get reviewed for compliance or enforced does not build confidence in the land use planning process in Benton County.

Compliance Opinion: Compliance Not Demonstrated.

Basis: No record of required action provided.

Subcommittee Member – Republic

As noted, if DEQ permits are required, then Republic must obtain those permits to proceed. The County does not need to nor has the authority to enforce DEQ's permitting requirements. This condition is only violated if DEQ finds Republic in violation. This in turn would allow the County to consider revoking the CUP. That is the purpose of these "comply with state law" requirements. More to the point, there haven't been any landfill operations on this CUP area that would trigger any permit requirements.

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

2. (6)In cases where Landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust -free by the applicant.

Comments

County

In Compliance. Coffin Butte Road is entirely paved.

Workgroup Committee

- No evidence of compliance.
- there continue to be unpaved public roads in the vicinity of the landfill. does the landfill contribute to traffic on those roads? if so, how much?

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Many previous comments submitted regarding this condition of approval. Many unpaved roads still exist in the vicinity of the landfill.

Mark Yeager: Compliance Not Demonstrated (121622) The comments above capture the concern – there are several unpaved roads in the vicinity of the landfill that receive landfill traffic. Who determines “primary cause” and what does the County do about it?
No Compliance Opinion- Edward Pitera (112322)

Subcommittee Member – Republic

Republic agrees with staff. The public roads are paved; this condition is moot.

3. (7)The applicant or lease - holding operator shall ensure that the Landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality.

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

Comments

County

In Compliance. This condition is only applicable to the staging and storage area which is unlikely to create noise greater than the landfill operation.

Workgroup Committee

- Republic: Republic Services has no record of complaints on this parcel.
- County cannot confirm compliance.
- noise is an issue at the landfill; ensure the facility is still in compliance

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Property owner cannot delegate compliance to 3rd party This list of standard conditions that never get reviewed for compliance or enforced does not build confidence in the land use planning process in Benton County.

Compliance Opinion: Compliance Not Demonstrated.

Basis: No record of County process to capture / respond to complaints provided.

Subcommittee Member – Republic

As noted above, there is no evidence complaint or violation of this standard.

4. (8)Provide on-site parking for employees, customers, and visitors to the Landfill site.

Comments

County

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

In Compliance.

Workgroup Committee

- truck traffic to the landfill begins backing up HWY 99 beginning before 4:30am; ensure that traffic to the landfill does not pose a safety hazard

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion -Edward Pitera (112322)

Subcommittee Member – Republic

Republic agrees with Staff.

5. (9)Maintain a security fence between the Landfill operation and the public road when such road is located within 200 feet of the Landfill operation.

Comments

County

In Compliance.

Workgroup Committee

- check fence perimeter to ensure fencing is intact and there are no deferred maintenance issues

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion (Mark Yeager 121622 & Edward Pitera (112322))

Subcommittee Member – Republic

Republic agrees with staff.

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

6. (10)The Landfill operation hours shall occur between 8: 00 a.m. and 5: 00 p.m. Monday through Saturday, and 12: 00 p.m. through 5: 00 p.ni. on Sundays, with 24 -hour access for commercial customers.

Comments

County

This condition should have been revised to only apply to the staging and storage area. As written, it is unenforceable.

Workgroup Committee

- Republic: This is not part of Coffin Butte Landfill operations. It is a material storage facility. There are no operating hours here.
- Clearly not in compliance
- not in compliance

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Not In Compliance (121622) Staff and RS do not get to interpret operating hours to mean something different than what was imposed as a written condition of approval. The words are the words. By definition the industrial activity of operating an active landfill is an incompatible use in an agricultural, forest and rural residential area. As such, operating hours are critical to mitigation of the numerous deleterious effects of the landfill operation. Requiring the landfill to limit operations to mitigate impacts “The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers” means what it says, and the condition of approval was adopted by the Planning Commission. The public has a right to expect the operating hours to be enforced as approved and adopted. Beginning operations at 4:30 a.m. is a violation of this condition of approval. Under staff and RS interpretation, could the landfill operate 24 hours a day?

In Compliance -Edward Pitera (112322)

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

Subcommittee Member – Republic

Republic references our prior comments on the same condition.

7. (11)The applicant shall retain the dual - access road system to provide for emergency service access to the subject site.

Comments

County

In Compliance.

Workgroup Committee

- Awaiting additional research.
- Republic: Republic Services is in compliance with this requirement. The eastern haul access road was relocated, per county regulations, during the construction of Cell 4 in 2012. Access is maintained today.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

No Compliance Opinion (Mark Yeager 121622 & Edward Pitera (112322))

Subcommittee Member – Republic

Republic is in compliance

8. *OMITTED*	N/A

9. (12)Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.

Comments

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

County

In Compliance.

Workgroup Committee

- Republic: There are no permits or monitoring data as this relates to a material storage facility.
- As noted above, these are not available for public inspection as required.
- landfill not in compliance with June surface emission methane monitoring required by DEQ; Benton County should obtain an independent assessment of overall methane emissions, arsenic levels in monitoring wells are high, odor: per public records requests, odor complaints to DEQ are not documented/investigated/logged to the extent that testimony has been given that residents have given up on making complaints to DEQ, annual report to DEQ: for many years, the reports required by Benton County DSAC to DEQ "documenting local citizens' concerns and the manner in which the owner or operator [of the landfill] is addressing those concerns" (ORS 459.325) have not been completed and submitted as required by Oregon statute. even now, there is no DSAC meeting dedicated to this required activity. as a result, DEQ has not been informed of many of the problems that citizens experience at coffin butte landfill. contamination: domestic wells have been contaminated

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated Material storage areas can and do generate stormwater runoff unless they are completely covered. How and when does the County know if permits for this facility are procured from DEQ?

Compliance Opinion: Compliance Status Unsure

Basis: Insufficient information provided to demonstrate compliance e.g. a documented work process, summary reports, etc.

Subcommittee Member – Republic

The enumerated permits and monitoring information is on file at the link previously provided by staff, which is all this condition requires. The County has no authority to conduct oversight over DEQ's permitting requirements. Further, this condition is not currently relevant to this CUP because the subject property is a grassy field that Republic might need to use someday for storage.

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval

In addition, the way the methane monitoring works is that if a methane detector registers over a certain level, Republic has to complete remediation within a set period of time and then re-monitor several times at that location. As long as the landfill follows these prescribed steps it is not out of compliance. The whole point of surface monitoring is to try to find detections and fix them. This is why the permit is structured that way.

10. (13)Copies of storm -water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection.

Comments

County

In Compliance.

Workgroup Committee

- Republic: There are no permits or monitoring data as this relates to a material storage facility.
- As noted above, these are not available for public inspection as required.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Material storage areas can and do generate stormwater runoff unless they are completely covered. How and when does the County know if permits for this facility have been issued by DEQ?

Compliance Opinion: Compliance Status Unsure

Basis: Insufficient information provided to demonstrate compliance e.g. a documented work process, summary reports, etc.

Date	File #	Request	Result
2015	LU-15-001	Alteration of a nonconforming use to continue and enhance a stormwater treatment facility in the Exclusive Farm Use Zone, associated with Coffin Butte Landfill.	Community Development Department Approved

Conditions of Approval	Current Status
1. Development shall substantially comply with the plans and narrative in the applicant' s proposal identified as Attachment A. Significant modifications to the construction or operation of the stormwater system other than those addressed through this decision shall require additional approval.	

Comments

County

In Compliance. This is a standard condition requiring applicant to implement the land use as they proposed it in the application. The County has no evidence that implementation was significantly modified from what was approved.

Workgroup Committee

- Republic: This development condition was at the County's discretion. However, as it relates to stormwater system construction and monitoring, Republic Services has all the DEQ permits necessary and is in compliance.
- attachment a is not provided
- We are missing a clear statement from the county on whether the site is in compliance, independent of DEQ. See previous comments.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Mark Yeager: Compliance Not Demonstrated. Nonagricultural uses in the EFU zone are specifically limited by ORS. Whether the continuation and alteration of a non-conforming use in the EFU zone is appropriate may be beyond the scope of this review. However, that fact that this action was approved at the staff level, and apparently at the behest of the department, requires further review. More time is needed to review the record. Was Oregon Department of Land Conservation and Development (DLCD) notified of this land use action?

Compliance Opinion: Compliance Not Demonstrated.

Basis: No record of required action provided.

Subcommittee Member – Republic

Republic is in compliance

2. The applicant shall obtain and maintain compliance with the terms of all necessary federal, state, and local permits for construction and operation of the stormwater system described in this application.

Comments

County

In Compliance. This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

Workgroup Committee

- Republic: This development condition was at the County's discretion. However, as it relates to stormwater system construction and monitoring, Republic Services has all the DEQ permits necessary and is in compliance.
- the stormwater system is in an area identified as "wetlands" – does this trigger additional permitting requirements
- We are missing a clear statement from the county on whether the site is in compliance, independent of DEQ. See previous comments.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

(Mark Yeager) Many previous comments regarding lack of system or follow up to ensure that applicant secures permits for approved activities. Meaningless condition with no follow up or enforcement.

Compliance Opinion: Compliance Not Demonstrated.

Basis: No record of required action provided

Subcommittee Member – Republic

Republic is in compliance.

Date	File #	Request	Result
2021	LU-21-047	Conditional Use Permit to expand Coffin Butte Landfill. Republic Services proposed: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way*) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures. Closing Coffin Butte Road will likely require improvement of at least one other roadway in the area to accommodate increased traffic—potentially Tampico Road or Wiles and Robison Roads.	Planning Commission Denied; PC Decision Appealed; Application Withdrawn

Comments

Workgroup Comments

- Republic Services appealed the Planning Commission's decision, but voluntarily withdrew that appeal to engage with the community and participate in the Oregon Consensus process. Republic Services and Coffin Butte Landfill remain committed to the Oregon Consensus process and this group's work. We look forward to being part of Benton County's long-term solid waste management and diversion solution strategy.

Subcommittee Members Edward Pitera, Catherine Biscoe, Mark Yeager

Use Decision Provided for Background
Subcommittee believes that the record and rational of this land use proceeding is relevant to the evolution of the Coffin Butte Landfill.
Review of the record in this land use proceeding provides important historical context. The public comments and the Notice of Decision in this matter are critical to understanding the history of the landfill and the sentiment of the residents of Benton County at that time.
Open Items: Subcommittee needs to review this documentation

Subcommittee Member – Republic

Any new CUP application filed by Republic will be a new application accompanied the appropriate studies and justifications.

Conditional Use Permit land use applications that were NOT APPROVED

Date	File #	Request	Result
1994	PC-94-10	Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site.	BOC Denied
There are no conditions proposed for a zone change.			

Date	File #	Request	Result
1994	PC-94-11	A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan.	PC Approved; PC Decision Appealed; Application Withdrawn

Planning Commission approved Conditions of Approval – as the application was withdrawn, these conditions hold no authority.

1. Limit the extent of the fill to be sited on the property to the north and east of the ridge line.
2. Limit the extent of the fill to be sited on the property to be no greater than the existing elevation of the ridge line.
3. Submit a copy of the final approved site plan map to the Development Department that shows the provisions of the site plan in BCC 77.310(2) have been met. The approved site plan shall be signed by the Planning Official when approved.
4. Submit documentation to the Development Department showing the existing fill and proposed plan would be in compliance with Department of Environmental Quality standards.

Date	File #	Request	Result
2021	LU-21-047	Conditional Use Permit to expand Coffin Butte Landfill. Republic Services proposed: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way*) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures. Closing Coffin Butte Road will likely require improvement of at least one other roadway in the area to accommodate increased traffic—potentially Tampico Road or Wiles and Robison Roads.	Planning Commission Denied; PC Decision Appealed; Application Withdrawn

Planning Department designated Conditions of Approval – as the application was withdrawn, these conditions hold no authority.

Preliminary Approval Conditions

The following Preliminary Approval Conditions shall be met within four years of the date of decision; the Planning Official may grant one extension for up to a year prior to the expiration of the preliminary approval period if the applicant makes a written extension request stating the reasons preventing completion within the approval period. Failure to complete the Preliminary Approval Conditions within the period of validity shall render this Conditional Use Permit void.

Phase 1 Preliminary Approval Conditions – Only those activities necessary to complete the following conditions are authorized until all of these Phase 1 Preliminary Approval Conditions have been met.

PA-1 Wetlands. On Tax Lot 1200, the applicant shall prepare and obtain approval from the Oregon Department of State Lands of a wetland delineation. The applicant shall relocate any portion of the project that would disturb the wetland and required buffer of the wetland.

PA-2 Site Plan Map. The applicant shall submit to the Planning Official a final site plan map of the approved proposal. The map shall contain a scale, north arrow, assessor map numbers, location of existing landfill, access, proposed alteration, leachate treatment or monitoring areas surface water systems, and existing and proposed screening (location and types of materials). A statement shall be placed on the map that the site plan map and narrative together are considered as the Site Development Plan. A signature block shall be included for the date the approval is given and the signature of the Planning Official indicating approval.

PA-3 Archaeological survey. The applicant shall complete a professional archaeological survey of the proposed expansion area, the internal road location, and the location of the employee building and leachate ponds. The applicant shall consult with all

appropriate Native American tribes and the Archaeological division of the State Historic Preservation Office regarding the proposed project. The applicant shall include County planning staff in all correspondence. The final survey shall be submitted to the State Historic Preservation Office, with a copy sent to the Planning Official. The applicant shall comply with all state and Federal laws regarding archaeological surveys and subsequent processes.

PA-4 Great Blue Heron Rookery (GBHR). The applicant shall hire a wildlife biologist experienced in surveying GBHRs and the biologist shall follow an approved survey protocol to determine whether the rookeries, identified on the map on Page 12 of the staff report, are active or have been abandoned. An active rookery must be protected or mitigated. For a rookery to be considered abandoned it must be documented to have not been used in any of the previous three years.

(a) The wildlife biologist hired by the applicant shall map the perimeter of the rookery as defined by the outermost nest trees, and then identify a 300-ft buffer of trees around the rookery. Trees within this 300-ft buffer shall not be disturbed unless the disturbance will provide better nesting habitat for the herons, or it is determined by ODFW that the rookery is abandoned.

(b) The western rookery shall be surveyed for three successive years to determine if the rookery is abandoned. Should the western rookery be determined to be active (used within the last three years) based on the surveys, the applicant shall coordinate with the ODFW to determine an appropriate mitigation plan. Additionally, the applicant shall work with the Oregon Department of Forestry to ensure compliance with the Forest Practices Act when working in this stand.

(c) The applicant's biologist shall conduct follow-up surveys of both rookeries in accordance with the following survey methodology: During each visit, surveyors would observe each heron nesting site for a 2-hour observation period during daylight hours when weather conditions are mild. A heron nest would be considered active if it has known or inferred presence of a mated pair as indicated by observance of at least one of the following activity patterns:

- Two adult herons are present on or near a nest, which has recently been repaired with fresh sticks (clean breaks) or fresh boughs on top, and/or having droppings and/or molted feathers on its rim or the ground underneath
- One adult heron is sitting low in the nest, presumably incubating
- Either adult is carrying prey to nest
- Eggs are present
- Young in nest or fledglings are present A heron nest would be considered unoccupied for the year if no presence activity (as described above) is observed during three consecutive visits.

Surveyors shall note any key components associated with a nest site, such as perching trees, fledging trees, and replacement nest trees, by observing herons use during visits.

PA-5 Covenant. If not already completed, the property owner shall sign a declaratory statement to be recorded into the County Deed Records for the subject property on which the conditional use is located that recognizes the rights of adjacent and

nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules, and that recognizes the hazards associated with the area.

PA-6 Reclamation Plan. The applicant shall submit an updated reclamation plan to the Planning Official.

PA-7 Noise.

(A) The applicant shall have prepared by noise-mitigation professionals a noise mitigation plan with strategies designed to provide sound-level compliance with applicable Oregon Administrative Rules for truck traffic on the access road and operations within the new cell. The applicant shall seek input from adjacent property owners.

(B) Along Tax Lot 1200 property line adjacent to Hwy 99W, the applicant shall plant evergreen trees in the gap between the existing evergreens and the deciduous trees. The applicant shall then plant a second row of evergreens behind the first row to provide a thicker buffer. The applicant shall also plant a row of evergreen trees along the edge of the wetland to provide a second layer of buffering behind the deciduous trees. The trees shall be at least 8 feet tall upon planting and be of a species to reach a height of at least 40 feet upon maturity.

(C) The applicant shall plant a triple row of evergreen trees along the area highlighted in yellow in the picture. The trees shall be at least 8 feet tall upon planting and be of a species that will reach a height of at least 40 feet upon maturity.

Phase 2 Preliminary Approval Conditions – Upon completion of the Phase 1 Preliminary Approval Conditions, the applicant may initiate the ground-disturbing activities identified in the following Phase 2 Preliminary Approval Conditions. Elements of this phase that do not include ground disturbance may be initiated in Phase 1.

PA-8 Coffin Butte Road. The applicant shall obtain Board of County Commissioners approval of the vacation of Coffin Butte Road.

PA-9 Public Works.

(A) Traffic counts shall be updated by a Traffic Engineering consultant licensed in the State of Oregon. The applicant shall provide an integrated, comprehensive, traffic impact analysis based on current traffic counts, classifications, and turn movement studies to address all of the issues raised in the October 22, 2021 Public Works review. Intersections to be studied will be determined by ODOT and the County Engineer.

(B) Tampico Road.

(i) The applicant shall have a Professional Land Surveyor licensed in the State of Oregon establish the extents of the Tampico Road right-of-way between Hwy 99W and Soap Creek Road.

(ii) The applicant shall survey, design, and construct Tampico Road between Hwy 99W and a point 100 feet north of the Soap Creek Intersection to Major Collector standards, with a pavement/base-rock section meeting a minimum 18” Crushed Base

Equivalent (CBE) as specified in the TSP. Additional analysis may be required to determine if this section is sufficient for the proposed facility.

(iii) The applicant shall design and construct Tampico Road drainage ditches, stormwater conveyances, connections to off- right-of-way conveyances, and detention/treatment facilities to accommodate runoff using ODOT standards, details and methodologies.

(C) The applicant has proposed the Wiles/Robison corridor as an evacuation and emergency responder route. To effect that designation, the applicant, in coordination with County Engineering staff and representatives of the Adair Rural Fire Protection District, shall analyze the Wiles/Robison corridor to determine if it is suitable for such use. Improvement of this route to serve emergency responders will require the replacement of the existing Wiles Road Bridge. If the corridor is to be utilized as an evacuation/emergency responder route, at absolute minimum, the road must meet fire department standards for two-way traffic as defined in Fire Protection Standards, Guidelines for the Application of Oregon's Fire & Safety Regulations within Linn & Benton Counties (Jointly Adopted January 1, 2020). The corridor shall be analyzed using this guideline. The costs of any improvements are unknown and are dependent on the need determined by the analysis. Any work in the right-of-way is subject to a Permit to Perform Work in the county Right-of-Way as noted in the Advisories.

(D) The applicant shall survey, design, and construct a cul-de-sac at the proposed terminus of Soap Creek Road employing Major Collector standards, with a pavement/base-rock section meeting a minimum 18" CBE as specified in the current TSP.

(i) The Soap Creek Road cul-de-sac dimensions shall conform to the most rigorous requirements of the local fire protection district.

(ii) If necessary, the applicant shall dedicate right-of-way to the public to accommodate the Soap Creek Road cul-de-sac.

(iii) Access to the vacated segment of Soap Creek Road and the southern access road will be controlled by a locked gate at the northerly terminus of the Soap Creek cul-de-sac. The gate shall be fitted with a forest access, Knox, or multiple-lock box to facilitate emergency access by authorized personnel.

(E) The applicant shall provide emergency access and egress easements over the length of the proposed southern private access road and the vacated segment of Soap Creek Road. The width and alignment of the easements shall be as approved by the County Engineer and the County Surveyor.

(F) The applicant has proposed the Wiles/Robison corridor as an evacuation and emergency responder route. A segment of Robison Road does not meet current standards for right-of-way width. In order to complete improvements, acquisition of right of way may be necessary. The cul-de-sac bulb at the northeasterly terminus of Soap Creek Road may require dedication of additional right-of-way. The applicant shall be responsible for right-of-way acquisition, if needed, to meet the road improvement conditions of this land use action.

(G) [Revised]Depending on the extent of improvements to the Tampico and Wiles/Robison corridors, modification to the Tampico/Hwy 99W and Robison/Hwy 99W intersections may be necessary. The applicant, the County, and ODOT shall work cooperatively to analyze and address the need for modification of these intersections. The scope of the analysis will be defined by the proposed use and improvement requirements for each of the corridors. The costs of intersection improvements are unknown and are dependent on the need determined by the analysis.

(H) The applicant shall provide calculations, design, and specifications for all proposed public infrastructure to Benton County Public Works staff for review and approval.

(I) The applicant shall provide the County with a proposed detailed chronological sequencing plan for accomplishment of the conditions of approval and shall work with Public Works Engineering staff to arrive at a final sequencing plan that is consistent with County Code and the Conditions of Approval. The plan shall include specific sequencing and timeline requirements for the replacement of the Wiles Road Bridge. The conditions listed here involve a series of construction requirements and quasi-judicial actions that must be achieved in a manner to protect the interests of the applicant, the public and the County's transportation system. Prior to receiving operating approval of this conditional use permit, the applicant shall fulfill ONE of the following TWO options to meet the conditions for improvements noted above:

(i) The applicant shall construct the improvements noted above as required. OR

(ii) The applicant shall enter into an Agreement for Improvements (AFI) with the County. The AFI will require security for the full amount of the work to be performed plus a 20% contingency. The security may take the form of a bond, a conditional irrevocable line of credit, or a cash deposit. The security serves to assure faithful performance of the required improvements, as outlined above, within 18 months of execution of the AFI.

(J) In order to mindfully achieve an approved sequencing plan, the applicant shall enter into an Improvement Agreement (or other binding document) with the County that specifies the obligations of both parties prior to pursuing the vacation of Coffin Butte Road. The Agreement must include all conditioned improvements to County infrastructure. This Improvement Agreement is to be separate guidance agreement and shall be independent of the AFI noted in (I)(ii) above.

Operating Approval Conditions (to be met for the duration of the business):

OA-1 Trucks using the new internal haul route shall not use Jake brakes to slow or stop their speed.

OA-2 Operating hours for the new cell shall be as follows:

(A) Monday through Friday, internal operations shall not begin prior to 5:30 am. The site may open to commercial vehicles starting at 6 am and to public vehicles starting at 8 am. The site shall close to both commercial and public vehicles at 5 pm and internal operations shall be completed by 6 pm.

(B) Saturday internal operations shall not begin prior to 7:30 am. The site shall not open to commercial and public traffic prior to 8 am and shall close to both at 5 pm. Internal operations shall be completed by 6 pm.

(C) The site shall be closed on Sunday.

(D) During an emergency, and when requested by a State, Federal, or county agency, the landfill may be opened outside of these hours.

OA-3 All vehicles being used for operations on the new cell shall be outfitted with white noise back up alarm.

OA-4 The applicant shall implement the noise mitigation strategies within the noise mitigation plan.

OA-5 Upon the Planning Official's direction, in response to noise complaints being received from adjacent property owners, the applicant shall within 90 days:

(A) Provide an updated noise study prepared by appropriate professionals addressing the complaints and identifying mitigation measures to bring any non-compliant noise levels into compliance and

(B) Implement such measures and demonstrate noise-level compliance. Such a noise study shall not be required more than once every two years.

OA-6 The applicant shall maintain the tree buffer along Hwy 99W and replace any dead trees during the rainy season.

OA-7 The applicant shall maintain the tree buffer along the access road near Parcel 1103 and replace any dead trees during the rainy season.

OA-8 Great Blue Heron Rookery. Unless modified by written agreement issued by the Oregon Department of Fish and Wildlife and with approval by Benton County:

(A) No trees shall be removed from the stand of trees that encompass any active great blue heron rookery or from the 300-ft buffer unless the disturbance will provide better nesting habitat for the herons, or it is determined by ODFW that the rookery is abandoned.

(B) During the critical nesting period for the Great blue heron, which is from February 15 through July 31, neither construction to prepare the ground or build the leachate ponds, employee building, road bed, or landfill cell shall occur within a quarter mile of the boundary of the rookery.

(C) The applicant's biologist shall monitor, for 10 years after preliminary approval, the eastern great blue heron rookery throughout the nesting season to determine site specific nesting chronology, nest productivity, the degree of habituation to disturbance, and nearby foraging habitat. The applicant's biologist shall consult with ODFW on improvements that can be

made to the site, and the applicant shall incorporate those improvements, that will enhance nesting productivity, mitigate disturbance, and enhance nearby foraging habitat.

OA-9 On all outdoor lighting, the applicant shall install light shields or use lights with the correct beam angle encased above and to the sides in order to channel the light downward and reduce the amount of light pollution.

OA-10 The final grade of the new landfill cell shall not exceed 500 feet in elevation.

OA-11 The applicant shall construct and operate the expanded landfill as described in the application materials, except as modified by these conditions of approval.

OA-12 The applicant shall obtain and maintain all required federal, state and Benton County permits for construction and operation of the landfill.

Advisory Notices:

Advisory 1. Endangered Species Act. Federal law requires that the applicant comply with the federal Endangered Species Act and is responsible for obtaining any required permit approvals from the U.S. Fish and Wildlife Service. Failure to do so may be a violation of federal law.

Advisory 2. Oregon Department of Transportation. With the proposal of vacating Coffin Butte, it is the understanding of ODOT that properties to the west which currently use Coffin Butte Road will likely now use Tampico Road, and possibly Robison Rd, as their new route. If the applicant proposes, or the County requires, improvements to the OR 99W/Tampico Road intersection and/or the 99W/Robison Road intersection, the design of such improvements would need to be reviewed and approved by ODOT. A traffic study may be required. To help make the determination if a traffic study would be required with any proposed intersection improvements, we will want to know what the existing volumes and traffic classifications using the intersection(s) are and what the new proposed volumes and traffic classifications will be due to the vacation and disconnection of Coffin Butte Road.

Advisory 3. Public Works.

(A) Existing survey monuments must be preserved and protected. Any survey monuments disturbed during construction must be replaced at the expense of the applicant or the contractor.

(B) All public improvements shall be subject to a 3-year warranty period. At the start of the 3-year warranty period, the applicant shall provide Public Works with a warranty bond in the amount of 15% of the value of the work performed within the Benton County right-of-way.

(C) The applicant shall apply and obtain approval for a Permit to Perform Work in the County right-of-way for all work within County rights of way. The permit will be issued when construction drawings are approved and all supporting documentation has been provided to the County.

(D) The applicant shall provide the County with a unit price cost estimate for the work to be performed within Benton County rights of way. This estimate shall include trenching, backfilling, paving, striping, signing, grading/restoration, seeding, mulching, fence replacement, and any required landscaping. Permit fees will be 4.0% of the estimate provided.

(E) The applicant shall obtain a DEQ 1200-C permit, and a Benton County ESC permit prior to start of land disturbing activities.

(F) The applicant shall obtain approval for all required local, state and federal permits prior to start of land disturbing activities.

(G) Construction and post-construction storm drainage discharge shall conform to the standards and tenets established by Oregon Drainage Law and shall conform to all Oregon Department of Environmental Quality and Benton County stormwater quality standards using Oregon Department of Transportation erosion and sediment control details and best management practices.

Advisory 4. Wetlands. Prior to ground disturbance, the applicant shall prepare and obtain approval from Oregon Department of State Lands of a wetland delineation and removal fill permit. Any amount of disturbance to a compensatory mitigation area requires a removal-fill permit. A Federal permit may be required by the Army Corps of Engineers.

OBSERVATIONS AND RECOMMENDATIONS

Table 3. Suggestions to the County based on observations from the land use files

Document Number from Table 1	Observations	Suggestions and Recommendations to the County
2 1974 CP-74-01	Condition 3 About 30 million gallons per year of leachate (about twenty 5,500 gallon tank trucks per day) are trucked offsite to city treatment systems	Consider the impact of leachate management on traffic safety, road maintenance, and Willamette River (water, sediments, wildlife, etc.) in future assessment of the impact of landfilling in Benton County. Also consider the impact on the functioning of the wastewater treatment plant and impact on the service life of the facility. Financial considerations should be transparent. Republic Disagrees: The County has no authority to regulate leachate; that is within the exclusive jurisdiction of DEQ, as is wastewater treatment. The impact of truck traffic generated by the Landfill on the public street system has to be judged under the same criteria as applied to any other user and may not be based on the type of cargo.
2	Condition 6 Per DEQ guidance, Closure of the landfill does not occur until all disposal operations cease. Potentially this is 15 or more years from now. RSI [Republic] is not required to submit a Closure Plan until 5 years prior to Closure. In the interim, if the landfill were to close today, RSI [Republic] provides a "Worst Case" Closure and Post-Closure Plan which describes the condition the site is to be left. The current "Worst Case" plan provides for a grass cover on slopes. There is no mention of visual screening.	The issue of when the landfill is ready for reclamation and what that reclamation will look like needs to be clarified to appropriately manage community expectations for the ultimate disposition of the landfill. It is suggested the County bring some clarity to this condition by: 1. reevaluating the appropriateness of the …"shall be returned to grazing, another farm-type operation…". Questions to consider include: Given current public perceptions of landfills, does it make sense to expect grazing on top of a landfill to yield products for people? Given the steepness of the as-built landfill cover slopes, is it reasonable to expect grazing animals will not damage the cover system exposing wastes and allowing air to be drawn into the landfill mass? 2. giving nearby residents and travelers on Hwy 99 some sense of what can reasonably be expected under "…or other permitted use as approved by the Planning Commission and the Board of County Commissioners." e.g., a park with walking trails much like the Baylands Nature Preserve in Palo Alto, CA.

Document Number from Table 1	Observations	Suggestions and Recommendations to the County
		3. considering Franchise language that addresses the post closure condition of the landfill, 4. engaging with DEQ to understand what is possible for "Worst Case" and ultimate closure of the landfill. Republic Disagrees. Closure regulation is in the exclusive jurisdiction of DEQ. The County has no basis to regulate closure under the CUP requirements. Additionally, it is recommended the County consider: 1. the impact of ongoing landfill operation on community development programs such as the Bike Transit Corridor. Note the only east/west bike crossing of Hwy 99W for about 55 minutes is across from the landfill; 2. the compatibility of a landfill of this size with the County's Vision 2040. Republic disagrees: These plans may need to account for the landfill, but it has been in this location for fifty years.
2	Condition 7 Concerning recycling program. RSI [Republic] is "In Compliance" in Benton County based on personal experience but Benton County contributes less than 10% of the total volume sent to the landfill and is only one of more than 20 counties RSI [Republic] draws material from.	This should be addressed in next Vision Plan or Materials Management Plan. Flag this condition for BCTT SW Plan Subcommittee. Republic Comment: How to improve recycling is appropriately considered as part of the long-term materials management plan; it not relevant to a CUP.
3 1983 PC-83-07 / L-83-07	Condition 1 It is very important to note that the existing visual appearance of the landfill is a significant concern. The landfill is being constructed in ways that do not reflect the description	Consider clarifying the roles of the County and DEQ in future CUP actions. Which organization has primacy over what? A clear understanding is needed of DEQ's and the County's role in addressing aspects of the landfill such as design, operation, monitoring (including noise, light pollution, odor, etc.), appearance, and screening from public view, etc.

Document Number from Table 1	Observations	Suggestions and Recommendations to the County
	set out by the applicant and approved plan of 1983 (refer to PC-83-07; L-83-07). Republic Comment: It is very important to note that each CUP is an expansion of the landfill to a different cell area or to undertake a different activity in a different area. The purpose of the CUP process is to determine whether such a change will have undue additional impacts. It should be completely unsurprising that the landfill has changed since 1983; indeed, it is to be expected.	Republic Comment: We believe the distinction is clear: The County regulates the land use impacts of the landfill and DEQ regulates the environmental impacts. State law (ORS Chapter 197) requires all state agencies to coordinate their activities with local land use regulations, which is why DEQ requires Republic to first obtain the CUP from the County.
3	Decision text and "conditions" are sometimes difficult to easily determine especially in older County decision documents (See analysis by M Yeager (Dec 2022))	Future decisions clearly convey basis of Approval. Example: "Condition of Approval: This approval is based upon the application, site plan, and supporting documentation submitted by the applicant. Any substantial change as determined solely by Benton County in the approved plan will require a new application." Is there a written Benton County Compliance Policy & Process including a complaint lodging, tracking, and resolution process? Republic comment: Republic would also appreciate that any conditions of approval imposed on a potential CUP approval be clear.
7 1988 Board Order	1988 Board Order to Vacate a portion of Tampico Ridge Subdivision consolidated three lots and a portion of right-of-way into an 85 acre parcel.	In assessing the public burden associated with the landfill, it appears necessary for the County to understand how much land has been acquired by RSI [Republic] in pursuit of creating environmental or other buffers near the landfill. Address how these actions are consistent with Vision 2040. Republic Comment: Republic Services, Inc. is a holding company; it does not own and has never acquired any land around the landfill. Valley Landfills, Inc.

Document Number from Table 1	Observations	Suggestions and Recommendations to the County
	DEQ in the 2005 Record of Decision for the landfill specifies "Property purchases as buffer around the landfill." as one of the remedies for groundwater contamination. (See References)	and Pelletier Real Estate, Inc. own the land associated with the landfill. Regardless, the extent of Republic's (or any other person's) real estate portfolio is unrelated to any applicable CUP criteria (and arguably the County's regulatory jurisdiction). Ownership of the land does not change the underlying zoning designation of the land; unless the zoning is changed, it will continue to available for residential use even if the current owner doesn't put it to such use.
10 1994 PC-94-03	Condition 2 & 5 Noise	Establish and widely advertise a County process for receiving, tracking, and resolving landfill and power plant related noise complaints.
10	Condition 6 Lighting at Power Plant	Establish and widely advertise a County process for receiving, tracking, and resolving landfill and power plant related noise complaints.
15 1997 S-97-58	Condition 7 Lighting at Power Plant	Establish and widely advertise a County process for receiving, tracking, and resolving landfill and power plant related noise complaints.
15	Condition 9 "…applicant shall prepare a site specific development plan addressing emergency water supplies for fire protection. The plan shall be submitted to the local fire protection agency for review".	Establish if the applicant is in compliance with this 1997 condition. Reassess the emergency preparedness plan given the lessons learned from the nationally reported 1999 landfill fill fire and emergency services available to address new fire situations such as a hypothetical nearby forest fire. Consider integration with other plans such as Community Wildfire Protection Plan. See Adair Village Fire Chief Testimony (most recent CUP application).
General	Odor issues do not seem to be mentioned	Request feedback / discussion on how to address this especially for nearby areas undergoing development. (Logsdon Ridge, Santiam Christian School, Adair Village UGB expansion, North Albany). Reviews of Title V Permits are needed to determine if odor is addressed there.

Document Number from Table 1	Observations	Suggestions and Recommendations to the County
		Republic Comment: A landfill has been at this site since WW II. Any person considering developing close to a landfill needs to take that into consideration as with any other adjacent preexisting use. The CUP process is designed to ensure that any expansions do not have addition undue impacts.

GENERAL COMMENT BY REPUBLIC: [Table 3] should be deleted from the report; the policy recommendations go way beyond the Subcommittee's Charter. Members of the Committee are free to submit these to workgroup as their suggestions, but they should not be part of the subcommittee report. In addition, the references to Republic Services, Inc. ("RSI") throughout this entire section are inaccurate and should be removed. Valley Landfills, Inc. is the owner/operator of Coffin Butte.

Table 4. Monitoring and Compliance Enforcement Issues

Observations	Recommendations for Post BCTT Consideration
In assessing the status of compliance with past land use documents, there are numerous instances where supporting evidence may not or is not available in County records.	The Board of Commissioners update or establish an easily understandable policy concerning how the County is to require, manage, and interpret regulatory related information from RSI [Republic] and DEQ. Republic Comment: We note that in the almost 60 years that have elapsed since the 1974 decision the requirements for records retention and land use decisions have gotten significant more robust. (The Public Records Law was first enacted in 1973). We can't fix the past, but going forward, the current regulatory scheme should be sufficient to preserve the required records.
Over time the format and wording of what information is being requested has changed.	Establish consistent terminology for describing what an applicant is required to do to be considered in compliance. Republic Comment: As noted above, Republic would welcome clear and consistent wording of conditions. As with our comment above, the regulatory framework and terminology is not immutable; it evolves over time and will continue to do so.
Within Table 2, there are locations where County staff have stated that they do not actively review materials applicants provide as ongoing evidence of compliance with land use decisions. Confirmation of compliance is only made by the County after receiving a resident's complaint. *See Table 5 for a list of these occurrences*	The Board of Commissioners consider a proactive compliance confirmation program for facilities contributing to environmental burdens on the County such as a landfill, industrial scale composting, or direct dischargers to water bodies within the county. Republic Comment: This a county budgetary issue and much of it outside of the scope of the County's regulatory expertise and or authority.
Benton County relies on complaints to initiate action to review compliance with land use conditions of approval for the landfill and other land use decisions.	
Benton County did not and does not have a complaint tracking system in place to receive and record land use complaints for investigation and resolution. Staff Comment: the county has a Code Compliance division to track and resolve complaints from citizens. If complaints had	

been made prior to this division being created, the Director or a planner would have initiated a review of the complaint.	
Reports that are submitted as required per conditions of approval (e.g., Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality) are not reviewed by Benton County.	
Applications, plans and proposals submitted by the applicant that describe the proposed use and applicant commitments for the development are not enforceable as conditions of approval unless expressly adopted into the findings of fact and notice of decision.	

Table 5. Supporting Information For Monitoring And Compliance Enforcement Issues

Summary: Instances of Unclear Compliance Monitoring by the County

PC-83-07/L-83-07	
Condition 9.	Staff Comment. In Compliance. This is an item under the oversight of DEQ. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.
PC-94-03	
Condition 4.	Staff Comment. In Compliance. The requirement is that the applicant send a copy of the DEQ permit to the county so the county is simply a receiving body for this information. This is a standard type of condition that ties a county permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.
Condition 6.	Staff Comment. In Compliance. Monitoring of this condition is complaint driven. Staff has no records of complaints regarding lights at the power generation facility.
S-97-58	
Condition 3.	Staff Comment. In Compliance. Noise Compliance Monitoring memorandum submitted on June 11, 1997, by Pacific Northwest Generating Cooperative. Subsequent to the compliance monitoring memorandum, the County would require additional testing only if there was reason to believe the noise standards were no longer being met, such as through a noise complaint received from an adjacent dwelling.

Condition 4.	Staff Comment. In Compliance. Available records do not indicate any requests for noise monitoring by the Planning Official.
Condition 6.	Staff Comment. In Compliance. This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.
Condition 7.	Staff Comment. In Compliance. Monitoring of this condition is complaint driven. There are no records of any complaints. If there is current concern that the power plant lighting is out of compliance with this condition that could be investigated, but at this time there is no evidence of noncompliance.
PC-99-06	
Condition 1.	Staff Comment. In Compliance. This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.
PC-02-07	
Condition 9.	Staff Comment. In Compliance. The condition only requires that copies of documentation are given to the County, not that the county review and ensure that the applicant is in compliance with DEQ conditions. The county regularly receives copies of these documents.
Condition 10.	Staff Comment. In Compliance. The condition only requires that copies of documentation are given to the County, not that the county review and ensure that the applicant is in compliance with DEQ conditions. The county regularly receives copies of these documents.
PC-03-11	
Condition 3.	Staff Comment. County Requirement Superseded. County monitoring of this condition is complaint-based and this condition would only have applied to landfill uses on the 9.45 acre property which has been incorporated into a larger landfill cell.
Condition 8.	Staff Comment. In Compliance. The requirement for the county to receive copies of the documents and the county regularly receives copies. Appendix I https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/2021_cbl_site_development_plan_appendix_g_i.pdf
Condition 10.	Staff Comment. In Compliance. This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.
LU-11-016	
Condition 1.	Staff Comment. In Compliance. Standard condition requiring the applicant to implement the conditional use permit as described in their application. Planning staff reviews the building permit to ensure that the site plan meets county code

	requirements and Conditions of Approval. The building permit would not have been issued without planning staff approval.
Condition 3.	Staff Comment. In Compliance. Standard advisory condition. Issuance of the building permit is confirmation that the siting standards were met.
LU-13-061	
Condition 3.	Staff Comment. In Compliance. Standard advisory condition.
LU-15-001	
Condition 1.	Staff Comment. This is a standard condition requiring applicant to implement the land use as they proposed it in the application. The County has no evidence that implementation was significantly modified from what was approved
Condition 2.	Staff Comment. In Compliance. This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

General Comments from Committee Members (October 2022):

- I understand that county staff might want to explain why, for many conditions (lighting, noise etc.) they have not been monitoring. But it makes the document less clear than it ought to be. "Complaint-based monitoring" really means "no monitoring" in practice. In such cases, I've suggested this more direct language.

  Republic Comment: As we have noted previously, complaint-based enforcement is very common for local governments in Oregon.

- Some of the responses really seem to be beating around the bush to avoid saying, "not in compliance." For example if screening is "not completed" even 20 years after a permit was issued, why not just state clearly, "Not in compliance."

  Republic Comment: It is not as simple as that. As we have previously noted, the landfill has changed significant over time; the 1983 plan is not relevant to the 2022 operation, so fencing or berms or screens could have been installed and moved or removed as new permits were approved and the site was modified.

- This is really a lot of applications to do things that are not allowed by right, 14 individual applications with many missing (Tampico vacation, coffin butte vacation, 1977 cup (?)). has any other business or individual in the history of Benton County been the applicant in so many land use actions? if the landfill is the record holder, is that overall situation something that should be considered when additional special permissions are requested?

  Republic Comment: The committee is looking at almost fifty years of permitting. This is not an untoward amount of applications, particularly since almost any change on the site requires a new land use approval.

References

Ref 1 DEQ Record of Decision 2005 Page 22:

7.1 DESCRIPTION OF THE SELECTED ALTERNATIVE

The remedial actions have already met the protectiveness standard since there were no unacceptable risks identified by the risk screening for the exposure pathways. However, to maintain this level of protectiveness and to provide for further improvement in groundwater quality consistent with the intent of groundwater quality protection rules, maintenance of the remedy as supplemented by additional actions was recommended. The remedy employs the following elements:

• Landfill closure and cover with engineered cap on Cell 1A and parts of Cell 1. The eastern slope of Cell 1 will retain interim plastic cover until it is covered with the base liner of Cell 3D. The Closed Landfill was covered with soil in 1977.

• Surface controls to prevent surface water run-on and infiltration of surface water through the waste, and to slow down the rate of cap erosion.

• Access restrictions to areas of waste by fencing around the landfill units.

• Leachate collection from Cell 1 and management by various strategies.

• Landfill gas collection from Cell 1 and use for supplemental electricity generation.

• Deed restrictions on property within the LOF to prevent development of groundwater resource.

• Decommissioning two water supply wells to prevent their future use.

• Property purchases as buffer around the landfill.

In addition to these actions, the solid waste permit requires groundwater monitoring downgradient of the landfill cells and LFG monitoring around the landfill cells and in structures to assess protectiveness between the landfill and potential receptors.

Appendix C5: Subcommittee Reports: Community Education & Outreach

Introduction and Themes

Community engagement "means having two-way communication with the public as plans are prepared, and decisions are made."[125] Benton County relies on community participation for all aspects of government policies and decisions that affect the lives of County residents. In June 2021, Republic Services applied for a Conditional Use Permit (CUP), a County-required regulatory step that would have allowed for the expansion of Coffin Butte Landfill. Some community members felt they had little opportunity to offer input, provide information, or otherwise use their voices during the County's land use decision-making.

The Benton County Planning Commission denied Republic's CUP request in December 2021, at which point Republic Services withdrew its appeal; the company is expected to file a new CUP request in 2023. The Solid Waste Management Workgroup was formed to make recommendations about this future process of the CUP and promote more knowledge and communication throughout the community. The County and other community volunteer-led groups like the Solid Waste Advisory Committee (SWAC) and the Planning Commission have legal criteria they must follow to make decisions about land use issues. To make these decisions, community participants are critical. This document provides outreach recommendations to ensure that community inclusion is actively promoted in the next CUP process and future land use decisions that are vital to community development and well-being.

The main themes identified so far during the process of developing this plan include the need to provide more inclusive and expansive community outreach for the next CUP process, update community outreach methods to include more young, low-income, and underserved populations, provide language accessibility and translation, organize in-person events that occur where community members already go, utilized websites and other online technology since smartphones are highly accessible to most residents and organization of community comments and concerns need to be clearly accessible and utilized. The consultation of the Benton County Diversity and Inclusion department will be utilized.

Goals and Objectives

- Best practice recommendations for Benton County communication and outreach with the public for the next CUP and future communications concerning the Sustainable Materials Management Plan (SMMP.)
- Review past CUP processes and standard Benton County Communication practices.
- Provide ideas and feedback for the BCTTC, SWAC, and the PC to help in Community Engagement.
- Develop an outreach plan that allows the Community more time to be involved in the CUP and other Land Use processes in the future and gives the County more access to Community input for decision-making.

[125] Oregon Department of Land Conservation and Development (DLCD). (2019). Putting the people in planning. https://www.oregon.gov/lcd/Publications/PPIP-Final_2019-06-30.pdf

- Develop FAQs for Community Education resources.

Review of Past and Standard Legal Requirements for County Communication and Outreach with the Community for Coffin Butte Landfill CUP application and the Usual CUP Process

Benton County's Solid Waste Advisory Council recommended approval of Republic Services' CUP request in October 2021, sending it on to the Planning Commission. That body held two public hearings in November 2021, and the public was given an additional 15 days to comment after the second hearing, which was held on Nov. 16. On December 7, 2021, the Planning Commission denied the CUP request, "saying the proposed closing of Coffin Butte Road would create an "undue burden" on the surrounding neighborhood and that Republic had not effectively answered questions from the community on noise, odor, and other public health impacts of the expansion as well as its effects on the environment and wildlife." Republic Services appealed the CUP permit application denial and stated that the Planning Commission misapplied the criteria guidelines for the CUP acceptance.[126]

This process ended with Republic Services withdrawing its appeal to work with Benton County and the community to try to come to a common understanding through the situational assessment and this workgroup process. During the CUP process, the community expressed that the County communicated ineffectively.[127]

The Community Education and Outreach Report workgroup recommends that the County take steps to improve communication and outreach before the next CUP application is made by Republic Services to improve community participation and education in the process. The workgroup recommends that the notification process for the CUP allows more time for community involvement and education.

The usual Benton County criteria for notification and communication for CUP applications are noted below:

Once the CUP application is submitted, County officials have 30 days to decide whether it is complete. During these 30 days, the community can be given an opportunity to comment on the completeness of the application; however, while there is NO legal requirement for public comment during this period, it is encouraged. The time frame of 30 days to decide if the CUP is complete is short, allowing minimal time for meaningful public input. The County has encouraged BCTT to create a list of things that would signify a complete application.[128]

The time limit for the final decision is 150 days from the time the CUP application is deemed complete; this process may be paused if the applicant states a reason in writing. The pause can last up to 215 days as an extension to the 150-day limit. Once this 150-day clock starts, all property owners located 750 feet from the property owned by the CUP applicant are legally required to be notified of the CUP per the Development Code. For Coffin Butte, this requirement is 750 feet from the property lines of the Landfill. Any property that lies partially

[126] Benton County Oregon. (n.d.). Planning commission home. https://www.co.benton.or.us/pc

[127] ICMresolutions. [n.d.]. *Benton County Solid Waste Situational Assessment Report* (Benton County) <https://www.co.benton.or .us/sites/default/files/fileattachments/planning_commission/page/2966/benton_county_solid_waste_assessment_7-12-22_final_report.pdf>

[128] Benton County Oregon. (2022). 150-Day Limit on Land Use Application Review. https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8384/150-day_time_limit_v3.docx

or fully in these 750 feet requirements is entitled to a mailed notification. The 750 feet requirement is a minimum, and the County is encouraged to send notifications to property owners who would be affected by the proposed land use decision even if these property owners aren't within the 750 feet requirement. However, this notification doesn't have to be physically mailed, as it does in the 750 feet requirement. Notices must also be sent to any neighborhood or community organization recognized by the Board of County Commissioners and whose boundaries include the site; an example is a Community Advisory Committee. When a hearing is required, there must be publication at least ten days before the hearing as a notice in a newspaper within the County. The CUP application must also be reviewed by the Solid Waste Advisory Council (SWAC); there is nothing stating that any specific notification of this SWAC meeting is required (beyond the normal notice that is sent out for regularly scheduled SWAC meetings.)[129]

When there is a decision on the land use request, there are also communication requirements, including a notice of decision mailed to all people who submitted testimony (if there is a hearing). If a Planning Official made the decision, notifications must be sent to property owners within the 750 feet requirement. The same requirements as stated above also apply if the application is appealed.[130]

County officials have provided a variety of community notifications beyond what is legally required. The notification plan includes staff encouraging the applicant to hold a public informational meeting before submitting the application. This can give the applicant beneficial public input as well as the applicant giving members of the public more information about the pending application. Once the application is complete and legal notifications have been fulfilled, the County often emails a list of people who have requested notification for land use applications. Sometimes, information on more extensive land use applications is posted on the Community Development Department website. These are often applications that require a public hearing before the Planning Commission. Once the decision has been made, the legal requirement for a decision made at a public hearing is to mail notice of decision for those who testified; however, often the County can mail notice to owners of property close to the land use applicant as well.[131]

Standard and Past Benton County Community Outreach

The County already has channels of communication that are used to notify the public, including email lists, the Benton County website and newsletter, and social media. Facebook accounts include The Sheriff's Office, BC central page, Natural Areas & Parks, Human Resources, Event Center & Fairgrounds, Developmental Diversity Program, WIC, Community Health Centers of Benton and Linn Counties, and the Health Department. The County also organizes and participates in Community events, advertising, mailers, and other communication tools are used when time and resources are available.[132]

[129] " "

[130] " "

[131] Benton County Oregon. (2022). 150-Day Limit on Land Use Application Review. https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8384/150-day_time_limit_v3.docx

[132] Benton County Oregon. (2022). Benton County Talks Trash solid waste process workgroup communication and outreach plan.

Benton County Standard Notification Channels and Examples:

1. Emails
    a. Interested parties list and organic subscribers list.
    b. Communication Partners (local network group)
2. Post in newsletters, both internal and external
    a. Benton County organic subscribers on Constant Contact
    b. Constant Contact Health Community Partner email English/ Spanish (PreK-12, Faith, Community Based Organizations (CBOs,) and HOPE, etc.)
3. County Website
    a. Website Banner
    b. Website English Press Release
    c. Website Spanish Press Release
    d. Website Traditional Chinese (Cantonese) Press Release
    e. Website Simplified Chinese (Mandarin) Press Release
4. Local radio and newspaper advertisements are occasionally used, LatinX Radio Partners
5. Flash Alerts, Media Partners
6. Social Media (These are all sites are self-selected/need following)
    a. Nextdoor
    b. Linktree
    c. Facebook Sheriff's Office, General BC Page, Health Department, Natural Areas & Parks, Human Resources, Event Center & Fairgrounds, Developmental Diversity Program, WIC, and Community Health Centers of Benton and Linn Counties.
    d. Twitter
    e. LinkedIn
    f. Instagram
    g. Flick

Recommendations by Subcommittee E for Considerations for Improved Outreach

There are many issues to consider with community engagement; one of these is community members being left out of notification channels. **This most frequently happens with engagement approaches based on interests, such as email lists and other channels, where community members are required to initiate contact**. When projects center on time and money instead of community member empowerment, disadvantaged residents are the most affected. To include these underserved community members (See CEO Appendix A), it is crucial that organizations prioritize reaching out rather than solely focusing on their own interests.

Studies have shown that underserved populations have reported never being asked to be involved in public decision-making.[133] There are two main ways to improve outreach to these underserved groups - widening public engagement and using multiple outreach methods.

Widening public engagement can include specifically targeting underserved groups, such as low-income and younger residents. One way to specifically target younger residents is by using notifications that are mobile-friendly, such as texts and ensuring that website pages and documents are mobile-friendly. Broader methods of social media outlets such as Snapchat, Reddit, and Tik Tok should be explored.

To widen public engagement, it is also crucial that the information is easily understood; this includes language inclusion. Community members with limited English proficiency need to be included: Spanish, (Mandarin and Cantonese), and Pacific Islander languages must be considered for informational materials and interpreter services.[134] While the County should focus on getting information to anyone with an interest in the land-use decision, the County should consider using an EJScreen - EPA to determine populations affected by environmental injustice and made be affected by land-use decisions.[135] [136]

Providing clearly defined procedures for how the community can get involved in easy-to-read language, including methods like infographics, is needed. It is also imperative that there is two-way communication and that the County listens to and incorporates voices from the community; this can include creating user-friendly access to public input documents and testimonies during the process to ensure the County, Planning Commission, SWAC, and other residents can access information.[137] This could be on a dedicated landfill website or an open house website. The County "Equity, Diversity, and Inclusion Coordinator" needs to be utilized to improve outreach efforts.

As mentioned in the Review of Past Communication with Public section above, it is legally required once the 150-day clock has started to notify individuals within 750 feet of the applicant's property lines. However, in order to widen communication, it is recommended that this radius be expanded based on the magnitude of the notification (see Table 1 and Figures 1 and 2). As mentioned in the table, these notifications are intended for all CUP applications, not just the CUP for Coffin Bute Landfill. Further discussion is needed regarding notifications for CUPs that affect the community less significantly and if they may have different notification standards.

Secondly, using multiple outreach methods is imperative to improving outreach to underserved groups. An essential aspect of this is utilizing notification styles that don't require to be followed or self-selected. The County should initiate communication on other social media

[133] De Weger, E., Baan, C., Bos, C., Luijkx, K., & Drewes, H. (2022). 'They need to ask me first'. Community engagement with low-income citizens. A realist qualitative case- study. *Health expectations: an international journal of public participation in health care and health policy*, *25*(2), 684–696. https://doi.org/10.1111/hex.13415

[134] Samaritan Health Services. (2022). Equity and inclusion plan. https://www.samhealth.org/-/media/SHS/Documents/English/001-General-Brand/001-SHS-Equity-and-Inclusion-Plan-0420.pdf

[135] Oregon Department of Land Conservation and Development. (2019). Putting the people in planning. https://www.oregon.gov/lcd/Publications/PPIP-Final_2019-06-30.pdf

[136] Public Input (2021). How do I get the word out? The first step of public engagement. https://publicinput.com/wp/get-the-word-out-first-step-of-public-engagement/

[137] Oregon.gov. (2022). Oregon's Statewide Planning Goals and Guidelines https://www.oregon.gov/lcd/OP/Documents/goal01.pdf

sites, such as the ones that these underserved populations frequent the most. The County needs to provide active outreach and seek out contact with the community on social media and other methods of communication.[138] [139] Posts in community groups on Facebook such as Corvallis Happenings, should be initiated by the County.

In addition to widening social media posts, social media advertisements would also allow the County to initiate contact and the user to then decide if they want to get further notifications on the topic. Social media advertisements are recommended due to allowing targeting of underserved populations and their cost-effective nature as governments and nonprofits can get low rates.[140] [141] Once the County has made a subsequent effort to initiate contact, it is essential to utilize email and online surveys.[142] The subcommittee also recommends that the County communicates and engages with the community before the CUP application is placed.

Other considerations can include recruiting members to the Planning Commission and the SWAC. The recruitment of members to these groups should be done through notification styles mentioned that widen community public engagement and use multiple outreach methods to ensure that as many groups as possible are being represented on the SWAC and the Planning Commission.[143]

Specific Plans for Communication have also been discussed and are shown below:

- Communicate via a Countywide postcard mailing that invites the community to an in-person Open House and/or Online Open House and provides a link and QR code to sign up to be on an email list for more information and to make comments. This method could also be used to create a survey for the public to comment on BCTT Workgroup recommendations. Then the results of this survey could be shared with the community to further inform the community of other residents' opinions and attitudes.[144]
- Connecting with the community online is now standard for projects and is recommended. An open house or a website page dedicated to the Landfill CUP could have links for comments, surveys, notices, and education and would provide easy and broad community access.[145]

[138] De Weger, E., Baan, C., Bos, C., Luijkx, K., & Drewes, H. (2022). 'They need to ask me first'. Community engagement with low-income citizens. A realist qualitative case- study. *Health expectations: an international journal of public participation in health care and health policy*, *25*(2), 684–696. https://doi.org/10.1111/hex.13415

[139] Oregon.gov. (2022). Oregon's Statewide Planning Goals and Guidelines https://www.oregon.gov/lcd/OP/Documents/goal01.pdf

[140] Public Input (2021). How do I get the word out? The first step of public engagement. https://publicinput.com/wp/get-the-word-out-first-step-of-public-engagement/

[141] Oregon.gov. (2022). Oregon's Statewide Planning Goals and Guidelines https://www.oregon.gov/lcd/OP/Documents/goal01.pdf

[142] Land Conservation and Development Commission. (2019). Land conservation and development commission public participation guidelines for policy development. https://www.oregon.gov/LCD/About/Documents/20190125_PublicParticipationGuidelines.pdf

[143] Benton County Oregon. (2022). Dissemination of Information Draft Memo.

[144] Oregon.gov. (2022). Oregon's Statewide Planning Goals and Guidelines https://www.oregon.gov/lcd/OP/Documents/goal01.pdf

[145] Oregon Department of Land Conservation and Development. (2019). Putting the people in planning. https://www.oregon.gov/lcd/Publications/PPIP-Final_2019-06-30.pdf

- If the mailer is too expensive, use multiple outreach methods and advertisements to provide outreach for an in-person open house and/or an online open house or website with interactions like surveys, notices, comments, and education. The community's interaction with the applicant is very important as well, so tours of the landfill, collaborative planning sessions, and further communication between the community and the applicant is suggested.[146]
- Managing controversy requires in-person approaches. Community in-person interaction will be needed for this process due to the different points of view and concerns about landfill expansion. Transparency and trust between all stakeholders is imperative. This County can achieve this through increasing community conversations and input at meetings and providing in-person opportunities such as an open house, hearing, and other events where the County can listen for concerns and solutions. Community input needs to be organized and accessible. The County Website link where the public input is being composed is a good start. The BCTT Workgroup, SWAC, Planning Commission, and other communities need to be able to access the main concerns for community decision-making.[147] [148] A community involvement advisory committee specializing in outreach and engagement for all land use policy decisions could improve future communication.[149]

Key Findings

Public engagement needs to be widened and become more inclusive. This is most likely to be achieved through the following measures:

CEO F-1 Insure language accessibility for at least the County's most used languages. (English, Spanish, Mandarin, and Cantonese)

CEO F-2 Use methods that help target underserved populations, particularly youth and low-income demographics.

a. This can be achieved through more SMS communication and ensuring all websites and surveys are mobile-friendly.
b. Increase social media communication and expand to more platforms. (Reddit, TikTok, Sub-Reddit, etc.)
c. Utilize social media advertising.

CEO F-3 Use outreach methods that do not require people to be pre-signed up or self-selected. This includes, but is not limited to, flyers in public spaces, paid advertising on social media, in newspapers, and on the radio, informational mailers, and other resources.)

[146] Department of Land Conservation and Development. (2022). Wildfire adapted communities' community engagement and stakeholders summary. https://www.oregon.gov/lcd/NH/Documents/20220930_DLCD_Wildfire_Community-Stakeholder-Summary.pdf#

[147] Oregon Department of Land Conservation and Development. (2019). Putting the people in planning. https://www.oregon.gov/lcd/Publications/PPIP-Final_2019-06-30.pdf

[148] Public Input (2021). How do I get the word out? The first step of public engagement. https://publicinput.com/wp/get-the-word-out-first-step-of-public-engagement/

[149] Land Conservation and Development Commission. (2019). Land conservation and development commission public participation guidelines for policy development. https://www.oregon.gov/LCD/About/Documents/20190125_PublicParticipationGuidelines.pdf

CEO F-4 Create user-friendly access to public input documents and testimonies during the process to ensure Benton County, Planning Commission, SWAC, and others.

Example of Possible Organizational Format for Community Discussions:

Community Comments

Issues/Concerns	Solutions

Examples of other Outreach Methods and Examples of other Community Engagement Campaigns

- Burnside Bridge Project in Multnomah County
  a. An online open house was provided.
  b. Instagram ads are used to reach the younger population.
  c. Project has its own website Earthquake Ready Burnside Bridge
  d. Provides community engagement survey results at several phases.
- SCORP (Statewide Comprehensive Recreation Plan) from OSU College of Forestry.
  a. Used a letter with a link to a survey (See Example 1).

Conclusion

Community education and extended outreach is a vital step of the land use application process. Making sure everyone in the community gets information about this process requires using two broad methods: specifically targeting underserved groups and using multiple outreach methods. Targeting underserved groups can include increased social media use and outreach methods that can be accessed with a phone. It is also imperative that communications are succinct and easily understood by the entire population as well as some communications that don't require community members to be pre-signed up. Using multiple outreach methods is also important, and during the process, the county should gauge the effectiveness of the communication strategy and change it if necessary.[150]

[150] Oregon. gov (2022). Public Involvement Process Checklist https://www.oregon.gov/lcd/About/Documents/Appendix_A-PI_Process_Checklist.pdf

Example 1.



Oregon State University

Forest Ecosystems and Society
Oregon State University
321 Richardson Hall
Corvallis, Oregon 97331
fes.forestry.oregonstate.edu

Para Español de vuelta a la página.

November 14, 2022

7311 T21 P1

[redacted]

About a week ago, we sent you a survey on outdoor recreation and other topics as part of the 2024-28 Statewide Comprehensive Outdoor Recreation Plan project. If you've already completed the survey, please accept our thanks. If not, then please take a few minutes to complete it now.

Your responses are important, regardless of where you live or how often you engage in outdoor recreation. Outdoor recreation includes a variety of things you may do outdoors in your free time. Activities such as walking your dog, cycling on sidewalks, trails, and roads, relaxing at your local park, picnicking with family and friends, fishing and hunting, boating, camping, bird watching, sightseeing, playing outdoor sports like golf and tennis, attending outdoor concerts, are some of the many examples of outdoor recreation.

Please complete the survey even if you have not engaged in any outdoor recreation activities in the last 12 months. Please complete the survey at the following link by December 31, 2022.

Go to **https://bit.ly/3NOMU6s** and enter the following ID number to complete the survey: **16281**

If you have any questions about the survey, please contact me at 541-737-4425, or by e-mail at r.rosenberger@oregonstate.edu. Please visit our SCORP website at **http://bit.ly/3flnjPV** for more information. If you have any questions about your rights as a survey participant, please contact the OSU Institutional Review Board (IRB) Human Protections Administrator at 541-737-8008 or by e-mail at IRB@oregonstate.edu and reference OSU IRB #2022-1605.

Thank you very much for your participation.

Randall S Rosenberger

Dr. Randall S. Rosenberger, PhD
Interim Department Head and Professor of Applied Economics

Table 1.

Key Recommendations

- Overarching recommendation that says to follow the following recommendations and who is responsible for doing them.
- County Development Department and county PIO are responsible for conducting communication and outreach.

Key Recommendations

Generally, these recommendations focus on the landfill. However, we recognize that absent a change to the code, they could potentially apply to all CUP expansions.

CEO R-1 County Development Department and County PIO are responsible for conducting communication and outreach.

CEO R-2 The Board should consider changes to these notification recommendations based on the potential impact of other CUP applications.

CEO R-3 Notifications for the **BCTT Survey** for public input on the Workgroup Report should include an email blast, website post, and displays or presentations where people already spend time (i.e., Library, community events). Notifications should consist of a 10-Mile radius from the landfill and should go out ideally a month before the survey closes.

CEO R-4 Notifications for the **BCTT Report completion** should include an email blast to the Interested Parties List, Organic Subscribers, those who spoke at the meetings, the Soap Creek Neighbors Group, and other landfill neighbors. Notifications should also include a possible postcard to the entire county with a link to go to and/or scan to get on a list to be informed of further updates and/or have an open house event/public informational meeting. It should be on a weekend during the day so that most people can attend, and the link and email list should be readily available. A 10-Mile radius from the landfill is proposed, and notifications should be sent 72 hours after the report is finished.

CEO R-5 Notifications for **Board Hearings on the report** should include a postcard, an email blast, a newspaper notification, and social media posts and advertisements. The postcards should be sent to everyone in a 10- or 15-Mile radius of the landfill, and notifications should be sent 24 hours after the board hearing is scheduled.

CEO R-6 The County should notify the public **when Republic first notifies the County** that they are planning on filing a CUP application. This starts off any pre-filing public involvement. Notifications should include a postcard, email blast, newspaper notification, and social media posts and advertisements. Postcards should be sent to everyone within a 10- or 15-Mile radius of the landfill, and notifications need to begin 24 hours after the County is notified.

CEO R-7 Notifications for **CUP filings**, which includes **the application review process,** should consist of a postcard, email blast, newspaper notification, and social media posts and advertisements. Postcards should be sent to everyone within a 10- or 15-Mile radius of the landfill, and notifications need to begin 24 hours after the initiation of a CUP filing. During the "completeness" process, the Planning Official will consider whether the applicant's documents and information are sufficient for purposes of review of the application. A determination that an application is complete does not mean that the information satisfies the approval criteria.

CEO R-9 Notification when **County determines the application is complete** will include a postcard, email blast, newspaper notification, and social media posts and advertisements. They should be sent to the entire county and occur 24 hours after completion.

CEO R-10 Notifications for **SWAC Meetings** should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent one to two weeks before the meeting.

CEO R-11 Notifications of **the SWAC Recommendation** should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent out 24 hours after the recommendation.

CEO R-12 Notifications for **Planning Commission Meetings** should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent no later than two weeks before the meeting.

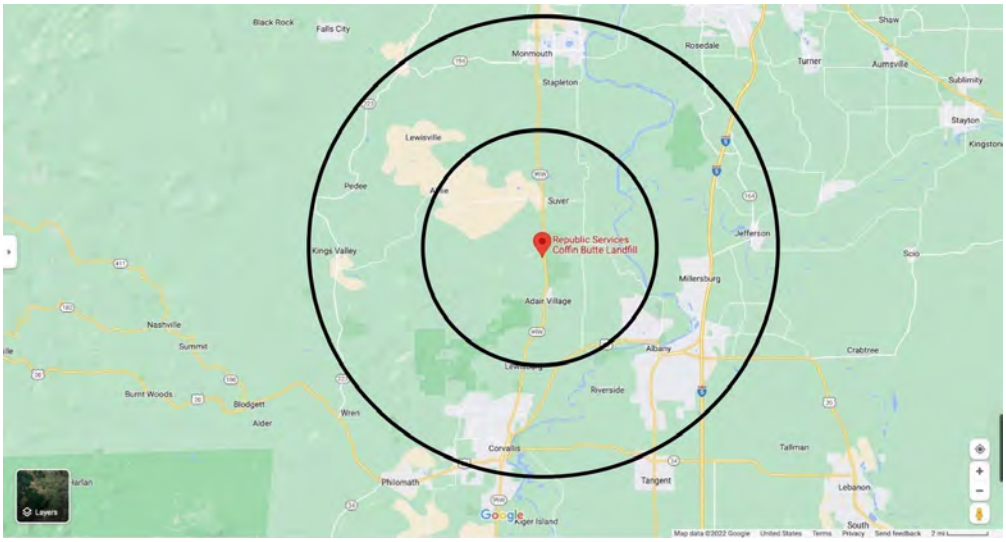
CEO R-13 Notifications of the **Planning Commission's decision on the application** should include website posts and email blasts to interested groups and people already on the existing email list. The notifications should be sent out 24 hours after the recommendation.

CEO R-14 Notifications of **when the Board is hearing the CUP application for approval** will include a postcard, email blast, newspaper notification, and social media posts and advertisements. They should be sent to everyone within a 10- or 15-Mile radius of the CUP site and occur 24 hours after scheduled.

CEO R-15 Notifications of the **Board's decision on the application** will include an email blast, website banner, newspaper notification, and social media posts. The notifications should be sent out 24 hours after the decision.

<u>Notification Radius Area Proposals:</u>

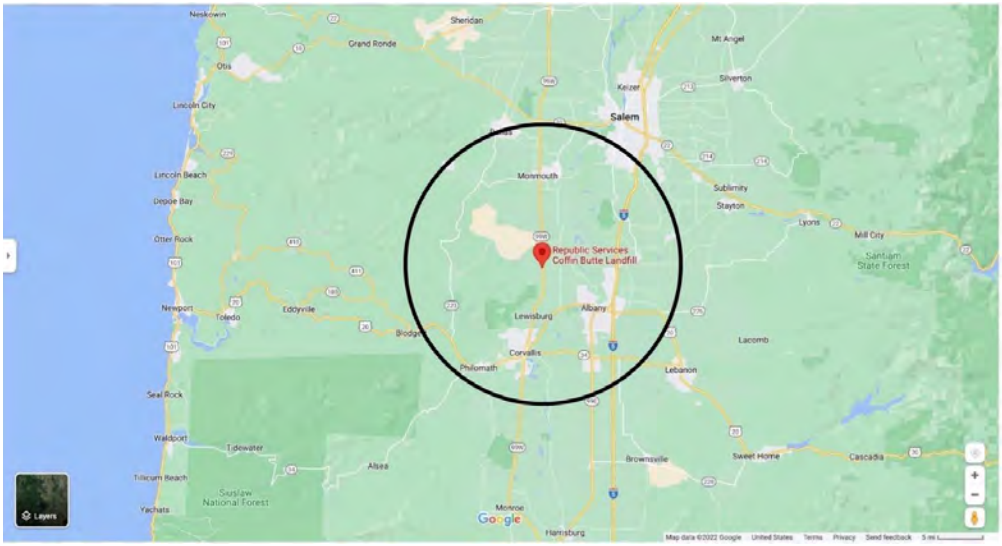
Figure 1.



Note: The center, smaller radius is a five-mile radius from Coffin Butte Landfill, and the other radius is 10 miles.

County	# within 5 mi	Note	# within 10 mi	Note	# within 15 mi	Note
Benton	2,543	Some overlap with Benton Addresses	4,441	The majority of the City of Albany included	8,991	All of the City of Albany included

Figure 2.



Note: 15-mile radius around Coffin Butte Landfill

Appendix D. Draft #3 Feedback from Planning Commissioners and members of the Solid Waste Advisory Council

Draft #3 of the BCTT Report was reviewed at public meetings of the Benton County Planning Commission (on 1/31/2023 and 2/7/2023) and the Benton County Solid Waste Advisory Council (on 2/8/2023). Members of those bodies provided feedback on the draft report. The individual comments were not consolidated into a document of feedback voted on and approved by the respective bodies; therefore, the comments are provided here as the informal comments of planning commissioners and of members of SWAC.

Benton County
COMMUNITY DEVELOPMENT DEPARTMENT

4500 SW Research Way
Corvallis, OR 97333
(541) 766-6819
co.benton.or.us/cd

MEMORANDUM

To: Benton County Board of Commissioners
From: Nicholas Fowler, Planning Commission Chair
Darren Nichols, Community Development Director
Date: February 24, 2023
Re: Planning Commission request to visit with Board of Commissioners

Dear Board Members:

The Benton County Planning Commission recently reviewed Draft #3 of the Benton County Talks Trash Work Group Report. During its review, the Planning Commission recognized that while it was pleased to offer input into the Draft Report, that input should not be considered a complete review of the report or its Findings and Recommendations because the Draft Report was still a work in progress.

Further, because the Work Group's eventual Final Draft Findings and Recommendations are anticipated to impact the Planning Commission's review and consideration of landfill issues going forward, we suggest that the Board and the Planning Commission meet as soon as reasonably practical in April after the Work Group delivers its final report.

To ensure that the Planning Commission is briefed on the Board's expectations, we recommend that the Board meet with the Planning Commission to:

- provide Board insight and direction to the Planning Commission,
- receive feedback from the Planning Commission's review of the Final Report, and
- foster continued constructive dialogue between the two bodies while the County has an open window for dialogue outside of the restrictions of any active land use application.

The Planning Commission and staff are pleased to support the Board's investment in understanding and exploring constructive paths forward on the critically important issues of solid waste and disposal.

Please let us know what date(s) could work best for the Board to meet with the Planning Commission as well as any additional agenda items the Board would like to discuss.

Respectfully,

Nicholas Fowler, Chair
Planning Commission

Darren J. Nichols, Director
Community Development Department

Planning Commissioners' Informal Discussion Comments on BCTT Work Group Report Draft #3 from 1/31 and 2/7/2023 Meetings

Section Title and Link	Page #	Feedback
I. Process Context and Background		
SECTION E: History of Coffin Butte; (click here for an updated version)	PDF pages 13-28, Word pages 13-30	• It has been helpful to hear the historic relationship with Coffin Butte and the community. • F2 – clarification on what is recommended • What is the scope of the phrase "character of the area" • Creating a condition of approval to address the process where DEQ only reviews the application once it is approved by the planning commission. Condition can be "approval by DEQ".
IV. Key Workgroup Findings & Recommendations		
SECTION A: Legal issues & Land Use Review	PDF pages 37-43, Word pages 39-45	• Page 43, table 2 – If/when the county receives another application for the landfill expansion – can it require things like groundwater, noise, odor, wetland restrictions? • Clarification on the role of SWAC in the BCTT report process. SWAC will not make a recommendation to the Planning Commission, but directly to the Board of Commissioners • Is the BCTT report going to recommend amending the Development Code to clarify the ambiguous terms in BCC 53.215 (Conditional Use Criteria). • Can compliance or lack of compliance with the conditions of a previous land use decision be part of the review of a new CUP application? • If a CUP application is submitted and comes before the Planning Commission for approval, the commissioners can add a condition of approval that it is approved once all DEQ requirements have been approved. DEQ does not review the application and discuss their conditions until the Planning Commissioners have made their decision. However, what if the Planning Commission determines that DEQ regulation of a particular parameter is inadequate or likely to be inadequate? • "Light pollution" is referred to in the conditions but not included in Table 2 on page 43.
SECTION B: Past Land Use Application Conditions	PDF pages 44-51, Word pages 46-53	Commissioner Biscoe stated that once the BCTT report is finalized, it will be a helpful historical document for the county moving forward. She serves on this subcommittee and reports that there is still discussion and effort to come to an agreement on the MOU between Republic Services and Benton County. • Page 44: The conditions regarding past land use applications has language that needs to be reviewed and edited. • To add "none" to the list of clarifications

Planning Commissioners' Informal Discussion Comments on BCTT Work Group Report Draft #3 from 1/31 and 2/7/2023 Meetings

		• Small edit to a word on page 50: "tracks" instead of "track".
SECTION C: Landfill Size/Capacity/Longevity	PDF pages 52-56, Word pages 54-58	• The need for clearer definition of terms in the franchise agreement (i.e. "CUP") • The 2000 and 2020 Franchise agreements do not have interpretation of terms and their meaning. (Such as limits vs threshold, limit on solid waste vs tonnage cap.) • Clarification that the existing quarry will be reduced and filled. • Benton County does not have jurisdiction over the landfill intake (other counties contributing by sending waste to Coffin Butte)
SECTION D: Sustainable Materials Management Plan (SMMP)	PDF pages 57-61, Word pages 59-63	• How will the SMMP impact waste outside of Benton County (other counties contributing to the landfill) • Suggestions: o Encourage Republic Services to implement the SMMP with other counties. o Encourage the workgroup to use the JSIP as a model of best practices when engaging with the community on the SMMP. o Reach out to neighboring counties (that contribute to the landfill) for feedback. o Incorporate the trucking and travel routes that will be impacted by the SMMP in the communication strategy. • The BCTT seems to be addressing two very different topics: sustainable materials management (how to reduce the environmental impact of the products/materials we use) and Coffin Butte Landfill (reducing its impacts). This could confuse the public.
SECTION E: Community Education & Outreach	PDF pages 62-67, Word pages 64-69	• Ensure that monitoring and compliance is communicated • Page 11 (LLU7-5) – "prior decisions" suggests the possibility that Benton County isn't always in compliance with commitments to monitor the landfill. Does the Planning Commission have the ability to add to the conditions of approval during an application to address this issue?

Feedback for sections not addressed above

Please reference section names and page numbers.

Please put all of your additional feedback on a particular section in one place and use the A, B), and C) format for ease of sorting/tracking.

Section Name	Page #	Feedback
None		

General Feedback

		The Planning Commission acknowledges this report is still in draft form and does not feel comfortable sending a recommendation to the Board of Commissioners until the draft is finalized. (The Planning Commission will

		not have another opportunity to give feedback on the draft report.) The commission does not want to delay the process and understands the time sensitivity of potential CUP applications. The Planning Commission agreed to be ready to engage with the BOC (if asked) once the report is complete.

BCTT Work Group Report Draft #3:
Comments by the Individual Members of the
Benton County Solid Waste Advisory Council
February 10, 2023

Submi ed to the BCTT Work Group. Aggregation by Ken Eklund.

Vetting completed: by BCTT Work Group staff ☐ by the Solid Waste Advisory Council ☐

Section Title	Page	Feedback	No.
		I. Process Context and Background	
THE OTHER SECTION E: History of Coffin Butte pp. 13–29			1
	all	Just noting here that it's evident that this section is a work-in-progress, and has too many issues extant for me to comment on individual ones here at this point. (which is not at all a slam on its authors, because the work is impressive; it's just a note on the current state of the document)	2
	all	Historical information about expected lifetimes of the landfill should be incorporated throughout; this information can be found in the A1 subcommi ee's work. The key issue is that at any point in time, the landfill's expected lifeme/ closure date was an important factor in how the area around the landfill developed. Someone who bought local land in 1985, for example, did so under an expectation the landfill would close in 2000, because that was the county's official narrav e at the time. (not sure those numbers are exactly correct, but you get the point) This is vital context when viewing the landfill history.	3
	all	A) what I learned from the background that there was good local, county, and state involvement from the '70s onward to clean up and get from 'dump' to managed landfill	4

		B) understand that historic decisions were made by county officials but can't reverse many of those decisions whether or not the public was properly informed	5
		C) disagree with the opinion that the franchise agreement sole purpose was to promote expansion. The tiered agreement was based on business sense related to waste inflow.	6
			7
	p. 24	If at all possible, I'd like to see a follow-up to the note about "SWAC being very active in the 2000s" – because it's my perception that SWAC/DSAC's level of activity diminished thereaj er. At some point in the 2010s, DSAC apparently stopped filing the citizen complaint compendiums with DEQ that it is required to do by state law, for example. That level of neglect extends to the present moment, when DSAC is being prevented from filing these compendiums by the County, and is also prevented from hearing complaints brought to them by the community.	8
	p. 25	On community tour #2 the firefighter spoke with participants at the Soap Creek Schoolhouse, not Santiam Christian School.	9
	p. 27	C) disagree with the opinion that the franchise agreement sole purpose was to promote expansion. The tiered agreement was based on business sense related to waste inflow.	10
	p.27	D) p27 pdf disagree with the case-closed comment. Just because an expansion was denied in the 1994 session, it does not mean case closed. I can speculate several reasons why Republic withdrew the appeal in 2022. I also speculate that Republic will apply again for an expansion so the county officials must have a policy and a strategy that meets county needs	11
	p.14	This timeline contains multiple errors and many misleading statements. **Native Kalapuyans inhabit Coffin Butte-Soap Creek area for over 14,000 years** comment #1: (1) Why the emphasis on Soap Creek? Coffin Butte faces into the main Willame&e Valley, and is part of the larger Luckiamute River watershed. The impact area for the current landfill includes areas that are even beyond the boundaries of that watershed.	12
	p. 14	Timeline notes. **Native Kalapuyans inhabit Coffin Butte-Soap Creek area for over 14,000 years** comment #2: (2) According to contemporary tribal historians, Kalapuya people moved through a larger area in a seasonal round, residing part of each year in the same places, in a practice referred to as placekeeping. The word "inhabit" makes them sound much more sedentary and does not reflect what tribal historians say about their own culture.	13

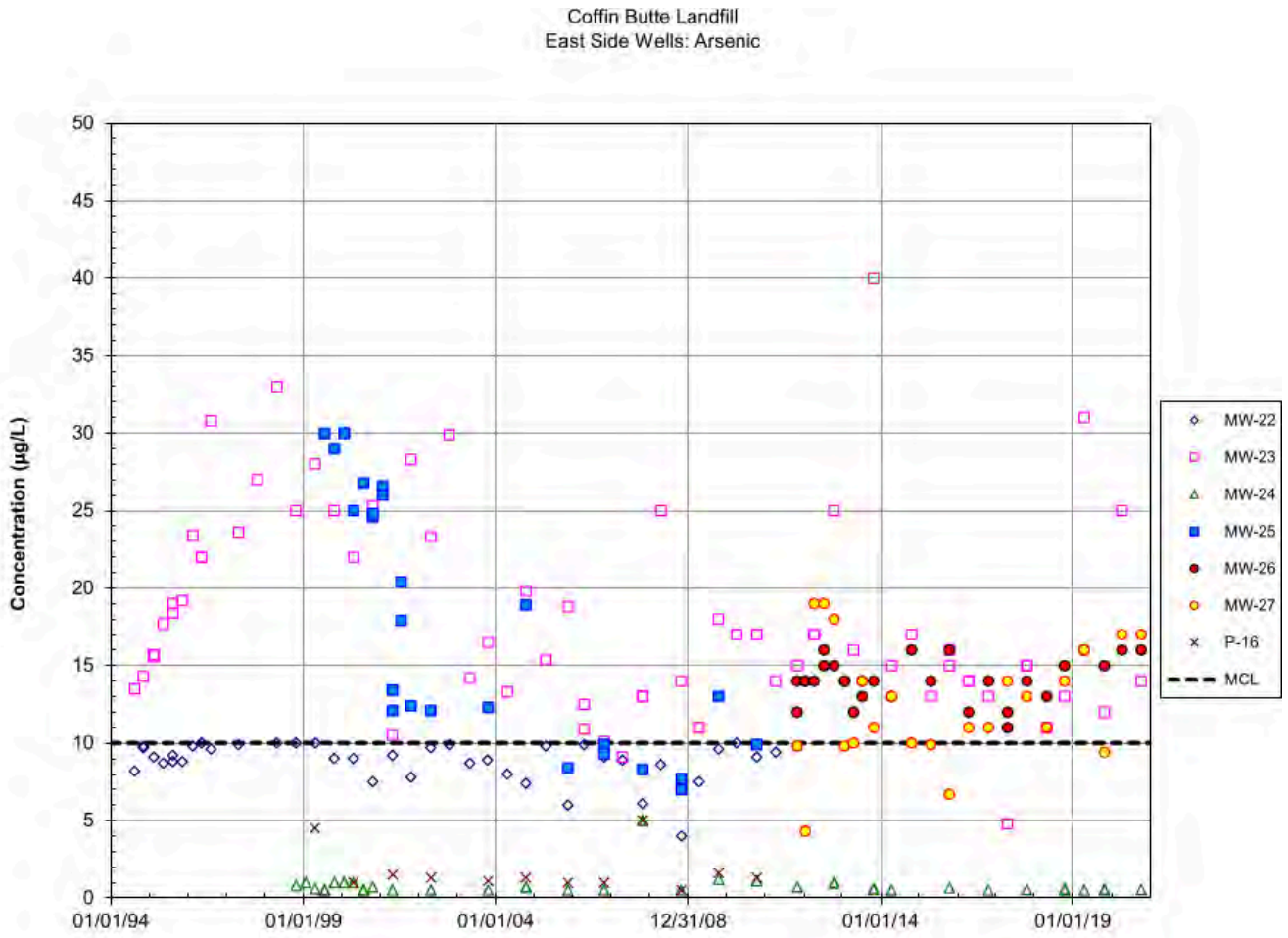
	p. 14	Timeline notes. **Native Kalapuyans inhabit Coffin Butte-Soap Creek area for over 14,000 years** comment #3: (3) The 14,000 year figure is debatable and has been a subject of contention between Nav e people and Anglo-American archaeologists, who have recently come to acknowledge that Nav e claims of much longer presence in western North America might be right, extending back as far as 23,000 years. See for example this essay by Nick Martin: hp s://www.hcn.org/issues/53.11/indigenous-affairs-archaeology-the-white-sands-discovery-only-confirms-what-indigenous-people-have-said-all-along	14
	p. 14	**Native Kalapuyans inhabit Coffin Butte-Soap Creek area for over 14,000 years:** I suggest stating more simply: "Nav e Kalapuya people have been resident in the area that includes Coffin Butte since time immemorial."	15
		Timeline notes. **Early 1900s: Farming begins…** European-style farming in the area began much earlier, starting with French-Canadian seler s in the French Prairie area in the 1820s, and by the 1840s, seler s from the eastern USA. Arguably the Kalapuya were "farming" long before that, but using Indigenous methods rather than European methods. I suggest just deleting the words "Farming begins" so this becomes "Roads built to transport produce to markets."	16
		Timeline notes. **1947: Coffin Butte Landfill is purchased … for waste disposal and incineration** (1) Was it really called "Coffin Butte Landfill" then? Or "the Coffin Butte dump site"?	17
		Timeline notes. **1947: Coffin Butte Landfill is purchased ... for waste disposal and incineration** (2) Was waste being "incinerated"? Incineration implies a controlled and relav ely complete combustion process. "Open-air burning" would be more accurate for what has been described in historical accounts of the burn dump.	18
		Timeline notes. **1950s: Illegal dumping leads to health and environmental issues include rats, vermin and odor** (1) Why is this at this point in the timeline? Were there no rats in Benton County prior to the 1950s? No illegal dumping? I thought there were news reports of problems all the way back to the 1800s.	19
		Timeline notes. **1950s: Illegal dumping leads to health and environmental issues include rats, vermin and odor** (2) "Rats and vermin" is redundant because rats in this context are a type of vermin.	20

		Timeline notes. **1950s: Illegal dumping leads to health and environmental issues include rats, vermin and odor** (3) Didn't "legal dumping" at Coffin Butte also produce odors affecting nearby residents?	21
		Timeline notes. **1950s: Illegal dumping leads to health and environmental issues include rats, vermin and odor** (4) It might be more relevant to mark this point in time as the advent of plastic trash and numerous toxic chemicals.	22
		Timeline notes. **1992: DEQ begins investigating…** Contamination was not limited to Teledyne Wah Chang, per DEQ's invesg aon, but included residue from the burn dump. Suggest giving Teledyne Wah Chang its own spot in the timeline higher up, and just stating here that DEQ begins invesg ating groundwater contamination from the older part of the dump/landfill.	23
		Timeline notes. **1994: CUP granted for 2.2 megawatt facility…** Should state clearly that this facility is using methane generated by the landfill.	24
		Timeline notes. **1994: Benton County Board of Commissioners [unanimously] deny VLI's expansion request** Should state clearly in this timeline that this request was to expand south of the road.	25

		Timeline notes. ***1994-1995:*** **Timeline is missing any mention of leachate seepage event significant enough to cause groundwater contamination** Per Republic's 2020 Annual Environmental Monitoring Report (AEMR) submitted to DEQ, seepage of leachate occurred from the newer, "modern" section of landfill and began to show up in monitoring well MW-23 soon aj er its construction. The date of construction of MW-23 is not stated, but according to the plot of arsenic for MW-23 and other "east-side wells" later in the same report (included below), this appears to have been during or shortly aj er 1994. Here is the relevant text from the 2020 AEMR: *Early in its history, detection well MW-23 had shown increases for bicarbonate alkalinity, chloride, hardness, total dissolved solids (TDS), for five of the major dissolved metals, and for arsenic. This had been attributed to localized seepage of leachate from the south side of the landfill; that seepage was remedied soon thereafter. Since 2000 to 2001, the upward trends for bicarbonate, chloride, TDS, calcium, iron, magnesium, manganese, sodium, and arsenic have peaked, and after about 2009 to 2011, most of these constituents declined to within or just above the range of background concentrations. With the exception of chloride, which is a few milligrams per liter higher than background, the concentrations in 2020 were at these lower values near or within background levels.* Note that the last sentence is not consistent with the plot of data for arsenic in east-side wells, as a sample in early 2020 showed arsenic concentrations of 25 micrograms per liter, similar to those noted in the late 1990s and early 2000s. A sample from early 2019 was even higher (about 32 micrograms per liter). (continues in Comment 27)	26

Timeline notes. ***1994-1995:*** **Timeline is missing any mention of leachate seepage event significant enough to cause groundwater contamination** (continued from comment 26)

27



		Timeline notes. **1999: '"Hot load' spurs large Coffin Butte Landfill fire** Is there any documentation (e.g. from an independent invesg ation by the fire marshall) that this was definitely caused by a "hot load"? Or is that just an explanation given by company staff from that time? I suggest just stating more factually "Adair Rural Fire responds to large fire on Coffin Butte Landfill," perhaps with a few more words on how long it took to bring it under control. This fire was discussed at length as part of the Neighborhood Tour.	28
		Timeline notes. **2005: DEQ issues record of decision on Coffin Butte groundwater remediation: site in compliance** DEQ's 2005 Record of Decision does not say anywhere that the "site is in compliance," so that phrase should be deleted. The record of decision does specify remedial actions that still needed to be completed aj er 2005, including decommissioning of the Helms well within a year, and prescription of a long-term monitoring plan to check that contaminated groundwater doesn't travel outside of the "compliance boundary."	29
		Timeline notes. **2021: Wildfire debris causes tonnage to increase again. Annual tonnage continues to be just under cap** The suggestion of "continuing to be just under cap" is misleading. Graphs later in the report (e.g. Figure 3.5 on p.160) indicate that the annual tonnage cap under the 2000 franchise agreement was violated in 2017, 2018, and 2019, then dipping below the cap in 2020 before continuing on the same upward trend. The tonnage for 2021 only stayed within compliance because the cap had been raised in the new franchise agreement. Thus there is no pa&ern of "continuing to be" just under the cap. The one recent year (2020) when the landfill was in compliance with the previous franchise agreement was an anomaly, apparently due to reduced consumer waste during the first year of the covid-19 pandemic. I suggest replacing this with "2021: Wildfire debris causes tonnage to increase again aj er reduced tonnage due to pandemic." And then delete the misleading statement, "Annual tonnage continues to be just under cap."	30
		Timeline notes. **2021: Republic files CUP ... then denied by Planning Commission.** Should note, "denied unanimously by Planning Commission" as this indicates there were significant problems with the CUP applicaon.	31
		Timeline notes. **2022: Republic Services withdraws CUP proposal. Benton County Talks Trash Workgroup formed** Add, "Regular meetings of SWAC and DSAC suspended."	32

	p. 15	p. 15 *Geography, Geology and Climate of the Coffin Butte Area* Should state that CBL is on the west edge of the main Willame&e Valley. Again, way too much focus on Soap Creek Valley.	33
		p. 15. "While the needs and concerns regarding waste disposal and associated issues affect the entire county, the area most impacted by Coffin Butte operations are the neighboring areas to the north and south along Highway 99W, Soap Creek Valley, the E.E. Wilson Wildlife Area, and agricultural areas to the east and north." There are not just "agricultural areas" to the east and north. This leaves out residential areas to the east (Palesne, Springhill, Skyline etc.) and north (Suver, Rolling Hills Rd.) which are in the "odor-shed," "litter-shed" and also in many cases, the viewshed of the landfill. Independence Hwy is also impacted. Why is Adair Village not mentioned specifically? This was all pointed out during the Neighborhood Tour.	34
	p. 16	*p.16 regarding earthquake hazards* The Corvallis Fault should be menoned, as another potential source of earthquakes very close to Coffin Butte. Surface ruptures were observed in the Lewisburg/Arboretum Road area aj er the Corvallis earthquake in the 1940s. See Chris Goldfinger's M.Sc. thesis (OSU), also a map posted on the Benton County sheriff's web page for emergency preparedness. The surface trace of this fault runs within 2 miles of the landfill. As part of an older regional thrust fault extending as far as Coos Bay, if still active it could potentially produce quakes up to around M 6.5 or 7. Although this is lower magnitude than the recurring M 9 quakes on the Cascadia Subduction Zone, it is also much, much closer with potential for an epicenter as close as Kings Valley -- so could produce stronger shaking than considered in seismic models based on a more distant source.	35
		p. 16 Coffin Butte Landfill meets state and federal requirements regarding seismic activity. Cited document not found. This appears to have been an analysis by the company's consultant. Has it been independently reviewed by a qualified seismological expert?	36

		p. 16 Republic Services hired a third-party consultant to conduct the study, and it is currently underway. Minor change in wording but significant: Republic Services hired a third-party consultant to conduct **a** study (not "the" study). Whether it meets the recommended level of invesg ation will need to be assessed. Also have all appropriate tribes been consulted, as recommended in 2022 by the Oregon State Archeologist, John Pouley?	37
	p. 17	*p. 17 Letitia Carson is one of the most notable pioneers to settle in Soap Creek Valley* Letitia Carson was one of the most notable pioneers to settle in what is now Benton County, period. Also in the enr ety of western Oregon, as she was the first Black woman to "prove up" a homestead claim in Oregon Territory. Please don't diminish her historical stature by relegating her to a Soap Creek Valley footnote.	38
	p. 18	*p. 18 The Coffin Butte Area Today: Wildlife Habitat and Protection* This section should also mention e.g. Adair Village and Palestine as local communities (alongside of Soap Creek Valley). McDonald Forest, Dunn Forest (OSU), and Luckiamute State Natural Area (OPRD) should also be mentioned at the top of this section as important wildlife habitat and human recreational areas, all within 2-3 miles of the landfill site. A couple of these are mentioned lower down, but note that LSNA is not a "refuge," but a designated "natural area." Landfill traffic (including leachate trucks) affects recreational access to LSNA via Springhill Drive, for North Albany residents.	39
		p. 18 The wildlife area covers approximately 1,788 acres of oak woodland, upland shrub and grassland habitats. Wetland habitats are integral to the wildlife area, and should be mentioned here, right up front. This becomes all the more significant in view of the "legal issues" subcommi ee's obfuscations regarding wetlands in the vicinity of the landfill.	40

	p. 21	*p. 21 Valley Landfills, Inc., Coffin Butte's owner and operator, purchased several properties around the existing Landfill site during the 1980s.* This should be restated as, "Valley Landfills, Inc., Coffin Butte's owner and operator, began to purchase properties around the existing Landfill site, starting in the 1980s." According to a map of property acquisitions later in the report, the Helms family's property was not acquired until 2001 -- long aj er contamination of their well by the landfill was discovered, and water treatment efforts proved inadequate. As described in the account in this dra, one could easily get the impression that contamination was only discovered aj er VLI purchased the property, and before the property's value was impacted by the threat of groundwater contaminaon.	41
	p. 22	*p. 22 Today, Coffin Butte is capable of powering 4,000 homes with clean energy* Landfill gas is not "clean energy." There are still carbon emissions and possibly also incomplete combustion of methane. Much of the methane is simply flared off, as can be easily observed by driving by the site at night. Not to menon, the volume of this potent greenhouse gas that leaks directly from the landfill to the atmosphere every year has yet to be quantified by aerial or satellite surveys. The biased phrase "with clean energy" should be deleted, or replaced by "with landfill-generated methane."	42
	p. 22	The gas-to-energy plant does not use "clean energy." Its output is carbon dioxide, same as a coal-fired plant in terms of greenhouse gases. Plus it also does not burn all its methane, especially when flaring, and methane is a very potent greenhouse gas.	42b

	p. 23	*p. 23 This fire, never a danger to local residents, was contained to the landfill site and was likely caused by a 'hot load' delivered to the landfill and no damage was reported to any property outside the landfill zone.* There are several dubious statements and/or outright whoppers in this sentence. (1) Local residents responded as volunteer firefighters with Adair Rural Fire. During the Neighborhood Tour, Kevin Higgins spoke at length about the conditions that they faced as they battled VLI's fire for more than 24 hours without relief. He mentioned that volunteers experienced respiratory problems for weeks aj erwards, and also that no one from the landfill company ever contacted them to ask how they were doing aj er their hazardous service. This was part of a Workgroup event, even if no one from Republic Services a&ended. Please ask Kevin Higgins for his notes to include in the record (the cursory notes by ICM staff did not capture any of the most significant parts of his account). (2) Local residents within at least a 2-mile radius were exposed to smoke of unknown composition for several days, depending on the wind direction. As one of those local residents (living 2 miles away at the time), I recall it well. The incident led to the phrase "Coughin' Bu e" gaining some currency on the limited social media at the time. (3) Evacuation plans for Adair Village were at least considered by local officials at the time, although thankfully the wind directions remained favorable to push smoke out toward less densely populated areas. Again, please contact Kevin Higgins (currently with the Benton County Sheriff's Department) for a first-hand description of this event and the risks faced by local residents, especially volunteer firefighters.	43
	p. 34	*p. 34 Neighborhood tour* Please use full names of the tour organizers, Joel Geier and Nancy Whitcombe. Elizabeth Pa&e's name is misspelled. The last bullet point is misleading.	44
	p. 35	*p. 35 Neighborhood tour* • archery range • We discussed visual impacts of the landfill even at 3+ miles distant, litter, and impacts on residential property values.	45

	p. 35	*p. 35 At the Santiam Christian School, Kevin Higgins, a firefighter with the Sherriff's office gave a talk on growing up in the area, landfill fires, types of items in landfill, and DEQ. This was followed by ... resident Elisabeth Pott. The discussion on the bus ride back focused on affordable housing and local buildings.* Soap Creek Schoolhouse, not "Santiam Christian School." Kevin Higgins was a volunteer with Adair Rural Fire, but works for the Sheriff's office. His talk was primarily focused on the landfill fires, their unpredictable aspects due to what goes into a landfill, and the resulting hazards faced by local volunteer firefighters. Elizabeth Pa&e's name is misspelled. Discussion on the ride back included mention of a house constructed by Habitat for Humanity.	46
		Priya Thakkar's name is misspelled.	47
IV. Key Workgroup Findings & Recommendations			
SECTION A: Legal issues & Land Use Review PDF page 37-43, Word page 39-45	all	What are the limiting Federal rules?	48
	all	I note that throughout this section, there is no reference made to Benton County's values such as the 2040 Thriving Communities Inia v e, which I believe are intended to apply context to situations described here, such as "seriously interfere" (LLU F-10) and SWAC deliberations about the "health, safety and welfare" of the community and residents, and so on.	49
	all	I note that throughout this section, there is the presumption that SWAC needs to be guided, it needs to have recommendations made to it, etc. This presumption is not correct. It has been chartered by the county (and DSAC, chartered by the state) to provide input from a different perspecv e than the county's – in particular, from a community perspecv e. It is capable of referring to the legislav e sources of its authority and defining its own mission. All of the language based on this "infanlizing " presumption should be deleted.	50

	all	I note that throughout this section, there is the presumption that SWAC needs to be guided, it needs to have recommendations made to it, etc. This is language that is designed to exploit the lack of institutional memory that the county has engineered in the Council in recent years. This sort of predation upon SWAC's autonomy are inappropriate, and all of the language based on this presumption should be deleted.	51
	all	I note that throughout this section, there is the presumption that SWAC needs to be guided, it needs to have recommendations made to it, etc. This sort of non-legal "guiding" language only appears in context to SWAC. This is the subcommi ee diverging from its charter into an a&empt to influence, and this language should be deleted.	52
	p. 37	Members: Note participation by additional Republic a&orneys besides Condit.	53
	p. 41 on	LLU F-3. Up-front and ongoing financial assurance to cover the cost of closure, post-closure, and corrective actions are required by DEQ. Where this preliminary line of defense fails, Oregon statute holds any person owning or controlling the disposal site liable for closure and post-closure maintenance. Republic Services has created a separate, stand-alone corporate entity (Valley Landfills, Inc.) as the owner of the landfill. As has happened many times throughout corporate America, VLI could easily declare bankruptcy in the event of a major environmental situation wherein the resources available were not sufficient and VLI would simply walk away.	54
		LLU F-3. What happens in the event of bankruptcy of the company holding the landfill aj er closure? This question was raised very specifically but never answered.	55
		LLU F-5. "Collaterally a&acked" -- what does this mean?	56
		LLU F-6. Add "...under the current terms of the franchise agreement. Such control has been ceded by the county."	57
		LLU F-9. Replace last sentence with "Coffin Butte thus meets the definition of a regional landfill per ORS."	58
			59

	p. 41	*p. 41 SWAC should review the proposal and provide input from a solid waste management perspective. The Planning Commission's role is to review the proposal from a land use perspective, relative to specific criteria listed in the Development Code, and to make a decision.* The position of this "legal issues" commi ee, comprised of Republic a&orneys, County Counsel, and one former Planning Official, to put sideboards on SWAC's role, is dubious at best. SWAC can and should review the proposal not just from a solid waste management perspecv e, but also from the broader aspect of sustainable materials management. We note that the "legal issues" commi ee discussed this extensively, with a very apparent bias toward limiting the role of SWAC.	60
		LLU F-5. In reviewing a CUP for landfill expansion, the County has jurisdiction over only the proposed expansion. Existing and past operations are not within the County's scope of review. Prior decisions are final and cannot be revisited or collaterally attacked as part of the CUP application for the expansion. Existing and past performance of Benton County in monitoring and enforcement of any proposed conditions of approval must be considered. The County readily admits that it did not and does not actively monitor and enforce conditions os approval designed to mig ate adverse impacts on adjacent land uses.	61

		LLU F-13. BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. SWAC's overall role as articulated in its bylaws: "assist the Board of Commissioners (Board) in Planning and implementation of solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance." As such, SWAC should review the proposal and provide input from a solid waste management perspective. The Planning Commission's role is to review the proposal from a land use perspective, relative to specific criteria listed in the Development Code, and to make a decision. This is an inappropriate a&empt by the Legal Issues subcommi ee to muzzle the SWAC. Chapter 77.305 states "The Benton County Environmental Health Division and the Solid Waste Advisory Council shall review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Plan Map and narrav e." The Site Development Plan Map and narrav e include all aspects of the proposed development.	62
	p. 45	LLU F-13. I question the "should" in this section, as it appears to be suggesting one interpretation of BCC Chapter 23 over others. I suggest deleting the "should" statement, because what SWAC "should" do is refer to BCC Chapter 23 rather than rely on this subcommi ee's interpretaon.	63
	p. 45	LLU F-13. I question the phrase "from a solid waste management perspecv e," since it could imply that there is some expertise required in the discipline of solid waste management, which is not part of SWAC's mission. It brings up the specter of someone other than SWAC itself opining on what is "solid waste management" and what isn't, for purposes of limiting SWAC from outside.	64
		LLU F-13. "…sustainable materials management perspecv e", not solid waste management, here and throughout.	65
		LLU F-16. "…according to county officials, based on the degree of oversight at the time, whether or not they were fully informed."	66
	p. 45	LLU R-1: see above comments on LLU F-13 (63, 64, 65)	67

	p. 45	LLU R-1. SWAC's role in reviewing a landfill-expansion CUP should be from the perspective of solid waste management (see LLU F-13). The workgroup may wish to recommend specific areas of consideration by SWAC. For example: Is the proposed expansion consistent with long-term plans for the landfill site? Is the proposal consistent with principles of responsible solid waste management? What (solid waste management) benefits do you see to the proposed expansion? What potential (solid waste management) negative effects do you see? Are there ways to minimize or mitigate those effects? This is an inappropriate a&empt by the Legal Issues subcommi ee to muzzle the SWAC. Chapter 77.305 states "The Benton County Environmental Health Division and the Solid Waste Advisory Council shall review and make recommendations through the Planning Official to the Planning Commission regarding the Site Development Plan Map and narrav e." The Site Development Plan Map and narrav e include all aspects of the proposed development.	68
	p. 45	LLU R-2. Amendments to the Development Code may be needed in order to create a clear and legally consistent process for SWAC's involvement in review of a CUP. Pursuant to the Development Code as written, the only criteria that a CUP decision can be based upon are those of BCC 53.215, and the Planning Commission is the decision-making body; yet the code states an ambiguous role for SWAC in that process and seems to imply that other considerations beyond those of BCC 53.215 should go into the decision-making process. This needs clarification. Until any role modifications are adopted in Code, the existing role for SWAC described in Chapter 73 stands.	69

	p. 45	"For example: Is the proposed expansion consistent with long-term plans for the landfill site? Is the proposal consistent with principles of responsible solid waste management? What (solid waste management) benefits do you see to the proposed expansion? What potential (solid waste management) negav e effects do you see? Are there ways to minimize or mitigate those effects, or do you think the proposal should be rejected?" I note that an earlier draft of LLU R-1 contained the underlined phrase, but that aj er lobbying by Greg Verret it was deleted. With its deleon, all of the examples given in this paragraph would support a yes recommendation for a new CUP application. This evident bias questions the legitimacy of the enr e paragraph of LLU R-1; it should be deleted.	70
	p. 45	"For example: Is the proposed expansion consistent with long-term plans for the landfill site? Is the proposal consistent with principles of responsible solid waste management? What (solid waste management) benefits do you see to the proposed expansion? What potential (solid waste management) negav e effects do you see? Are there ways to minimize or mitigate those effects, or do you think the proposal should be rejected?" I note that an earlier draft of LLU R-1 contained the underlined phrase, but that aj er lobbying by Greg Verret it was deleted. In fact, about 15 minutes of the subcommi ee's time was devoted to this lobbying and deletion. My concern here is wheelspin: as a county taxpayer, I am paying for Greg Verret's time, for Vance Croney's time, for Sam Impera' s time, and for Ginny Lucker's time, all to make sure that none of the examples given in LLU R-1 explicitly inform SWAC that it has the power to recommend rejecting an application such as the next CUP. If the Board of Commissioners or the County are concerned with the cost of BCTT, they might want to look first at the time-wasting being created by their own employees.	71
	p. 45	"For example: Is the proposed expansion consistent with long-term plans for the landfill site? Is the proposal consistent with principles of responsible solid waste management? What (solid waste management) benefits do you see to the proposed expansion? What potential (solid waste management) negav e effects do you see? Are there ways to minimize or mitigate those effects, or do you think the proposal should be rejected?" I note that an earlier draft of LLU R-1 contained the underlined phrase, but that aj er lobbying by Greg Verret it was deleted. My question is: where was the community representation during this episode? Where is the example language that actually reflects what the community is thinking, or what examples would be good to pass on to the citizens on SWAC? Until there actually is that sort of representaon, I ask the subcommi ee to withdraw this biased example language or the Workgroup to ask for its deleon.	72
	p. 46	LLU R-3. As written, it seems the Planning Official can require other information in the applicant's narrav e, and this other information thus becomes part of the "applicable criteria." Therefore, the workgroup has wider latitude with its recommendations for "other information" than is conveyed here. If so, the last sentence should be deleted.	73
	p. 46	Topics which Benton County can and cannot regulate: it's unclear what these results mean in the context of land use operation and oversight, because it's unclear what it means when Benton County regulates a topic area (or not). If you mean "topic areas that enable Benton County to regulate the landfill (or not)" then maybe you should say that.	74

	p. 47	Table 2. The wetlands topic is not clearly written. It would be clearer to say that the wetlands on and in the vicinity are not currently designated as "significant". The E.E. Wilson Wildlife Area is a significant wetland by any common understanding of that term, and included as such in wetland inventories; what you mean to say is that it has not been put on the specific inventory that gives the County to regulate it.	75
		Table 1: Rights and Obligations Relative to Franchise Agreements 10.5 | Section 4(c), 4 (c)(i), and 4(c)(ii) describe how the host and franchise fees will be modified ONCE the expansion is approved. Contrary to the wording in these sections, Republic has no right to an expansion, and Benton County is under no obligation to grant an expansion. | Landfill Franchise Agreement §4(c), 4(c)(i), 4(c)(ii) | The language in these sections is written such that the decision regarding granting of an expansion has been pre-judged and it is only a matter of timing as to when it will be granted. Add the above row below Row 10 in this table.	76
	p. 45	CUP F-1 C.1: *Condition #3, establish efficient leachate collection and treatment and wells to monitor any potential seepage into underground aquifers.* The fate of leachate generated by the landfill should not simply be ignored by the County and delegated to DEQ. The requirement to "insure against pollution of nearby waterways" is very much still relevant. **Compliance Assessment:** yet to be determined. Seepage into groundwater resulting in significant contamination has occurred, including Helms well and MW-23.	77

	p. 45	CUP F-1 F.1: *Condition #6, Phase landfill operations so that only a small acreage is used for fill at one time and return to grazing.* Landfill operations and closure are governed by DEQ requirements. Some of the landfill areas have not received wastes since the 1990s, others since 2011. RSI has determined areas of the landfill are "In Closure" under Federal rules. Approximately 41.7 planimetric acres have already received Final Closure. This area should already have a 1.5 feet thick Vegetative Cover per Federal requirements and be suitable for reuse. **Compliance Assessment:** yet to be determined. Nav e species? grazing land?	78
	p. 46	**CUP F-2 D.1:** *Condition #8, Submit an updated, long-term leachate control plan as part of the DEQ permit renewal process.* Leachate storage exists on site for holding leachate prior to trucking to off-site locations. No leachate is currently being land applied on landfill properties. No soil study needed. **Compliance Assessment:** yet to be determined. Leachate was formerly applied to land but resulted in groundwater contamination that has only gradually a&enuated, some contaminants still detectable in monitoring wells.	79
	p. 46	**CUP F-2 F.1:** *Condition #10, Screen the landfill operation with fencing or berms so it cannot be seen from the County Road or adjacent properties.* The screening may have been done but has eroded or died in the interim. It should be recreated and maintained to be in compliance with the requirement. **Compliance Assessment:** yet to be determined. This is clearly not in compliance. Frequently visible from County Road and properties as far away as 3 miles.	80
	p. 46	CUP F-2 G.1: *Condition #11, Adhere to daily compaction of refuse and limit exposed refuse areas to 2 acres during the periods of October 15 to June 1 and to ¾ of an acre during all other periods.* The landfill uses an alternative daily cover approved by DEQ, which includes Covanta Ash material. The landfill also uses temporary cover. **Compliance Assessment:** yet to be determined. Google Earth images show that this has been exceeded.	81

	p. 46	**CUP F-2 H.1:** *Condition #12, Channel occasional leachate seeps into the leachate collection system within a timely period.* Republic Services complies with all current regulatory requirements, which include liners. Leachate does not seep through perimeter berms. **Compliance Assessment:** yet to be determined. Refer to 2000 leachate seepage event that resulted in long-term contamination of groundwater as detected in MW-23.	82
	p. 47	**CUP F-3 C.1:** *Condition #3, The applicant is responsible for ongoing monitoring of noise levels.* Available records do not indicate any noise monitoring requests by the Planning Official. **Compliance Assessment:** yet to be determined. But applicant is "responsible" whether or not the Planning Official requested it.	83
	p. 48	**CUP F-5 B.1:** *Condition #2, Keep unpaved, main access roads dust-free.* Coffin Butte Road is now paved, **Compliance Assessment:** yet to be determined. Dust and mud from landfill now spreads to paved roads up to a mile from site.	84
	p. 48	**CUP F-5 F.1:** *Condition #6, The landfill operation hours 8:00 a.m. and 5:00 p.m. Monday through Saturday, 12:00 p.m. through 5:00 p.m. on Sundays, 24-hour access for commercial customers.* Condition is written poorly and would be improved with better clarification on Hours of Operation. **Compliance Assessment:** yet to be determined. "Operation hours" are clear enough. Access by commercial customers outside of operation hours seems pointless.	85

		Legal Issues Table 2: ***Topic:*** *Wetlands* ***County Allowed to Regulate?*** *Yes, if the County has identified significant wetlands at the site in a wetland inventory adopted through the Statewide Planning Goal 5 procedure.* ***Notes*** *No significant wetlands are identified in the vicinity of the landfill on the County's adopted inventory.* A wetlands expert sent me these comments: The National Wetland Inventory shows many wetlands in the vicinity of the landfill but does not address their significance. That responsibility legally belongs to the cities (with approval by the associated County) whenever a city opts to prepare a more detailed Local Wetland Inventory (LWI) using procedures prescribed by Oregon Department of State Lands. The "cities" of Corvallis (2004) and Adair Village (2012) did choose to prepare LWI's and identified Locally Significant Wetlands (LSW's) as part of their LWI using a now-superceded procedure. HOWEVER, neither plan covered anything close to the landfill, so the situation should be described as NO DATA, not "no significant wetlands". Clearly the commi ee's statement is disingenuous. Even if Corvallis or Adair Village's LWI or some subsequent inventory I don't know about had extended to include areas closer to the landfill, according to updated regulations (OAR 141-085-0685), cities are no longer legally allowed to use the procedure that was prescribed in 2004 and 2012 to idenf y LSW's. see item (g) at hp s://secure.sos.state.or.us/oard/displayDivisionRules.acon? selectedDivision=350) In most cases they must now use the more science-based ORWAP procedure as adopted by the Department of State Lands to determine what is a "significant" wetland. Although federal (Corps of Engineers) regulations under section 404 of the Clean Water Act also apply, they include no provision for distinguishing which wetlands shall be identified as "significant" so their silence on that topic does not imply insignificance. Further clarification could be sought from the Department of State Lands who are responsible for reviewing LSW determinaons.	86
SECTION B: Past Land Use Applica9on Condions PDF page 44-51, Word page 46-53			*87*

		Key Findings The listing of Key Findings highlighting specific land use actions beginning on page 47 with CP-74-01 were chosen by Benton County staff without any input from subcommi ee members. The rationale for why some actions were chosen and some actions were left out is unclear. In several cases, the manner in which the findings are excerpted and summarized mischaracterize the subcommi ee discussions.	*88*
		A review of the extensive number of land use decisions and associated conditions of approval reveals some overarching key findings with regard to how land use decisions are implemented in Benton County: These overarching key findings are presented for subcommi ee consideraon.	*89*
		CUP F-1 A.1 This is a main concern to me. When was the county not allowed to limit where landfill could come from? Who were the county commissioners? Why? I saw when Lincoln County was allowed to bring trash here but missed how local control ended.	*90*
		Condition #1 defined the original area to be served by the landfill. Current federal rules prohibit the county from limiting access to the landfill. **Compliance Assessment:** yet to be determined. This is a finding the County staff added without consultation with the subcommi ee. This federal limitation (Commerce Clause court ruling) was not in effect at the time of the 1974 land use action. The County and Republic could mutually agree to limit landfill service area. Republic has the right to limit access to the landfill.	*91*

		CUP F-2 A.1: *Condition #1, Cross reference the narrative and the map in both documents; Condition #2, Expand the narrative statement on reclamation; Condition #3, In the narrative, describe the method of screening in more detail; Condition #4, Include in the narrative the anticipated chemical composition of any leachate material to be used for irrigation; Condition #5, Include in the narrative review of the Environmental and Operational Factors for 10-acre addition.* The narrative was updated to provide information related to all of these conditions. The updated narrative is found in the document titled "PC-83-07-C(3)" starting on Page 3 of 60. **Compliance Assessment:** yet to be determined. This is a complete and total misrepresentation of the opinion of the majority of members of the subcommi ee. The County and Republic are taking the position that all the applicant had to do was submit a narrav e and that the operator was not required to complete any actions outlined in the narrav e, or to complete any of the required visual screening. The Board of Commissioners order expressly adopted these requirements and they have not been superseded by subsequent land use approvals. Further, the County has never taken any enforcement action against the operator to have the required screening completed.	*92*
		Condition #6, Provide a detailed reclamation plan. There is a very detailed description of the promised screening in the narrative. There is no evidence in the record that any screening was ever done, and clearly there is no screening existing today. **Compliance Assessment:** yet to be determined. See immediately preceding comment. Also applicable here.	*93*

		CUP F-2 H.1: *Condition #12, Channel occasional leachate seeps into the leachate collection system within a timely period.* Republic Services complies with all current regulatory requirements, which include liners. Cells 1 and 1a, the oldest cells are unlined and are still generating leachate. **Compliance Assessment:** yet to be determined. This excerpt does not represent the depth and breadth of the subcommi ee review and narrav e. It completely ignores the rest of the discussion in the assessment of compliance completed by members of the subcommi ee. This statement was made by Republic Services and was not ve&ed by other members of the subcommi ee. No evidence has been presented to confirm leachate seep claim. This is not in the subcommi ee findings and this statement has not been verified.	94
		CUP F-3 (PC-94-03) ***Approved in 1994. A Conditional Use Permit for approval of a 2.2-megawatt gas generated power facility.*** **CUP F-3 A.1:** *Condition #1, The facility shall be housed in a structure approximately 50 by 100 feet or less in size.* None This should not be here as a "Key Finding" since there is no finding whatsoever. What does None mean?	95
		CUP F-3 B.1: *Condition #2, Noise levels shall comply with the New Industrial and Commercial Noise Standards.* Noise testing completed in 1997. **Compliance Assessment:** yet to be determined. "shall comply" does not mean the operator can test once and then proceed to violate the Standards. Benton County did not and does not monitor or enforce ongoing conditions of approval.	96
		CUP F-3 C.1: *Condition #3, The applicant is responsible for ongoing monitoring of noise levels.* Available records do not indicate any noise monitoring requests by the Planning Official. **Compliance Assessment:** yet to be determined. See comment immediately above	97

		CUP F-3 F.1: *Condition #6, Lighting shall not impact streets or adjacent property.* There is no record of complaints received by the County. **Compliance Assessment:** yet to be determined. Benton County did not and does not monitor or enforce ongoing conditions of approval. There is no "system" in place in Benton County to track and follow up with any complaints that may have been filed.	*98*
	p. 50	**CUP R-2** CUP R-2: Consider the impact of leachate management on traffic safety, road maintenance, wastewater treatment plant, and the Willamette River (water, sediments, wildlife, etc.) in future assessment of the impact of landfilling in Benton County. Yes. These are hidden costs that must be accounted for	99
	p. 50	**CUP R-11** CUP R-11: Benton County should actively monitor and enforce prior land use decision conditions of approval for the landfill or any other land use decisions. How much revenue has Benton County received as a host site? Why was none of this used to "actively monitor"?	100

		CUP F-3 F.1. "No record" does not mean that complaints have not been received. This complaint was submitted to Republic and to the BCTT in September and to the County in December. The county placed it into the backlog of complaints received by SWAC but apparently did not record it. Full document here: hp s://www.dropbox.com/s/48k2zdgk3duqyjg/CBL-lightspill-lightsout.pdf?dl=0 **The complaint: Coffin Butte Landfill turns bright lights on atop the landfill in the early morning, and this light pollution is causing environmental damage, especially to migrating birds.** While on the workgroup tour of the landfill I saw generator-fed light towers stationed at work areas atop the landfill (Exhibit 1). Previously, from afar I had seen lights on up there in the early morning, and the environmental manager for the landfill, Ian Macnab, later confirmed that these lights come on at about 4:45 am to support weekday operations at the landfill's active cell (Exhibit 2). That morning I had seen a post on social media asking neighbors in the Willamette Valley to turn out their yard lights at night, to prevent undue mortality in the population of migrating birds. That post is part of a national program called Lights Out (Exhibit 3), which is trying to prevent the bird deaths that result when bright lights at night disorient the birds, so that they go off course, fly into things, and otherwise perish along the way. An estimated one billion birds are killed this way during migration in the U.S. every year, according to the New York Times and other sources (Exhibit 4). On the day I saw the light towers, there were over 5 million birds migrating through Oregon. The light towers atop the landfill (there are at least 4) sit on a plateau about 270 feet above the surrounding terrain. These are big industrial units, throwing half a million lumens each from masts which are 30 feet tall. As you can see from the photograph in Exhibit 1, the light they produce is not necessarily down-directed but instead spills across the landscape. The lights are bright even from five miles away. The lightspill problem at Coffin Butte Landfill is not new; mitigation for light pollution has been a condition for landfill use in its permits; "downhoods" and other less intrusive lighting was discussed during Republic's permit application last year. The lights may be in violation of the Migratory Bird Treaty Act, which holds industries accountable for the incidental take of birds due to operations. The lights may be in violation of the landfill's current use permit, as they come on every weekday morning at 4:45 am, well before official operating hours. Yet still the bright lights come on even at the height of bird migration. When will the landfill's operators address this situation and implement mitigations to lessen the landfill's risk to wildlife? Ken Eklund futureeverything@writerguy.com	*101*

		CUP F-4 C.1: *Condition #3, Noise levels for both Phase I and Phase 2 shall comply with the Noise Control Regulations for Industry and Commerce.* Noise Compliance Monitoring memorandum submitted on June 11, 1997, by Pacific Northwest Generating Cooperative. **Compliance Assessment:** yet to be determined. "shall comply" does not mean the operator can test once and then proceed to violate the Standards. Benton County did not and does not monitor or enforce ongoing conditions of approval.	*102*
		CUP F-4 E.1: *Condition #5, Provide sanitation facilities for the generation plant employees.* None **CUP F-4 F.1:** *Condition #6, The applicant shall obtain and comply with all applicable permits from the DEQ.* None There are no findings much less any Key Findings Please remove all these similar statements with no findings	*103*
		CUP F-4 H.1: *Condition #8, Declaratory statement to be recorded that recognizes the rights of adjacent forest uses.* None There are no findings much less any Key Findings Please remove all these similar statements with no findings	*104*
		CUP F-4 I.1: *Condition #9, The applicant shall prepare a site-specific development plan addressing emergency water supplies for fire protection.* No information related to this condition has been found. **Compliance Assessment:** yet to be determined. Fire protection in and around the landfill site is a key fire-life-safety requirement and there is no evidence in the record as to whether this has ever been or is being complied with today	*105*

		CUP F-5 A.1: *Condition #1, Obtain approval from the DEQ.* None. The County has no mechanism for ensuring that any required permits are actually procured.	106
		CUP F-5 B.1: *Condition #2, Keep unpaved, main access roads dust-free.* Coffin Butte Road is now paved, **Compliance Assessment:** yet to be determined. Here is the actual condition: In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant. There are many unpaved roads that lead to the landfill for which this condition has not been monitored or enforced.	107
		CUP F-5 C.1: *Condition #3, Ensure that the landfill operation does not exceed the maximum sound level permitted by DEQ.* Available records do not indicate any noise monitoring requests by the Planning Official. **Compliance Assessment:** yet to be determined. O -repeated condition of approval that is never monitored or enforced.	108

		CUP F-5 F.1 – **Subcommittee Member** – Not in Compliance. Staff and RS do not get to interpret operating hours to mean something different than what was imposed as a written condition of approval. The words are the words. By definition the industrial activity of operating an active landfill is an incompatible use in an agricultural, forest and rural residential area. As such, operating hours are critical to mitigation of the numerous deleterious effects of the landfill operation. Requiring the landfill to limit operations to mitigate impacts "The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers" means what it says, and the condition of approval was adopted by the Planning Commission. The public has a right to expect the operating hours to be enforced as approved and adopted. Beginning operations at 4:30 a.m. is a violation of this condition of approval. ~~Under staff and RS interpretation, could the landfill operate 24 hours a day?~~ This was a note, not a finding	109
		CUP F-6 (PC-03-11) ***Approved in 2003, A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation.*** Placement of solid waste in the FC zone is a conditional use, but must be approved by the Board of Commissioners (60.215(11)): "Disposal site for solid waste approved by the Benton County Board of Commissioners and the Oregon Department of Environmental Quality together with equipment, facilies, or buildings necessary for its operation." This land use action was never approved by the BOC.	110
		CUP F-6 B.1: *Condition #10, Obtain DSL approval for activities that effect wetlands.* Advisory. The County has not a system in place to track or verify that the applicant obtains and maintains required State agency permits.	111

SECTION C: Landfill Size/ Capacity/ Longevity PDF page 52-56, Word page 54-58			112
		A) disagree with the climate crisis sections in the Subcommi ee A.1 Landfill Size/Capacity/Longevity document. Methane generation can be captured and turned into energy. The reported effort of climate activists to close Riverbend Landfill in Yamhill County did nothing to achieve the goal that the climate activists set out to do. It merely added to the cost and energy required to move the waste to a different landfill. What should be learned from this is to not repeat the same mistake with Coffin Butte.	113
		B) disagree with section of theorec al flood event at the landfill. This point was hypothec al and not realistic based on geography and weather data. The landfill has a leachate capture design that has been through significant rain events. There has not been a disastrous rain event at the site.	114
		C) Post-operational policy is driven at the state level. The state has post-closure monitoring and protocols for leakage. The county can and should be involved in the post-closure future use of the facility. Other states have made nonoperational landfills into parks and winter recreation sites	115
		C2) Citing the Yamhill litigation on landfill closure shows the unintended consequences of abruptly passing short-sighted legislation. Had there been a realistic strategy with the landfill owner, then both owner and community could have come to common ground. Let us hope Benton County does not make the same mistakes proposed by the Yamhill activists.	116
	p. 53	**LSCL F-10.** LSCL-F-10: In an official 2018 presentation to Benton County Board of Commissioners, Benton County represented the 2000 Franchise Agreement intake threshold as "Annual Maximums Specified in Franchise Agreement." However, the 2000 Franchise agreement does not describe the tonnage threshold as a "limit" or "maximum", and allows for exceedances over the listed threshold. Who is/was "Benton County" -- was this County Counsel or the Development Division staff, or who???	117

	p. 54	**LSCL F-14.** LSCL-F-14: The 2000 Landfill Franchise Agreement imposed a ramping intake threshold to be applied during the term of the agreement (CY2001-2019), giving the County the option to perform an updated impact assessment if the threshold was exceeded, denoted in the chart by the blue line ("Threshold to update Baseline Study") , which then could result in increases to the landfill fees paid to the county. The County did not perform an updated impact assessment as a result of the 2017-2019 tonnage threshold exceedances. Exceedances or violations of the contract?	118
	p. 54	**LSCL F-15.** LSCL-F-15: Due to an expected additional influx of volume in 2017 resulting from the disruption onset of the closure process for Riverbend landfill in Yamhill County, in December 2016 the franchisee and Benton County executed a MOU acknowledging an expected increase in Coffin Butte intake volume "for a term of 1-2 years." Was there any public process for this MOU, as a modification of the Franchise Agreement?	119
	p. 54	**LSCL F-16.** LSCL-F-16: The 2020 Landfill Franchise Agreement states that the total tonnage deposited at the Landfill shall not exceed 1.1M tons per calendar year until "application to expand the Landfill on to the Expansion Parcel are granted (following any and all appeals to final judgement)." The 2020 intake limit is denoted in the chart by the dashed red line ("2020 FA Limit.") UNLESS and unl	120

	p. 54	**LSCL F-18.** LSCL-F-18: The drop in volumes to Coffin Butte in 2020 is due to the global COVID-19 pandemic, coupled with diversion of tonnage from Riverbend Landfill to other landfills besides Coffin Butte. However, tonnage volumes increased again in 2021 due in part to changes in lifestyle/development/at home shopping patterns as a result of the pandemic, as well as debris from the Oregon wildfires. What role did Republic's contracts play?	121
	p. 55	**LSCL F-23.** LSCL-F-23: Benton County received approximately $3.1M of incremental revenue from the increased intake volumes over the 2017-2019 period. Of this, approximately $1.08M was the result of intake volume in excess of the annual limits over the three-year period. This equates to roughly $11.50 total per Benton County resident for the three-year period. What portion goes to enforcement/monitoring?	122
		LSCL F-32. LSCL-F-32: The quarry dynamics are construction of the needed cells for future disposal areas. The herculean construction task is to excavate basalt rock to form the excavated design dimensions for construction of future disposal cells. The assumption is that the excavated rock and the construction of future cells keep pace with the demands of increased volumes of refuse needed for disposal without interruption. Herculean? Seems like normal mining to me.	123

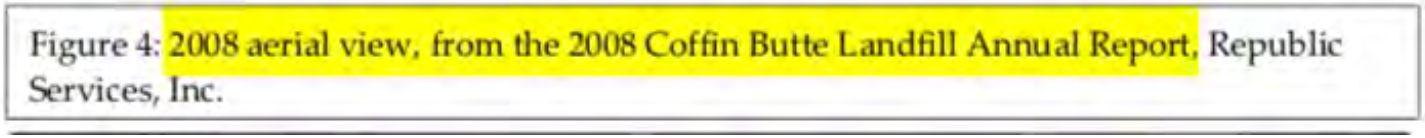
SECTION D: Sustainable Materials Management Plan (SMMP) PDF page 57-61, Word page 59-63			*124*
		SMMP: This project is way too big to be a part of common understanding for the tight current time frame. Perhaps this section say "County will continue to develop SMMP with cooperation from landfill franchisee."	*125*
		A) diverting waste needs to balance the effort with economic benefit.	*126*
		B) The SMMP should state that any mandate to divert waste should show a cost vs benefit to the consumer (customers of landfill). Many regulations push the cost burden to the consumer. Material diversion actions should be self-funding.	*127*
		with regard to the environment, resource conservation and the climate problem, things cannot go on like they have been. According to the current international level of knowledge, the only solution to this problem is a circular economy with an IWMS (Integrated Waste Management System) in connection with an energy supply based on renewable energies. The SMMP should have that as an underlying understanding.	*128*
		the RFP should proceed with the understanding that a SWMS (Solid Waste Management System) with the technology available today can be a major step towards a&aining a CO2-free (waste) economy.	*129*
		planning the financial effort associated with a progressive approach to waste should be a key part of the RFP. This includes an analysis of how this financial effort compares to landfilling the waste. You want the entity that will work on the RFP to have the necessary international experience and knowledge.	*130*
		Benton County seems to be in a struggle between business as usual and a new path forward, a path of benefit to the county and its ciz ens, and the RFP applicant should be able to assist the County in navigating that struggle.	*131*

		SMMP-R-4. SMMP-R-4: Bring "lessons learned" into the process from other sources, including feedback from other counties, lessons from past Benton County experiences, examples from California, Washington, or international examples. See full report for more sources. (green highlight) and, not or. Important that lessons learned come from beyond our region	*132*
SECTION E: Community Educa9on & Outreach PDF page 62-67, Word page 64-69			*133*
	p. 63	**CO F-1** Insure language accessibility for at least the County's most used languages. (English, Spanish, and Chinese.) "Chinese" is a not a language, but a group of languages. Do you mean Mandarin? Or Cantonese?	*134*
Feedback for sections not addressed above **Please reference section names and page numbers.**			
Section Name	**Page #**	**Feedback**	**135**
SECTION A: Legal issues & Land Use Review pp. 393–456			136
	p. 419	"…Is the proposed expansion consistent with long term plans for the landfill site, with responsible solid waste management? What are benefits, negav e effects and mitigating opportunities?" – I understand that SWAC must make recommendations based on the limits of our role.	137

	p. 447	**Comments regarding Legal Issues Subcommittee assertions re: 2002 MOU:** **Question:** How does the 2002 Memorandum of Understanding fit into the Workgroup considerations? **Answer:** The 2002 Memorandum clarifies authorization for landfill activities within the Landfill Zone and establishes a point in time at which the landfill was operating in compliance with state and local requirements. Nowhere in the 2002 MOU does it state that the landfill was operating in compliance with all past land use decisions and/or applicable conditions of approval. The sole purpose of the agreement was to establish that Valley Landfills can move within the landfill boundary (north of Coffin Butte Road only) without getting land use permits.	138
	p.447	**Comments regarding Legal Issues Subcommittee assertions re: 2002 MOU:** **Discussion**: In 2002 Benton County and Valley Landfills, Inc. (VLI) executed a Memorandum of Understanding (MOU) Relating to Land Use Issues. The purpose of this document was to clarify the parties' understanding of how VLI could expand landfill activities into cells within the landfill area. The MOU was created because knowledgeable, involved personnel, at both Benton County and VLI had changed such that little institutional memory remained to guide land use issues at the landfill site. More specifically, without knowledgeable individuals familiar with the history of the various land use approvals, it was unclear whether VLI had authority to expand landfill disposal operations within either the landfill areas or the landfill zone. The MOU clarified those questions. On page 3, Item 13.1 of the Meeting Minutes for November 5, 2002, it states: "Croney provided a staff report. He explained that this agreement is for the sole purpose of establishing that Valley Landfills can move from cell to cell within the landfill boundary without getting any land use permits." **Execution of the MOU was not a land use decision**. No discussion of review and/or evaluation of prior land use conditions of approval is contained in the MOU or in the staff report.	139

	p. 447	**Comments regarding Legal Issues Subcommittee assertions re: 2002 MOU:** 4. "Based upon the LUCS statement, DEQ has reviewed and found that the operations of the landfill are in compliance with the state law. The last approval from DEQ was granted in 2000." MOU, pg. 3, §(15). Sections 14 and 15 of the MOU only reference compliance with Benton County ordinances and state law. No mention of land use decisions or conditions of approval.	140
	p. 447	**Comments regarding Legal Issues Subcommittee assertions re: 2002 MOU:** 5. The MOU was reviewed by the Solid Waste Advisory Council (SWAC) on Aug. 27 and Sept. 24, 2022. The Benton County Board of Commissioners considered the MOU at its Nov. 5, 2002 meeting at which the MOU was "placed on the agenda * * * for public discussion prior to signature." MOU, pg. 4, §§(16)(g) and (h). This paragraph adds no additional heft to the "conclusion" drawn at the end of this memo. The SWAC has no role in monitoring of or determining compliance with Planning Department conditions of approval.	141
	p. 447	**Comments regarding Legal Issues Subcommittee assertions re: 2002 MOU:** Thus, the MOU acknowledges VLI's authority to utilize existing or future cells within the 194-acre landfill area north of Coffin Butte Road without additional approval from Benton County. Conversely, County and State approval are required before VLI may dispose of waste on the 56 acres in the Landfill Zone south of Coffin Butte Road. Related landfill activities such as collection and management of leachate are permitted, without additional County approval, on the 56 acres south of Coffin Butte Road. MOU, pg. 3, §(16)(c). This, in fact, was the sole purpose of the MOU as stated in the staff report presented by Mr. Croney.	142

		Comments regarding Legal Issues Subcommittee assertions re: 2002 MOU: Addionally , section 14 states Benton County signed LUCS documents verifying the landfill was operating in compliance with local ordinances. DEQ acted upon that verification to find Coffin Butte was operating in compliance with local land use regulations and state laws and regulations as of 2000. Sections 14 and 15 of the MOU provide evidence that as of 2000, there were no land use violations at the landfill as of November 5, 2002, when the Benton County Board of Commissioners executed the MOU. The final paragraph of the document is without merit. One cannot determine a lack of violations from the prior contents of the document. It should be pointed out that the issuance of Land Use Compatibility Statements (LUCS) is almost universally pro forma. It involves no invesg ation or review. It is almost never a land use decision. There is almost never a notice or public process unless citizens sniff it out and send comments. The fact that this document was discussed at a public meeting is meaningless. You can be certain that Benton County simply rubber stamped the LUCS upon receipt from the landfill operator and sent it in to DEQ. DEQ review upon receipt of a LUCS is just about as cursory, as one would expect. Thus, ***no reasonable person with knowledge of these processes would draw the conclusions presented in this memo prepared by Vance Croney***	143
SECTION B: Past Land Use Applica9on Conditions pp. 236–392			144
	p. 360	I agree that many past compliance/non-compliance issues are irrelevant now. Instead, county issued permits need to specify what monitoring means. No franchise permit should prevent the county from requiring sustainable materials management decisions.	145
	p. 391	"The county may impose conditions of approval to CUP application". I agree that the wording is so vague that it can be interpreted too many ways. What is "seriously interfere" and "undue burden"?	146

SECTION C: Landfill Size/ Capacity/ Longevity pp. 105–192			147
	all	Just noting here that it's evident that this section is a work-in-progress, and has too many issues extant for me to comment on individual ones here at this point. (which is not at all a slam on its authors, because the work is impressive; it's just a note on the current state of the document)	148
	p. 112	 Figure 4: 2008 aerial view, from the 2008 Coffin Butte Landfill Annual Report, Republic Services, Inc. Not 2008. This must be much older.	149
	p. 149	"Unknown Impacts to Landfill lifespan" (Question Mark symbol) – this is water-muddying/decepv e. All of the factors listed here are unknown in individual ways, so strictly speaking the symbol should apply to each one. Instead the symbol is applied selectively, and seems to be done expressly to influence the reader to think that a particular item is more unknown than it actually is, for partisan reasons. "Landfill Expansion" (p. 149) is queson-mark ed, for example, even though a Landfill Expansion is one of the most well-defined factors in this array: we know for near-certain an application to expand will be filed, for example, and zoning factors put a definite shape to what volume will be sought, and the effect of the removal of the tonnage cap is a business opportunity that is readily modeled. This sort of skewed data presentation occurs throughout the "D. Events and Factors with Potential Lifetime Impact" array.	150
	p. 151	"Natural Disasters." This item is a good example of a problem that characterizes many items in this array: it groups things together which are actually quite separate factors. In this case, it lumps together a natural disaster in the region that generates debris (a very likely event over the next 20 years) and a natural disaster to the landfill itself that is serious enough to cause a loss of waste intake for a while but not so serious as to prevent the landfill from closing enr ely, which is a much less likely event. But yet those two very different possibilities/events are presented as being equal and related, because of this array's choice of content aggregation & formatting. This sort of muddying data presentation occurs throughout the "D. Events and Factors with Potential Lifetime Impact" array.	151

	p. 156	“Legal Action.” This item is a good example of a problem that characterizes many items in the “D. Events and Factors with Potential Lifetime Impact” array: it contrives a counterindicator which is presented as equivalent to the other, but in fact is not. In this case, one item is environmental lawsuits, which exist already and are gaining prevalence and power statewide, nationally and internaonally . The other item is settled law and has been for some time, so it is no change over the status quo. Yet through selective formatting and aggregaon, this array implies that the two counterbalance each other, a misrepresentation seemingly meant to diminish the potential of environmental lawsuits. You can contrast how this is handled versus the source material in the “E. Additional Events and Factors with Potential Lifetime Impact” array, which is the original source material: it’s on page 165.	152
	pp. 148–166	“D. Events and Factors with Potential Lifetime Impact” and “E. Additional Events and Factors with Potential Lifetime Impact” – conflicting versions. There appear to be two iterations of the same basic material?	153
SECTION D: Sustainable Materials Managemen t Plan (SMMP) pp. 193–235			154
	p. 181	Why isn't the SMMP prioritized more in the BCTT report as a whole? It seems to me to be the most important part of the BCTT process over the long term?	155
	p. 183	Page 183 Table of Findings: SMMP-F-1: Many best practices and model SMMPs exist in Oregon and beyond. When we say 'best practices' I think we should be specific that we are talking about best practices at a level beyond regional.	156
	p. 183	Important for buy-in: The plan should be developed with active participation of citizens, including modifications introduced by the ciz ens.	157
	p. 184	Page 184: SMMP-R-8: Recruitment for the RFP needs to be extensive, and selection of successful proposal should be careful and thorough. Qualities of a successful applicant should include those listed in the full subcommi ee report. Comment: Bid evaluation should not depend solely on the bid price, the qualification of the bidder should be decisive.	158

	p. 185	Page 185: SMMP-R-16: Applicants should include various scope/cost options for one year, two years, and three-year timelines. The report should be released in sections, based on timeline and content priorities. Working out the basic concept, which should be a holistic approach possibly with different opons/v ariants, shouldn't take longer than 1 year (the planned budget doesn't really afford more than that IMO). However, the implementation of the individual steps may take several years.	159
	p. 187	This whole page doesn't make a lot of sense.	160
	p. 188	Page 188: Benefits and costs were covered throughout the _____ as it related to various topics and discussions, Word missing.	161
		Page 188 cont.: Benefits and costs were covered throughout the ____ as it related to various topics and discussions, and are largely included in the overall approach of sustainable materials management approach, which evaluates the impacts across the full life cycle of materials, weighing the “costs and benefits” in the decision-making process. Biogenic materials have life cycles; the lifespan of other materials is basically unlimited if they can be recovered, ideally in circular economy. Landfilling is not circular; it is not material management, but material disposal.	162
		Overall, the current document is incomplete, and we believe lacks proper focus on the SMMP.	163
SECTION E: Community Educa9on & Outreach pp. 457–474			164
			165
			166
			167
			168
OTHER SECTIONS			169

	p. 5	*p. 5. Sections labeled "Key Findings" and "Key Recommendations"* Note for the record: We are being asked to comment on an incomplete document, without even a first draft of the key findings / key recommendations that will go here. I suggest that SWAC/DSAC should be given an opportunity to review a more mature version of this document.	170
	p. 6	*p. 6. Workgroup members* Affiliations of workgroup members should be noted here, and throughout (whether Republic staff/officers, DEQ, representav es of Planning Commission or SWAC/DSAC, or Benton county residents at-large). This should be right at the front of the document so that the composition of the workgroup is clear, rather than leaving it for later.	171
	p. 6	Nancy Whitcombe's name is misspelled.	172
	p. 6	For county staff, departments and positions should be noted.	173
	p. 6	Facilitation team is missing Adam Meyer, who a&ended the Neighborhood Tour and several other early meengs.	174
	p. 7	*p. 7 Land acknowledgement* Good to have this up front in the document, but some of the language is awkward, particularly the references to "Kalapuya Tribe" since there are multiple Kalapuya tribes, see e.g.: hp s://en.wikipedia.org/wiki/Kalapuya Why not "Kalapuya People" or simply "the Kalapuya"? As an example of alternav e wording, here is what the Marys Peak Alliance has been using: "*I live within Champinefu, the traditional homeland of the Ampinefu Band of Kalapuya. Following the Willamette Valley Treaty of 1855 (Kalapuya …Treaty), Kalapuya people were taken to Corvallis and concentrated into an encampment along the Marys River for 5 months and then forcibly removed from Corvallis to the Grand Ronde.. Today, Kalapuya live within tribal lands or tribally-ceded lands throughout the region. Many Kalapuya are active members of the sovereign nations of the Confederated Tribes of the Grand Ronde or the Confederated Tribes of Siletz Indians. Kalapuya culture is alive.*"	175
			176
	p. 9-10	Chuck Gilbert should be listed as the Alternate for SWAC	177

	p. 9-10	SWAC (only) sent representav es to the Workgroup, not DSAC	178
	p. 11	*p. 11 Scope & Charge: "The WORKGROUP, with concurrence of the County staff, prioritized the following topics..."* This statement is misleading. The workgroup did not decide on these priorities. These were assigned as part of the "charge," and enforced by the facilitator. In fact the original workgroup, when polled, twice indicated an interest in higher prioritization of planning for an SMMP. It would be more honest to say that these priorities were set by the Board of Commissioners acting on the recommendation of ICM.	179
	p. 14	*p. 14 Timeline labeled "Coffin Butte: Key dates and ownership changes"* This timeline has many problems. I have sent detailed comments separately.	180
	pp. 43 etc.	Under Key Findings, the mechanism of “bookmarks” is introduced, such as LLU F-1. This mechanism is not explained and can be mysf ying to the reader, as a bookmark often takes you to a page that has no clear reference point back to the original point. Also, to the reader, this may look like a type of footnote or legal citation which would take them out of the document enr ely.	181
	pp. 43 etc.	The bookmark mechanism is not fully implemented, which is user-unfriendly. There should be a “landing” reverse-bookmark or other mechanism by which a reader who jumped from a Key Findings page to an interior page can jump back. As it is, the reader is left somewhere else in the document, often with no idea of whether to scroll up or down to get back to the Key Findings page they were on.	182
General Feedback			
		Large sections of the text are incomplete. Others are sprinkled with editorial notes.	183
		Whole thing seems like a moving target -- how do we know what we're reviewing? Do we need to review the post-it notes suggesting changes, as well as the current text?	184
		This document is too long to be considered “common understandings.” A lot of repetition and some not very useful charts. I recognize the huge volunteer and staff time and effort involved.	185
		This document is still a mess, and not in a mature stage for review. What's the rush, and whose purposes does it serve?	186
		Some text that Republic objected to has already been replaced, in some cases with wholesale revisions rather than adjustments in wording -- what was the process?	187

		I think the county officials need to make strategic vision and plan for current operation and eventual closure of the landfill. I think this plan needs to have a north and a north-south scenario. What I understand from this document is the south expansion is still on the table.	188
		If I heard correctly, there was discussion in a commi ee meeting of spending $0.5M for a climate study. I think this is wasted money. Would this not be duplicate work already regulated or at least monitored by the state? This proposed spending should be revisited.	189
		My conclusion: If indeed Benton County has relinquished its ability to limit where the landfill operator can bring trash from, then DO NOT ALLOW THE TONNAGE CAP TO BE LIFTED.	190
		This document is weirdly organized. I go from Process Background to History to Workplan, for example. It seems to not appreciate that readers may want to find all the process documentation in one (skippable) place, actual findings and reports all together and in a logical order, etc.	191
		This document is difficult to navigate due to poor formatting. Example: on page 48 an enr e new section begins; however, the header for it is in 12 point type, scarcely differena table from body subheads.	192
		The document is difficult to navigate because the footer has not been correctly installed. On page 47 for example, it reads “BCTT Subcommi ee A.1” but that is not which subcommi ee report is being looked at.	194
			195
		Note: some feedback was not able to be forma&ed before collection deadline; some but not all of that feedback was able to be included in this table before aggregation deadline.	

Ken:

Howdy there, Chuck. Hey, Chuck. Can you hear me? Possibly not. Good evening everyone. We're just standing by for a minute or two more, see if Joel Geier is going to be joining us. Welcome Chuck and Brent and Marge.

Chuck:

Hi. How you doing this evening, Ken?

Ken:

Good, good.

Chuck:

Good. I always get anxieties trying to get on this thing. I'm about ready to get out my rubber hammer and beat it.

Ken:

Yeah, we have a computer repair tool here. I have one here in my office. It's a hammer but it's not rubber.

Chuck:

Yeah. Yeah, I know. So, yeah. Wow.

Ken:

And how are you doing, Chuck?

Chuck:

Oh, pretty good. Pretty good. Yeah, pretty good and stuff like that. I got to get glasses one of these days.

Ken:

Oh, yeah.

Brent:

This is Brent. I'm going to apologize in advance for potential lost signal and dropping off and where I am. And so I'll just put that out there here in advance. That when I might drop off, I told Dan I'll follow up watching the recorded version. Then who's collecting the feedback? I said I think by Friday at 10:00 AM?

Ken:

Yeah, that's me.

Brent:

And then the other thing I might negotiate is why the 10:00 AM if I were to beg for 24 hour grace period by getting my feedback. Are you trying to get everything turned into the county by Friday afternoon or ...

Ken:

Yeah, that's correct. They have given me a hard deadline.

Brent:

Okay. Well, I saw the air control then.

Ken:

Yeah, I'm afraid.

Brent:

All right, thanks.

Ken:

So Brent, where are you today?

Brent:

Well, I'm just coming off a work meeting, traveling to another event. And this is going to take me out of, I'm just triple booked. This is going to take me out of the cell range potentially.

Ken:

Okay, sure. Well appreciate you tuning in as long as you can. Okay, I think we have everyone on that we need to, Debbie Gile is not going to be with us because she's in Tasmania, New Zealand and Tasmania at the moment. So she has sent in her comments already though for her review. So I'm going to gavel the meeting into session. What is today? Today's Wednesday, February 8th, 2023.

We are convening another special session of SWAC and DSAC and this is really a SWAC session. We'll be reviewing the draft of the work groups and subcommittees reports so far. I did want to mention that under normal circumstances we would be talking about elections for chair and vice chair in this group, but these are not normal circumstances, so that's going to be put off until such time as we can indeed attend to those sorts of things. Anything more from members before we go into review of the document?

Joel:

Hi, I just got here, had some problems getting logged in. Who all is here? Should we have the members on screen?

Ken:

Yeah, if they can, that would be nice. So right now I think everyone is here except for Debbie Gile, who is out of the country.

Mark:

So I could turn myself on screen, but I'm going to keep myself off because I'm going to be packing and blowing my nose and I've got COVID, so I'm hunkering down here.

Ken:

Indeed.

Mark:

So I will turn my camera off and [inaudible 00:11:09]

Ken:

Yes, well-

Marge:

So I can keep my camera on, but I'm going to be eating my dinner.

Ken:

So I think that cameras are optional this time around folks and that's perfectly fine. So I don't want to try to force that sort of thing unnecessarily.

Joel:

Okay. I was just trying to find out what we were doing, so I might tune out too if I start losing my video, my bandwidth, so.

Ken:

Yes indeed. Which is another consideration, I know. Okay, so let's go into review of the document I had proposed in the agenda in order that we would look at the different sections. So we'd be starting off with the Legal Subcommittee, then the SMMP Subcommittee's report, then the Community Education Report, the Past Land Use Subcommittee, and then finally the A1 Subcommittee on Landfill Size and Life. Is that okay with everyone? We could certainly move something up if people have something that they would like to make sure that we see. Yeah, Joel?

Joel:

Yeah, can we have some top level comments first?

Ken:

Sure, that would be great.

Joel:

Yeah, because I'm bothered by the shape that this document is in that we received and it seems like it's a moving target. There are big sections that are incomplete still and some of them are sprinkled with editorial notes. I noticed Ginger Ruff has a whole lot of notes in one section, couple sections and recommending very small changes and big changes in wording. And the question is how much is that going to change in the final report compared to what we're reviewing and should we review those notes also? Then there's also been some, just comparing between versions, there's been some changes that seem to be made outside of the subcommittee meetings as far as I understand. So I just wonder what we're working with really and if this is a mature document.

Ken:

Well, yeah, I don't think that it's been represented to be a mature document. It's been represented to be a document in process and I think that you can indeed see just how much in process it is through just the observations that you've made. I think some parts of it seem more mature and then other parts of it really seem to be still in process. We were provided with the version that has all of the ongoing discussions, editing, re-editing, et cetera, all the back and forth, and notes. So I think all of that is a fair game for us to comment on. And I think that it's appropriate for us to just note exactly what we see in front of us and what our observations about it are, including what you just laid out. I mean that is indeed feedback on the document, which I think is very appropriate for us to do.

In my point of view, the public doesn't really have much access to this document. It exists and the public can see it, but knowing where to even begin, it would just be totally daunting for me if I were just coming to it cold. So I'm just backing you up, I think, on those observations. And the thing that I wanted to emphasize for us all is that we are taking our own notes at this meeting. They're not being recorded elsewhere. And so if people could please jot down the points that they've made, I will try to remember some of them. I'm terrible at taking notes while the meeting is actually going on, so don't really rely on that and supply me that feedback afterwards because otherwise we're just kind of speaking to ourselves in that feedback has not actually getting to the work group.

I guess I'll also mention, part of the dynamic here is that we're providing feedback to the work group so that the work group can then get back to the subcommittees and say, "Hey, we've received feedback about this particular point." This really seems to be whatever that particular feedback is, we're providing that to the work group to then get back to the subcommittees so that some of the really messy areas can be cleaned up. Are there other very top level reactions that people have to the document? Yeah, Marge. Oops.

Joel:

Looks like you're muted, Marge.

Ken:

Marge, you're muted. I see you're trying to get your sound to go, okay.

Marge:

Sorry. Okay, so now I have my sound. I'm sorry. This new registration, it caused me to lose the actual screen with the people in it, so ... Now I've forgotten what I was ... Oh, what I was going to say is that if no one has comments, can you read what Debbie Gile's comments were?

Ken:

Yes, I could. Her comments are very particular. Let me see if I ... I'm sorry, I'm going to have to find them here on my desk somewhere.

I'm going to go ahead and read you Debbie's comments. I should just mention that the comments that we are going to be submitting to the work group are not identified by person. They are just comments which are coming from SWAC in general. I wanted to be a representative of Debbie in the meeting since she can't be here and she didn't object to that. So I don't really want to single her out.

Marge:

Yeah, yeah.

Ken:

That much. Yeah, but maybe that would be without her explicit permission, that would be a little too much to just kind of bring that up.

Marge:

Yeah. Okay. I withdraw my suggestion.

Ken:

Okay, that's fine. But I'll just say just she has comments which are kind of directed to subcommittees or reports very much in general, just very overarching questions. She has comments which are directed to specific places in the text, particularly if there's something which is incorrectly stated, she is pointing those out. And then she has a number of statements which really are about, I would characterize them as being about values, where she's just saying, "This seems wrong to me." It's really that kind of language where she runs into something, some bit of news or something in the report that she feels that are against the values of the county, its community, that sort of thing.

So I'll stop there essentially in talking about that. I think those are all really relevant when we're talking here. And like I said, I think we are indeed kind of representing the public here, the best access the public has is us as representatives when we're looking at the document. So if we don't have any more general comments. Any more general comments or shall we start with the Legal Subcommittee report? Yeah, Mark.

Mark:

Thanks, Ken. I'll go first on the Legal Issues Subcommittee because I'm not sure how long I'm going to last here this evening. And so just four specific things I have in, I don't know where the versions are now with their final report or where they are in their body, but I know that there is a section within their subcommittee report that talks about the rights and obligations of the county and Republic Services as it relates to franchise agreements and other things. And I would like to speak to two items. The first is in the 2020 franchise agreement, a reading of that agreement would give, I think most people the impression that this proposed future expansion request has already been decided, because there is a financial incentive that's built in to the franchise agreement. And the franchise agreement basically says not if an expansion gets approved, but when, and so I am trying to put some thoughts together with regard to rights and obligations getting back to that table.

What I would like to say is that one of the observations that should be made is that Republic Services does not have a right to an expansion. So there's nothing in the franchise agreement that guarantees them an expansion. Then the corollary to that, because the way they have set it up in their table is Republic Services, Benton County rights obligations, all that sort of stuff. The corollary to that is Benton County is under no obligation to grant an expansion. So that's the first thing relative to the rights and obligations.

The next area that I am concerned about in the Legal Subcommittee's report is I know there is a section in the Legal Issues Subcommittee report, where they are trying to restrict what the Solid Waste Advisory Council can consider when making a recommendation to the planning commission. There's quite a bit of discussion in there about SWAC can't do this and they can't do that and they can't do this and they can't do that. Well, that's totally contrary to what the language is that's in the Benton County development code. It says that the SWAC makes a recommendation. It doesn't have those guardrails on that the Legal Issues Subcommittee is trying to impose upon SWAC. So that's the third thing.

Then the final thing is they have, I think some discussion in there about the importance of, or their perceived importance of 2002 Memorandum of Understanding that speaks to whether or not the operator in the landfill needs special permission to place garbage on the north side of the road. And what I've read in their discussion of that is they are trying to assert that in fact that 2002 MOU negates any previous obligations by the landfill operator to comply with conditions of approval that have been put into land use actions. They're trying to say that that document says that at that point in time, November 5th, 2002, that the landfill was in complete compliance with all prior conditions of approval. And no way does that document say that. So those are the four items that I'd like to put onto the table for the Legal Issues Subcommittee.

Ken:

Okay, excellent. And I'll just add at this point in time that the document that I'm turning over regarding these comments really wants to refer to specific pages or at least get as specific as we can as to what we're referring to. So if in the written comments-

Mark:

I'll try to do that.

Ken:

Yeah. And that applies to everyone throughout in their comments. I think it'll be helpful for us to do that because otherwise we're turning over kind of a big burden to the work group. So Chuck, did you have something?

Chuck:

Sorry, Chair, I find there's two buttons to touch here, and I'm a little off second base today. Okay. Let me just say in the report, are we going to redo it tonight or could you give us a little outline what we are going to do tonight in regards to reviewing it or whatever? That's just a leading question.

Ken:

Okay, sure. Well, my process here is I'm really kind of assuming that people have looked at the document already and have particular notes that they would like to refer to. And that might also include questions because heaven knows there are a lot of questions that come up when you're looking at this document. And of course some of us here are on subcommittees and kind of begin to answer those questions or at least to shape them into what is going on. So Daniel is standing by and I presume with the document at hand, so we can certainly call it up onto the screen to look at those things. That's basically the process as I've seen it come up. We're going to go down the list to kind of subcommittee by subcommittee their reports. And of course certain of us have expertise with those. We've started with the Legal Subcommittee, which none of us are on. I mean, no member of the public is on really. But when we move to other of the subcommittees, there are people here who have more experience with those. Does that answer your question?

Chuck:

Yes, thank you.

Ken:

Okay, cool. So yes, I mean, I had the same comment as Mark just regarding Slack's role, kind of as talked about in the Legal Subcommittee. And again, I think that SWAC is a representative of the community in this process. And in particular, I think we're a representative of the values of the community. And so that is really something which I think it falls upon SWAC to represent in these meetings. And of course, that's a value that SWAC holds to the county. So that would be my comment about that. Did anyone else have any other thoughts going through the report by the Legal Subcommittee? Joel, are you shaking your head? Yeah, go ahead.

Joel:

Yeah, there is, well, a couple of things. One of them also with regard to our own role and the discussion of what the side boards that were being given to us, this. We understand now that we're responsible for looking at sustainable materials management and not just solid waste. And the entire document has some problems with inconsistency regarding what's meant by solid waste management versus sustainable materials management. It's only really in the section where we are scoping the SMMP, where it's really treated correctly. But I think one big thing is that we should clarify this role of sustainable materials. In my mind, that's what we should be looking at, whether this is conforming to what the county needs to do for sustainable materials management and not just solid waste management.

And then the very specific issue is one of wetlands. And there's a couple odd things in this document, not in this section, but in the history section or the site setting. There's actually no mention of wetlands in EE Wilson Wildlife Area, which might have just been an oversight, but there's discussion of upland habitats. But this is a little strange because it was known as the original Camp Swampy. So wetlands are sort of the main thing around this area. In fact, I've got one in my yard. But then when the legal issues committee dealt with this, there's a really surprising statement in there in this table too, which says, okay, primary jurisdiction is Department of State land, which is correct. Of course, Army Corps of Engineers also has some jurisdiction. Whether the county is allowed to regulate is only if the county has identified significant wetlands at the site in a wetland inventory adopted through blah, blah, blah.

And then there's a note that no significant wetlands are identified in the vicinity of the landfill on the county's adopted inventory. And this was so surprising to me that I contacted a local wetlands expert who, he's recognized internationally in this, and he said, this is very misleading. In fact, the county would only designate wetlands as significant if they were asked to do so by a municipality under the procedure that's been in place. So either Adair Village would say, "We'd like to designate this wetland as significant at the county level," or Corvallis would say, "We want to designate this wetland as significant at the county level."

Otherwise there's no procedure for the county actually to identify wetlands as significant. And so really this was just never done. And the county has never looked at wetlands in this area with the idea of identifying their own significant wetlands. But there are many wetlands that show up in the National Wetland Inventory. So that's really important, that the Planning Commission is not given this information, which is really deceptive about the possibility for the county to say something about wetlands and impacts on wetlands because as far as I understand, there are more things to look at here, but this is really a misleading part, so that should be corrected.

Ken:

Okay, great. Yeah, thank you very much for that. Very good close reading. That is surprising. I don't know that much about it, but I do know that the EE Wilson is a wetland and it's right next to the landfill. There are wetlands actually on the land in the landfill property as well.

Joel:

And those are identified also on the National Wetlands Inventory. So I'll include actually a map with my comments.

PART 1 OF 4 ENDS [00:33:04]

Joel:

I'll include actually a map with my comments when I send my regular comments.

Ken:

Yes, very much appreciate that. Any other comments from anyone about the legal subcommittee report? Let's move on then. Perfectly free to go back to things or to jump around as the conversation takes us. Next up, we have the SMMP subcommittee. The subcommittee which is indeed talking about helping to identify the request for a proposal for developing a sustainable materials management plan when the county does that, which we hope is going to be soon. I'm going to look to you, Marge, do you have any thoughts to kick us off on what's going on in this subcommittee?

Marge:

Sorry, I'm having a problem staying on course and trying to also look at the document. Well, I think that the version of the SMMP document, in this version that you're seeing, I think is improved to what it was before. I think it more clearly delineates some of the values that VIN County drives in a sustainable materials management plan. I think it has more fidelity to the Benton County core values, which I am very much in favor of. I think the idea of the circular economy and cradle to cradle, or making the beginning of materials responsible for all the way through life cycle, like that, and that Benton County is uniquely targeted to values like that, sustainability and environmental values like that. I don't know if that's what you expected me to say, but that's what I'm thinking. I'd like to hear other people's points of view. Having read it, what do you think?

Ken:

Joel, if you got something.

Joel:

I'm going to have a lot of detailed comments on this, but they're more of the nitpicky level I think at this point. A big one is, why isn't this more front and center in the report? There is a statement early in the report that talks about the priorities for this whole process, and it says, it's way up front on page 11, the work group with the concurrence of the county staff prioritized the following topics. As I recall, the work group actually was pulled twice and wanted to put the SMMP higher up in the priorities.

We were basically told back when I was still on the work group, we were basically told, "No, we're not going to do that." Because the charge from the commissioners is that we're going to focus on the land use criteria and these kinds of things. That in itself is a little bit deceptive, but really the work group did not have a voice in this, it was set for us. I think it certainly would be nice to see the SMMP brought farther forward in the report, and that is one comment I'll have. I don't have other major ones right now.

Ken:

Well, I look forward to the detailed comments, but those I think are just appropriate to send in writing, your nitpicky comments. I do remember, there's so much that's happened, it's all kind of a blur. I remember in the first schedule, the very first schedule published for the work group, there was two hours of discussion time for the SMMP total. It very much was a de-emphasized portion. I think there was a lot of feedback from the public members engaged in that process, so things have definitely changed. We now have an entire subcommittee working on it, but it has been clawing its way up into significance. I have some just observations about the actual process that the SMMP subcommittee has gone through, which I've just found off target. By which I mean, early on in the process there was a nice moment when the subcommittee was looking at other past reports that other counties have done, for example.

Then from that, there was this long period where we were essentially just copying what other counties had done. There really was just an entire focus on going through each of those reports and making sure that we had something in our table of contents that corresponded to whatever it is that they had in their table of contents. Even when those things had to do with transfer stations, which we don't have any, that still appeared in our timeline. It was very much this detail, looking for a purpose. I think that approach has led us to a document that the values part, which I is think really what was the prime thing for us to contribute, seemed to make its way actually into the report late. To me, it still looks like an early draft of those things. It's not really organized well.

I apologize, because I haven't really kept up with the latest iterations of that one, just because I've been rather mired in other subcommittee work. That's just part of the process where I felt that it would've been better for me if we had looked at those other ones, called the parts that we really liked, and started building from the things that were very important to us in the county, and then fleshed it out later with whether or not you're going to have a section on transportation or whatever. There was such an attention to detail, inappropriately I thought, it was a bottom-up process that was going on. Let's see, I had some other observation also. Then in the subcommittee we spent a lot of time, we were directed to spend a lot of time specifying things that aren't really appropriate for us to be specifying.

There were questions like, what is the time period that the SMMP should cover, for example. I mean, I can answer that question from a values point of view, but I don't really know what $500,000 buys you, if it buys you a 20-year plan. For that matter, how long is the process going to be for the SMMP? I don't know how much time $500,000 buys you in terms of consultant time, or what's their burn rate? Is it typically six months, a year? I mean, that's how long it's going to take then, if that's what the budget is going to be. There were a lot of nitpicky questions about that, about what's the grading matrix of the report? Which I can answer in a very general way. If you're asking me actually to specify what the percentages are actually going to be, one, I don't feel entirely qualified to do that, because I don't understand how the whole package comes together.

Two, presumably the county is going to hire someone who actually does indeed assemble those packages. Talking with people who actually have more experience about this particular, the way the county operates, they're just saying, "Well, these are inappropriate questions for you to be asked." I just am regretting now all the wheel spin spent digging up those levels of detail. I wish, I guess that I had spoken up more at the time because I feel like this was out of my wheelhouse, if you will, out of our wheelhouse. Of course, I'm not the entire committee. There are other people there that know more, et cetera, that sort of direction. When I look at the document, there are parts that I just wish, and maybe this will be actually part of what happens is, where they just get shrunk. Because although we had conversations about them, I'm just not certain that those conversations really carry much weight or should carry much weight.

Marge:

To be honest, I also felt that the written documents that were turned in did not have fidelity with the conversations that we had, and we didn't always get a chance to comment on what was being brought forward in a written form.

Ken:

Yes, I very much felt that also. It's funny, in my experience on subcommittees, one, I've been very active in writing stuff, which is the other subcommittee I'm on. Then on this subcommittee, I really wanted just to not do that. I didn't want to impose. In both subcommittees, the results have been disappointing. In both cases, I've really met with resistance, resistance in actually getting things that we talked about into the document in a way that we're trying to express. Then in the other subcommittee just experienced disrespect for the things which I actually contributed in writing. It's hard to negotiate this process as a member of the public, is the experience that I'm having. I'm sorry, Chuck, have you had your hand up for like ever?

Chuck:

Well, it keeps falling down, so somebody's slapping my hand. I just want to say, for me, it's been a learning experience. It's not that I'm the expert and so forth, but I value the community and the county and everybody, even the facilitators' work on this. This is not to say that this is going to resolve everything. The county has already given us a letter as a path forward with consultants, so there will be times now with our accumulated knowledge that we can ask pertinent questions to the experts in this. Especially on all the resources that are out there. First, all the landfill and if you will, all the other natural resources that are out there and how they can cooperate. If they can't cooperate, then what alternatives we have. That way, the experts can look at it from an economical standpoint.

If you want to shift waste, if you will, a refuse from point A to point B, what's the cost of that in highway dollars? The economics starts playing out with the experts where you can look at supply and demand and demand curves, and so forth like that. This has given me time with everybody else there to put ideas. I sometimes can put better ideas in paper. I'm not a very good orator, nor do I have a photogenic base for this camera here either and stuff like that. I just want to reassure everybody, this is not the stopping point, this is the starting point. We just got over the bridge now and will be a transition, especially with the sustainable materials. I look at that as really in a box there with the sustainable materials may be on top of the box, but there's a relationship just like salt and pepper.

We're not going to do away with solid waste either and so forth, so they have to go hand in hand. It's just like the landfill out there. The landfill is really finite on the resources that the disposable site has, and so of forth. There's an expansion there and there may be other economical benefits not to expand, but the experts, fortunately, the county has the foresight to see that with the director's letter there giving us there. It's coming into focus, what it really is now with everybody else joining in and getting comments in. It's not the end of the game, it's just the starting of the game. I'm sure it will be in the long-run a net benefit for the county.

Ken:

Sure. Now, Chuck, you were talking about the SMMP specifically, or were you talking about the document or the work group process as a whole?

Chuck:

Yes. I just want to pick ideas around a little bit. What I like is when Joel says something, or Mark says something, or Ginger says something, what are they saying? What's the perspective there? Sometimes I put on my rolls of Rosie glasses and it's nice to look from their points too, so we can get the best points in this document, so the experts can sit down. That way, they're way ahead of the game. They don't have to repeat all this process. They've got the communities and everybody else into this equation. We're deep down in the defensive field to the 20 right there where the field goal is, is the way I'm looking at it, just another metaphor.

Ken:

Yes, I certainly, I don't know, I think maybe I've diverged too much here into problems that I have with the process. I mean, I'm still thinking through exactly what happened. I'm talking about the SMMP process in particular and how exactly it got, from my point of view, ended up spending so much time on stuff which was not really what I wanted to be talking about. I'm sorry if I took a long time to say that very simple point. I certainly appreciate what you're saying, Chuck, about the process in general. There are a lot of person-hours going into this. There are a lot of people who are engaged with it. There are a lot of people bringing forward a lot of different perspectives in the various groups that we have. There's a lot of truth emerging about this particular subject. Clearly there was some catching up to do that the county needs to do, and it seems like that catching up is actually being accomplished. Okay, back on track. We're talking about the SMMP process. Were there any other... Oh, Joel, I'm sorry. Go ahead.

Joel:

It's okay. I just raised it a second ago. There is one big point, I think. The issue of best practices, and I reminded that in the key findings, there's this statement that many best practices in model SMMPs exist in Oregon and beyond, which is a little strange. I mean, best is a superlative, it's not a comparative. You expect that it'll only be one or two really good best practices. When we're talking about best practices in Oregon, I know during the work group we had emphasized also looking at international models. This really seems to downplay the idea, which I thought was agreed on by most people in the work group, that actually we should be looking at international examples and out-of-state examples and to put Oregon upfront in that is a little concerning, compared to where I thought we were headed with that. That was my main.

Ken:

I think that's a very good observation. I think that's important to take back to the work group and then for that to come back to the subcommittee. Anything else? Anyone else on the SMMP? We can come back to it. Well, thank you for those comments. We're going to move on from there to community education. Marge, that's you, isn't it?

Marge:

Okay. Well, I think that community education, the aspect of the subcommittee, I actually spent most of my time working on the history part, buy I think a lot of really good work went into the community education part. I think that we had really good cooperation from Cory Grogan, our County Public Information Officer. Tonight, the Justice System Improvement Project is holding a big open house. I'm sorry that we scheduled this meeting against that meeting, because I think that in the manner of holding an open house, that's just the kind of feedback we needed for this project in order, because that's what we are going to eventually want to do with the product of this work group, this report, is hold an open house and talk to the community about, what do you think? Have we hit the right spots? Et cetera.

However, the other thing that I found in writing this history, in assisting in writing this history part, is that over time, SWAC and the community had lots of influence on solid waste practices.

The SWAC continually put notices, they call them tombstones for the way that they're shaped. Constantly had information out there soliciting input from the community saying, "At this meeting, we're going to talk about this and this, public comment welcome, and this and this time." That did not happen in this process. However, I think that the community outreach part of the subcommittee has made a lot of progress towards identifying. I mean, of course, we still have a newspaper and there's no excuse for not having some notices in that newspaper. Today, we also have many, many other communication paths that people get information through. This subcommittee and working with Cory, I think did a real good job of identifying what some of those paths might be, and beginning to make progress towards reaching the community. Kudos to the other half of our subcommittee.

Ken:

Thanks for bringing that up, Marge, because I did also want to talk about, just to jump back to SMMP for a bit, I feel like that is something that is in the SMMP, is really talking about public outreach. It's really talked about in 20th century terms. For example, the conversation has been about, well, how many public meetings will the SMMP process have? That is just not really modern thinking about how public outreach can be conducted. Again, that's looking backwards. I mean, one of the problems looking at old materials management plans of other counties is, they did their management plan in 2014, they did their management plan in 2007. Well, we're doing ours in 2023 or thereabouts. We should be careful to be more current and not backwards looking but forwards looking.

I'm just, again, jumping back to SMMP. I'm really glad to hear essentially that it's been a good experience and it seems like a lot of really good, valuable work has been done. The history component I think is really important too, especially to us here at SWAC. I mean, we don't have any institutional memory. Our institutional memory is currently vacationing in Tasmania, and her memory goes back to, what, 2020 or 2019 or something like that. It's very easy for us in SWAC and DSAC to really lose the thread of what we should be doing, what we can do, what we should be empowered to do. The history is really important. I think, Joel, you had your hand up and then I think, Chuck, you also. No? Okay. Chuck, did you want to?

Chuck:

Oh, thank you, Chair. Let's see. I just want to make a comment on the SMMP. I read them over the shoots and everything like that. I just want to say that even though they've had their SMMPs, Benton County is, if you will, somewhat unique. In other words, it has, of course, the county, and then of course it has a landfill, but which just is important, the lessens with other counties too, when together to utilize Cotton Butte when the other ones were closing and so forth. That impacted them, Benton County was good enough to look at that to the Chemeketa Plan or one of those plans too.

I think that's really the focus too, is all the time we talk, if you will, we look at Benton County, but really the solid waste management and the waste streams are more on a regional perspective. Even if you would, the landfill closes today, Benton County stands shoulder to shoulder with everybody else that was going there were to go next. I think that one eye, if you will, needs to be at Benton County. Then another eye also is on the regional waste streams though, because they collectively come together and they still need to focus on everything that Benton County is doing.

Ken:

You remind me, Chuck, of course, that we wanted to start up, we did start up a subcommittee here in SWAC, which was really in re-engaging SWAC with exactly that, to start conversations with other SWACs in other counties just to get the line of communication open. That is another process, which has been shut down essentially by our curfew.

Chuck:

Well, I'm counting my blessings there because we got enough on our plate right now. That might be a blessing in disguise to keep us focused, Chair.

Ken:

Well, I think that's a very good point, Chuck, yes. I think your point, yes. Yeah, very well taken. I'm sorry, Joel.

Joel:

I was just going to say, with Chuck and I here, we almost, we have the quorum of that subcommittee, I think.

Ken:

Well, I think actually it's 100%, isn't it? Because wasn't John McEvoy a member?

Joel:

Yeah, that's right.

Ken:

Yeah, so 100%. Did anyone else have any other comments? I must confess that I have not really dived into the community outreach part, the education and outreach committee work. In part, that's because it just seemed to be going along just fine. If there are any more comments on community education, we'll certainly... Oh, I'm sorry, Joel.

Joel:

I can make a positive comment. I thought I was really encouraged by the idea that came from this subcommittee on notifying people within a certain radius of the landfill, and apparently even including Polk County residents who've been pretty much left out of things in the past. It's not clear to me the recommendations to come out, how much of those be taken on board, but I thought it was very thoughtfully done.

Ken:

Excellent. I'm very glad to hear that. We move on to the past Land Use Committee. I'm wondering if Mark can, I think, as our representative in that subcommittee. Sorry to tap on you there, Mark.

Mark:

Yeah, thanks, Ken. Well, let's see. I guess you can see me. All right. The past Land Use Committee has been an incredible amount of work to try to sort through. I think there are 86 different conditions of approval since 1974. We have been working through a number of those things. There have been several

times in which we've had to respond to assertions and input from the legal issues, subcommittee. We spent many, many hours just discussing the introductory few paragraphs to the section. That still has not yet been resolved.

I think that from my perspective, I think the most we can expect anyone to do is to read the findings or recommendations that are in the main body of the report. I have developed and submitted, and they are not before you because they have not been put into this draft number three, a half a dozen overarching findings. I think those are significant, both considering where we are now and moving forward. That's going to have, well, I hope that comes out in the future version of this draft report, but I'm happy to hear what other people's thoughts are there. I'm way deep into the weeds and I don't really have anything to share with the group at this point.

Ken:

Sure.

Mark:

I'll try to answer questions. Likely after this section is discussed, I'm going to go back to bed.

Ken:

Yes, as you should. Thank you very much for hanging in there, Mark. I'll just open it up. Does anyone have observations from reading over that portion? Yeah, Joel.

Joel:

I seem to have caught Mark's cold or COVID through the wires here. My main concern about this is, every...

PART 2 OF 4 ENDS [01:06:04]

Joel:

My main concern about this is everything is unresolved. There's all these conditions of compliance and all I see in this document remains to be resolved. I remember the exact phrasing, but almost in fact, I think every single one, they've just all been left unresolved. Even the ones that seem like they should be fairly obvious, where for instance, screening, I mean it's obvious the landfill is not being screened. It's obvious that the Cliffs of Coffin Butte have not been restored to anything looking like what was expected. There's no grazing on the landfill, so even things that seem extremely obvious have not been resolved so far. So we're not seeing the output of this committee yet, and I'm wondering when that's going to happen and if we'll have a chance.

Ken:

Yeah. Mark?

Mark:

Yeah. So the application of that sort of coverall assessment phrase that's in each of the conditions of approval was put in there really as a placeholder. There are a number of different things at play. I think I mentioned earlier the 2002 MoU in which the Legal issues committee is asserting that it doesn't matter what happened prior to 2002, compliance or no compliance because they have asserted that 2002

memorandum of understanding wipes all of that out. And so therefore, from their perspective, the landfill is in compliance with all prior requirements to 2002. There are some members of the subcommittee that are not in agreement with that, and so I don't know how it's going to be resolved. There are some that seem to be quite obvious with regard to things like screening and as you mentioned Joel, there's a lot of discussion and debate about what closure means.

The landfill says that certain cells are closed, they're not really closed from DEQs perspective, and so therefore they're not going to see any grass growing or any of those sorts of things. What we've learned in this process is that, and I think we're seeing this happen up in Riverbend at the "almost closed landfill", that essentially the landfill operator gets to decide when they're really closed and work with DEQ. So until the landfill stops accepting waste, the landfill is not in a closure condition even though they will tell you that certain cells, cell two, three, cell one and one A, that they are closed, but they're not technically closed from a DEQ perspective and closure requirements relative to grazing and all that sort of stuff don't kick in until everything is closed. That's what I've learned in this process. So I am sorry that we are where we are.

I do think there is a diversions of opinion. If you go into the main body of the report, you'll see that in many cases the staff believes that the operator was in compliance and Republic Services agrees with staff. You can look at the comments, staff says In Compliance Republic says that we agree with staff. And then in the middle section there's a lot of discussion and commentary that were put together by both myself, Catherine Bisco and Ed Pitera, because we really researched and read each and every one of the conditions of approval and tried to make some judgment as to whether or not there was any evidence in the record relative to compliance. And one of the overarching things that hopefully will be in the findings is that Benton County has stated that they did not and do not have the resources necessary to monitor and enforce compliance with conditions of approval. That is the responsibility of the applicant. And unless there are any complaints filed by [inaudible 01:10:52], the county will not and they do not monitor or enforce any conditions of approval.

Ken:

Yeah. Joel?

Joel:

Yeah, thanks Mark. That was very enlightening. Just one question that's been on my mind is we know that we're getting a franchise fee from this landfill and this substantial. Has there been any discussion of whether some of that franchise fee should have been or will be devoted in the future to actually actively monitoring compliance?

Mark:

Well, of course that's not part of this subcommittee's charge, but I think there is a draft recommendation, something to that effect. But again, I'm not sure. There's a lot of discussion and debate about whether or not some of the older conditions of approval like screening for example, which were supposed to be imposed in 1983, whether or not anyone's ever going to require the landfill to do any screening. And so there is an observation that is quite clear that the county does not monitor or enforce conditions of approval. And I think that's contrary to what people think happens when you go through a land use review process and conditions of approval are imposed. The idea is that the conditions of approval are imposed in order to mitigate adverse impacts of a particular land use. However, if they're not monitored or enforced, it seems like it's pretty hard to ensure that compliance is done.

Ken:

Yeah. Let me just note that although spending a franchise fee, money may not be part of the charter for this particular group. It is a charter for us and [inaudible 01:13:15]. I mean, that is a thing which is specifically called out in the [inaudible 01:13:21], the bylaws, and I think the county code essentially is that we are to advise how franchise fees are to be spent. So that certainly seems to me to be relevant as a [inaudible 01:13:39] response essentially to what we're hearing here is that it would be very appropriate to begin spending money to actually... 'Cause otherwise conditions of approval are clearly just ink on paper. They don't have any effect. And I'll just pick up on what Mark was talking about. I mean, it's a thing that I got from reading over what the past land use subcommittee has been looking at is just that there are so many things that were or are complaint driven and there's absolutely no pipeline about that.

It's kind of only emerging through this process that these things actually exist as a complaint item. And so where is the complaint page on the county website, for example. It does not exist. I don't know if it's ever existed. Where is the notification for people like something in the paper that, hey, if you think the landfill is ugly, then you should write a letter or whatever. There's really been no pipeline for letting the public know that they're empowered. And clearly part of this, I mean to me it's just a very inadequate law making or condition making or whatever to say, well, for example, we won't require screening unless the public complains that the landfill is ugly.

I don't think you drive by the landfill and are motivated to say, Hey, the landfill is ugly because you drive by it tomorrow and it's still ugly and you drive by the next day and it's still ugly, et cetera, et cetera. So what are you supposed to file a complaint every day about that? That clearly is something where you need some sort of representative who can really say, I think most people looking at this would say that this is really an eyesore of a view. And I don't know, the other day I drove by Short Mountain, the landfill down by Eugene. I had never noticed it before because they take care. It's right by the freeway. Very similar circumstance to Coffin Butte, but they take care to essentially maintain that side of... That view shed is not really as confrontational as what we've got. So I mean, that's just one example.

But they're certainly looking at what has happened with past [inaudible 01:16:52], it seems like the pipeline by which complaints are even registered has been broken. I mean, when was the last time that we submitted the required report to DEQ? It seemed to me last year. When I asked Daniel for an example of what that report should look like, he couldn't come up with one, which I found surprising at the time. So that was again, something that we were pursuing, but then the curfew descended and so that's kind of all on hold. I'm sorry, I'm going on and on. And Chuck, you've got your hand up.

Chuck:

Yeah. I am almost forgot what the question was and what the answer was, but bear with me. If I understand it correctly, correct me if I'm wrong with the... There's two themes here, condition and complaint. Now, the conditions of history are real good in a sense, it's from a history perspective, although that they draw for just the sake of argument they've been negated from the future franchise or the existing franchise. But his historical perspective doesn't mean that later if another CUP comes forward, that if there's a consensus of a condition that cannot be brought back into the new one, do you understand what I'm saying? It doesn't. The new one starts new with where we're at and it's just like other laws, if you will. Some are proceeding, you can bring them forward, but we find that laws in the 1858 for crossing jaywalking and spinning gum on the curb, we may not want to enforce that.

Just as a ludicrous example, but what I'm trying to get at is the history is really important to have those, even though that they're not impinging right now front and center, but if it is a relevant condition, I think the county attorney says, or even a director, those conditions can be brought forward if they're

relevant and so forth like that. So don't give up hope on the history. Fortunately, everybody's time has brought that in now, so you've got a regular reference to it and can come back to it and so forth. And sometime technology even changes that you don't need the conditions too. So everything has to be looked at in today's perspective looking back or forward and so forth like that. And it's hard to do, but we've got a lot of information and I still look at it that everybody's help has brought it down to the 20 yard line, if you will keep with that analogy.

Ken:

So Mark, I see your cameras come back on.

Mark:

Yeah. I'd just like to respond to Chuck to say that want to make sure that there is clarity that the current franchise agreement has nothing to do with prior land use decisions. Those are two separate processes. Land use decisions, they're in their own legal bailiwick, quasi-judicial decisions that cannot be wiped away by the franchise agreement or cannot be modified by the franchise agreement. So just want to clarify for everyone that there's no relationship between a franchise agreement and land use decisions.

Ken:

Thank you very much for that, mark. Yeah, I have not really understood that. Chuck, go ahead.

Chuck:

Yeah. Thank you, Mark. There's also, hand in hand with that is a DEQ permit process, and that can sometimes bring conditions into it too, but I think everything is open to public opinion and the conditions that they want to put onto it and so forth like that. So I don't want to lose hope of that.

Ken:

Let's see. I wanted to just take a moment right here. Brent, it seems like you're still with us. I know it can be hard to break in when your camera is off, so I just wanted to give you an opportunity to, if you have had thoughts kind of in the past in...

Brent:

No real thoughts, I'm pretty technically focused and so maybe more view of the document, but no [inaudible 01:21:50] comments. I'm letting lots by listening to veterans on the committee.

Ken:

Yes, indeed. Okay, that's fine. I don't want to put you on the spot, but I did want to give you a spot and you bring up a really good point because I certainly know that I'm going to go back to the document to the whole thing and just reread everything and because I've learned a lot about what the salient issues are, and so I encourage everyone to do that with a pen in your hand or the keyboard in your hand to jot down your thoughts. And again, to get them to me by Friday at 10:00 AM so that I can put them into a document.

Brent:

And then my focus personally is what I'm trying to glean from it is there's a lot of information in there as far as on the advisory committee, I'm going to very [inaudible 01:22:53], what's in within my or the

county's control and whether it is not. And so that's what I see a lot here is that there's a lot at state level and county that holds a lot of cards [inaudible 01:23:08]...

Ken:

So unfortunately, Brent, I think we just lost your signal. So at least I was hearing you essentially more or less like an alien. So we lost the last part of your comment, but it sounds like you have got up a plan of action going forth from this meeting, which I think is really valuable. Are you still with us or [inaudible 01:23:44]?

Brent:

Sorry for that. I'm still with this if you can near me [inaudible 01:23:48]...

Ken:

Yeah, unfortunately you're completely breaking up. I think he just passed out a range or is about to. So Daniel, you had your hand up or... I guess that, okay.

Daniel:

Oh, thanks, Ken. I just wanted to briefly, it seemed like a good opportunity just to mention that for folks sending in those comments to you, if you could also copy bentoncountyttalkstrash@co.benton.or.us just to keep those records public. We'd really appreciate it.

Ken:

Okay, sure. You can also remind me, Daniel, and so I can check and make sure that if there's anything with it doesn't have that CC on it, I can forward that on.

Daniel:

Thank you.

Ken:

Okay. Any more comments about past land use? So I'm very much going to go back to that section and reread it. I think Mark's analysis is really helpful about what the dynamics are there. So now let's move on then to the A one subcommittee, which is the landfill size and life. And so let's see, who wants to kick that off? Not Mark. I think Mark has gone to bed, which is good. Did you want to talk about what's going on with the landfill size subcommittee there? Chuck? You can say no.

Chuck:

Well, [inaudible 01:25:56] there's 174 acres as we know, there's six cells. That's pretty explicit. But when it gets down to longevity, now that's the tricky question right there. If it's relative to Coffin Butte, if you will, the cell life and the landfill life is contingent on or part of the land reserve if it can be converted to a landfill. So if it can't be converted, then we're right back to the 14 years capacity in cell six. So it's pretty explicit for the first two steps, but there's a lot of conditions or if you will, working through credible scenarios, if you will. And Ginger brought some forward there too and stuff. So maybe we'll have a good conversation here next week or next time we meet and kind of close everything out and stuff. So I appreciate it, really is hard work, anyway.

Ken:

Yes, yes, indeed. So, yes, I mean, I'll just echo what Chuck said. So the three things are finding out the size, the capacity, and the longevity, right?

Chuck:

Yeah.

Ken:

And so those actually are kind of amazingly complex subjects, the first two, whereas I would expected them to be a little bit more straightforward. There's a lot going on with those. And of course, what Mark was referring to about cells not being exactly closed. I mean settlement goes on. There are new ways to kind of, I'm not going to bore you with all that, but...

Chuck:

No, but excuse me.

Ken:

Yeah, go ahead.

Chuck:

Just from a technical, I think Republican DEQ says when they're done, they're capped. They use a different terminology there. So when it's closed, it's not really closed, but when it's capped, it's capped. And that means if I understand them correctly, it's not currently putting any solid waste into it. Sorry, okay.

Ken:

Right.

Chuck:

Yeah.

Ken:

So the first two parts about actually defining kind of the envelope. So there is the size of what has been created already, and then there's the envelope of what is available of still within the present land use permit in terms of accepting more waste. And like Chuck said, now you get to the part where you try to figure out how much the inflow of garbages, so how quickly that remaining envelope is going to fill up. And of course when you look at that over time in the past, you can see it varies quite a bit. There are cycles that kind of go through it, depending on economic activity, bunch of other things. And then when we're looking forward, there are even more factors that possibly come into play because life is getting much more complex for the landfill. [inaudible 01:29:42]. Go ahead, Chuck.

Chuck:

Yeah, chair, I'm sorry to interrupt. I just want to state also that Ginger put a good array together there and which is real good. And that parallels what you written up too, which goes into more detail, but at

least the array works good with economical principles where you can look at one and two. On the positive side, is that enough to negate or stay, if you will, in equilibrium with the negative sites. So at least we have some parameters there with you defining them. And then with Ginger's work on that array that if we don't get at it, the array is there for the experts to say, yeah, economically we can look at that. And we look at supply and demand and demand curves and so forth, if you will, there that have give credence to it.

Ken:

Yes. So what check has... So let me just orient people who aren't as familiar with what's going on. So we are really talking about in the A one subcommittee's report, when you get to section three is where that is the one that's actually dealing with intake of waste and especially intake of waste and factors influencing it into the future. So what Chuck was referring to is there is a table there, it's a very nice communicating device because it shows essentially what some of the factors are influencing the landfill. And it just shows that there's a positive influence, which means the landfill life is extended, there's a negative influence, which means that the landfill life is shortened.

So we have to apologize a bit for the document in section three because if you go there, it kind of looks like a hand grenade went off in a room full of text. There is duplicate material, which is not quite the same, but very similar. And it's very confusing because a lot of material essentially has kind of arrived at the same time and has not been sorted out into actually a workable narrative in the form that you got. So that's kind of the first part of section three is kind of talking about factors and kind of giving you arrows pointing that they're either lengthening landfill life or they're shortening landfill life. So something like population growth would shorten landfill life because if there's more population in the service area for the landfill, that generates more garbage per year. But of course there's a cap on how much the landfill takes in.

So that only if influences a certain amount. So things get complicated very quickly. And so we've tried to identify in this section a number of those factors and to characterize them, whereas for example, if recycling rates were to continue, or if a recession happens and economic activity slows down, then there is less garbage produced in that population, and therefore less garbage means not as much going into the landfill per year, which means a lengthening of the landfill's expected life. So we've tried to isolate those factors and just identify kind of what you can expect from them and whether or not it's expected to be a significant number and significant number, that sort of thing.

I mean a lot of the significance of the impact, the amount of the impact really has to do with how much you believe that factor is actually going to be present in the future. Is it going to be a factor at all? Is there going to be a recession? Is there going to be economic growth? Is there going to be a landfill fire? Is there going to be... There are just a number of factors, and we tried to do some brainstorming and kind of come up with a list and treat them.

So a part which is relatively readable is the next part down, which is talking about various scenarios. And so those have graphs kind of attached to them to communicate visually what each of those scenarios means in terms of landfill life, and you can kind of see it playing out because the graphs go year by year. So there is a baseline operating, which is the official, I don't know if official is the right word, Republic services, they have their own forecast essentially about what is going to be happening at Coffin Butte in the lifetime. And their forecast says that they will be putting in as much as they can. So there's an income, an intake cap of 1.1 million, and I'm simplifying, and they say they all be able to... They'll have that demand essentially going through the remainder of life in the landfill.

And so we talk about the factors and the scenarios that we draw out are really about, well, what happens with that scenario? So what happens if the cap goes away, for example? Or what happens if an

expansion is approved? Or what happens if there's climate change legislation and the amount going into the landfill is reduced as a result? Because high methane producing material is diverted, there's an incentives to divert it from the landfill, et cetera. So that is relatively accessible to people. And so you can certainly look and kind of comment on that.

It certainly is appropriate to just talk about the fact that it's very hard to parse out the beginning part because it is hard to parse out, and that's quite legitimate feedback. Okay. I'm sorry, I've kind of gone on and on about that. There's also a section four, which kind of has to do with, there was initial skepticism I would say, about some of the scenarios that were coming forward. And so section four really kind of lays out what the signals of these possible futures signals that we can discern now that indicate that these are actual viable possible futures. That's really what Section four has to do with, so enough for me. Chuck, did you have anything to add?

Chuck:

Thank you, chair. Yes. Some of the stuff that is really out, I remember Sam talking about the Portland airport and landings and stuff like that, but you never know what technology would bring. Just with Zoom alone, they've cut down on a lot of their takeoffs and landings because we have a technology here. So also in the mix of solid waste, there are new technologies coming out. It's hard to look in a crystal ball, but they're starting to get some momentum behind them. Instead of sending all our resources over to China or Japan in particular, the [inaudible 01:38:30]. Now, a lot of them are converting that plastics to energy, so we could go on, but they're just unfolding. And obviously as a capital market takes over a little bit and entrepreneurs come in. I think there's even one being developed. I heard here in Albany looking at that stuff too, so that that'll be unfolding. It's just hard to unfolded in this document now without just talking generally about it instead of specifics. But our experts, when they get on board too, they...

PART 3 OF 4 ENDS [01:39:04]

Chuck:

Instead of specifics. But our experts, when they get on board too, they probably will have more in depth on that that can educate, least myself on it, if you will.

Ken:

Yeah, and I mean, that's a really good point, Chuck. I mean, we really are... This is a very future oriented section of the report, and so it clearly has kind of a relationship with the SMMP, where the SMMP is also very future oriented. But I think, so like considerations that we had with the SMMP, like looking internationally, for example, I mean, you can see technologies which are already in place elsewhere, and this is not just technology technologies, but social technologies about how waste is done. And of course, Oregon is moving in this direction by being one of the leaders and producer responsibility for items that are produced. You begin to enable these sorts of systems that prevent things which have a higher use from entering the landfill. So that's what that whole section is about. So I think that it's really relevant to us here in this advisory council to feel free to comment on those and to review the work of the subcommittee in terms of representing Matt. Yeah, Joel.

Joel:

Yeah, thanks, Ken. In just glancing through this, I think it is an interesting section, especially the scenarios you've gone into. One question that comes to my mind, and I'm thinking of the analogy to

water resources and river allocation, and the problem of over allocation, in particular, we... The analogy with rivers is that if you have a certain number of users that are all drawing from the river and that works in good years, but then you get a bad event and suddenly the river's overallocated and you have a problem. With the landfill, how this seems to work out is that there's been lots of contracts signed up that provide a certain annual flow of garbage, but then we have these stochastic events like a COVID crisis or [inaudible 01:41:39], Beachie Creek Fire, and suddenly there's more garbage coming in. And we get these either... If you want to call them violations or exceedances of what was expected.

Is there any discussion of that type of planning that... We've seen some patterns of what I would call stochastic variation in the inflows of the random variability on top of sort of what's expected, how that is accounted for in the overall airspace budget?

Ken:

Yeah. I don't... I'm struggling to understand your point-

Joel:

Okay.

Ken:

... entirely. It's a little over my head perhaps, but I think that... We're up against a wall in many regards in that there's a lot of proprietary data about the inflow to the landfill. And so for example, business contracts, nothing about that has been divulged. So we can't really... We can certainly speculate about them, we can make our own best guess faced with lack of information, that's all we can do really. And a lot of those, you can... I mean, in some cases, of course, those things can be found out quite readily if you just call Marion County and ask them what their business relationship is with, they may indeed just tell you. Just as one example. But there just are a number of other things, which Republic has been reluctant to divulge their projection, saying that they're going to be able to maintain that high rate of intake for the next 20 years or 17 years, whatever it plays out to be.

We can't really examine the assumptions. We don't know what assumptions underlie that. So what assumptions about population growth or whatever. There are certain things that don't seem to be in that assumption, but kind of what exactly is in just hasn't been divulged. Yeah, Chuck.

Joel:

Okay.

Chuck:

Well, let me understand this correctly. The common denominator coming into Coffin Butte is the scale ticket. Last time I was there, they scaled it. And then it's attributed to where you're coming from too, which identifies what county it's coming from and municipality. So if the common denominator is tons, which it is, then everything else is density, and capacity has changed from the tunny. So to answer the question, there is a lot of data that's probably available to the county just from the scale tickets loan by saying... Matter of fact, I think [inaudible 01:44:47] seen it there sometimes, which county it's coming from. And then over the years you can see a pattern from the county. But I think... It is just to talk about it here, so when the experts get on board, and I'm sure... Hopefully they'll have some economists on board that they can look at those dynamics of, "Washington County has grown this much. Yamhill County has grown this much."

So they can start putting those different arrays together, just like you put this one array with Ginger and you together and stuff. So I think it's within the realm, it's just a matter of getting more resources and if you will, professional staff on so they can dive into it and divulge it a little bit better than... In a better timeframe than we can, I should say.

Ken:

Well, I think our role is really... Yes. So I agree with you entirely, Chuck. We're not going to answer these questions. I mean, nobody is saying that we have the resources or the time, really, to do that. But I think... What's important, and I think what's important for this advisory council is to ask the right questions. So just kind of exactly the question that Joel was putting forward, that is the one that will actually inform what experts do, as a matter of fact, get hired. So for example, the Beachie Creek fire, I mean, just brought the prospect of a wildfire coming into the vicinity of Coffin Butte. So what exactly happens if there's a wildfire in that immediate area with the landfill? I mean, how likely is the landfill a catch fire, and what happens to the landfill if it does? I mean, that is something that someone, I hope, is really paying attention to.

And I think an expert can say, "These are the things that should be done to best protect her." To respond or whatever is going on. But it requires someone to actually come forward with that question to just say, "Well, what about a fire?" Asking that question is really what gets that sort of preparation in place. And I don't want to be sensational. I just pull that off the top of my head.

Chuck:

No, it's not sensational.

Ken:

I don't want to be dooming and glooming here, but asking the questions is very important. And that's something that anyone can do. You don't have to be an expert to ask those questions. [inaudible 01:47:33].

Chuck:

It's relative. What you're on point is today we have a waste stream tomorrow we have an energy stream. It's just a matter of is the economics there and technology now to change that from the other, and the next great fire, that looks like charcoal to me. It has a price for it. So I'm being somewhat facetious, but it's just a way of looking at the waste streams and can we turn it into a resource stream, if you will.

Ken:

Okay.

Chuck:

But the good thing about the county bringing on experts that... They're knowledgeable on that. If we can help the county, and... And the director is looking at assistant with information to pick the right one, make sure they got economists on board, make sure they got civil engineers on board, make sure they've got... I hate to say this, a geologist on board.

Ken:

Yeah. I'm sorry, Joel, go ahead.

Joel:

Yeah, I just wanted to clarify. We're talking about experts, but I wonder what we're really talking about here, because they were talking about the SMMP process, which is going to come sometime pretty far in the future perhaps, or at least maybe a year in the future or several years in the future before that's resolved. But the capacity issue for the current landfill is something that's going to come up in the, as I understand, in the land use process, which could be in March of this year. So I feel like we can't really defer some of these things out until some other experts come in. We are... For better or worse, we're sort of what we have. And us, the people. Yeah.

Ken:

That's really a good point. Whoops, go ahead.

Chuck:

Well, yes, also, the county's bringing on legal professionals too. So with legal professionals, that brings experts into the field. And at that time, the experts in waste management and sustainable management. So in the introductory letter he put out January 13th, that mix is in there, if you would. It's just a matter of addressing it as occurrences come up. And that's what's hard to forecast right now, what occurrence is going to come first.

Ken:

Yeah. But I'll just refer to an example. And so this is an SMMP example, and of the SMMPs that we looked at of other counties, there was no county that had... Well, I think... I'm not sure if that's exactly true. Of the counties we looked at, I think only Metro had something in there about climate change. I think all the other counties did not actually have anything in their table of contents of their materials management plans having to do with climate change actually being a factor in their waste future. And so there is in the table of contents that our subcommittee put together, but that's because, essentially, there are citizens who are... Us, who insisted that it be there.

So that's the sort of... What we're talking about is bringing forward those ideas. I mean, that's what these subcommittee reports going to the work group and then going on from there really are going to hopefully shape, essentially, who gets calls at the table and what they talk about if and when a new expansion proposal comes forward. So I hope that's helpful in reviewing the landfill size, particularly sections three and four. Any other questions about that? Chuck, did you...

Chuck:

Oh, chair. That's a good point to bring it. It's just a matter of... We're not an oracle of knowledge, but it is to bring in thoughts and perspectives and interpretations of them. And if I don't understand them, that's the reason I send to Daniel, so he does understand. Give us some insight-

Ken:

Good

Chuck:

... insights there.

Ken:

Yeah. Well, I think, Chuck, you and I, we differ about how oracular we are.

Chuck:

Yeah.

Ken:

I mean, this is just a thing. I mean, you like to rely on experts, whereas I like to rely on my own imagination. I feel that I have A-class imagination, I can match with anyone imagination wise, but that's why we get along so well, Chuck.

Chuck:

Yeah, I know, but it's good, as long as... It's good. And Sam does his dues, no matter how bleak the day is, a little humor will bring out the sunshine.

Ken:

Excellent. Okay, so we have 10 minutes left.

Joel:

History hasn't been...

Ken:

I'm sorry, go ahead, Joel.

Joel:

Were we going to talk about the landfill history or the history part of the document, or did I miss that somehow?

Ken:

Let's see. We should do that now. I'm sorry we glossed over that part.

Joel:

Yeah, because I actually have an awful lot of comments on that.

Ken:

Okay, cool.

Joel:

And probably the most important thing is the timeline. And I think... I'll probably just mark that up because it's going to be a lot of detail there. But I think the timeline is really important. This is something that everyone's going to look at. It's a picture, and there are inaccuracies, misstatements, things that are outright wrong, some things that are just kind of silly, suggesting that farming only started in the 1900s, but that's pretty harmless. But saying, for instance, that the 2005 DEQ Record of Decision stated that the

site was in compliance is just actually wrong there. I went through that entire document and there's nowhere in it where it says that the site was in compliance. What it did was lay out conditions to meet compliance, things that VLI would have to do... I think it was VLI or Allied Waste at the time. They would have to, for instance, decommission a well in order to come into compliance.

And they were given a deadline of a year to do that. And they were supposed to put set up monitoring wells. And so that process of compliance is still ongoing, but it's been misrepresented in the timeline and also in the main text. Yeah. Another comment was... To me, there's this an over-emphasis on Soap Creek Valley. I don't even live in Soap Creek Valley, and I'm a neighbor, but there's this Soap Creek Valley here and Soap Creek Valley there, and it makes it seem like the only people who actually live anywhere near the landfill are in Soap Creek Valley. And I thought we sort of tried to cover that in the neighborhood tour. We made a point of going over towards North Albany, looking at Palestine, all the houses up in the hills there. We didn't manage to get to Suver, to the north of us, and we didn't get to Lewisburg, we drove past it.

But there's a lot of... I think it's 10% of the population of Benton County lives within this more or less five mile radius where they're in the view shed, they're in the odor shed, they're in the litter shed, if we could come up with coin terms. And there's no mention of that in the document. It says there's Soap Creek Valley people, and then there's farmland, and E.E. Wilson. So that's kind of a major overarching point and I think it... And where it becomes important is that it's been stated that Soap Creek people are just being NIMBYs, but there's a lot more people that have this in their backyard. So it is actually a pretty important point.

Ken:

No, I... Yeah.

Joel:

Sorry [inaudible 01:56:31]. I shouldn't rant too much. So yeah, if there's any feedback on those things, I do have more things to...

Ken:

Well, I certainly appreciate that. I wasn't really paying very much attention when the history part came together. I was more focused on the future end. So those points all seem really good to me. So Marge, and then Chuck.

Marge:

Yeah, Joel, I think that that's a really good point. And I wish you brought it up earlier so that we could have addressed it because I can see now that there has been an emphasis on Soap Creek Valley in the document, partly because there's so much information available because of Zybak's work. And I think that that is how we got sidetracked to Soap Creek Valley is because there's such an excellent stream of information about that area. But it is a wider area. And as you point out, the whole corridor... I mean, there are people in Polk County who are affected. There are people in North Albany who can see the landfill from the Albany Road. So yeah. And now what I do want to say though is that the Soap Creek area, I think what we were trying to do there, that is all very early in the history... We're not talking about Soap Creek Valley Valley in 1983 or in 2000. We're talking about it in the 1800s and the early 1900s because that is the area that Coffin Butte exists then, right? I mean...

Joel:

Yeah, it's one side of it. I appreciate... What I'll do is I'll send in comments and hopefully there's still time to fix things. And I think really the important document that... Unfortunately, it wasn't documented very well, the neighborhood tour, there were some notes taken by ICM staff, and I'll have comments on those too. They didn't really accurately capture what we did, where we went, what we talked about. And that was really... It was a meeting, actually, of the working group, and what went on in the work group in the neighborhood tour, a big part of that never really came into this document. So I'll have some input on that. But it was part of the process and it should be represented, and I'll try to give you some constructive words on that. Yeah, and there's some things missing. There's a couple of leachate incidents that are left out of the timeline.

There was a 1996 issue where they had to dump 3 million gallons into the river directly. There was a 2000 incident that shows up in the monitoring reports, still being detected and monitoring Well 23. These things, I don't know if they ever came up, they were events in the landfill operation that show there have been some problems. And also, there was the issue of the Helms Well being decommissioned was taken out somehow that was in there in one draft.

Marge:

No, it's back in the draft... It's back in. It's not in the timeline because the timeline is kind of upleveled. I mean, I see that what is in the timeline is that Allied Waste purchases the landfill from the Bun Brothers. I mean, we've got, what, 36... Oh, well, the Ginger has a comment. She hasn't said anything yet, so I'd yield to Ginger.

Ken:

It's got to be brief though, we only have four minutes left. Ginger, go ahead.

Ginger:

Yeah, I'll be really, really fast. I don't want to interject too much into this meeting because I know this is your purview, but I just wanted to convey to Joel that part of the weakness of this process is that what you're seeing is old already in that Marge and Mark Henkels and I have already gone back and done revisions on the history that have not yet been provided to SWAC. And so I feel like, especially when we're talking about the Helms Well, for example, Marge provided me with some additional information. And so that did end up back into the text as well as the leachate issues that you were talking about. And so just to try to clarify that and keep it in mind that that document is still evolving and that some of the points you're bringing up are being addressed because Marge and Mark have already brought them to our attention. So that's all I want to say.

Joel:

Okay. Is there... Thanks, Ginger. Yeah. Is there something more recent that... I mean, I have until tomorrow. I'm leaving for a couple memorial services over the weekend, but if there's something that I could see tomorrow that would help me to be more efficient in my comments.

Ken:

So I'm just going to... To me, that's like crazy making. We have been really tasked with responding to draft three, and so we should respond to draft three. Even if those comments... If those comments have indeed been taken care of in future iterations, then I think that's all good. But to hold anything back and

try to check more recent... Believe me, that's just a paper chase that you'll never get out of. So our charter is really to respond to this draft that's been put forward. And so I would really just want us to focus on that. So, Chuck, I know you've been having your hand up there, but it's got to be quick because we only have two minutes left.

Chuck:

No, I just-

Ken:

[inaudible 02:03:06] things to

Chuck:

Say. Yeah, I just want to thank Marge and everybody on that history thing. And what I really appreciate is learning about Greenbury who actually burnt the town down. And on the... Conversely, speaking south of Corvallis, there's a siding there, that's Greenbury, and that's been there for quite a while, and they only name a siding from Southern Pacific after somebody who was shipped a lot and he cut down the forest to ship out. So there's irony in that if you read into it, and I really appreciate what they're saying because it brought a chuckle out.

Ken:

Okay. Cool. All right. Well, it's time for us to wrap up, you guys. Thank you so much. It's been a great conversation. Again, please go back to the document, kind of knowing what we do know now, and get your comments down in writing. So you might want to have... So having page numbers for the comments that you put in, when you're on a certain page, to note that page is really going to make my job a lot easier. And I really encourage you to submit the comments, kind of of all kinds that are going to be helpful, you think to the people who... For the work group, and then going back to the subcommittees in terms of tightening up their product. And I can just speak from my own experience that being on a subcommittee, you really lose the perspective of how it looks from outside.

And so for comments to be something like, "This is really tight, this is really good." That's a good thing for people to hear. That'd be a good thing for me to hear. But also the comments just like going, "This is impenetrable." Or whatever. I mean, that sort of very general sort of comments, I think, would be helpful. And again, we are kind of the public representative, so if you think about interested public people coming to this document, they're kind of relying on us to give a pushback for them. But also, those specific comments, like the ones that you were just describing, Joel, those are even more valuable, right? Because we want things to be factually accurate. So last statements by anyone. Yeah, Joel?

Joel:

Yeah, I just wanted to say I did appreciate all the work that, Marge, she put into the history document, but I just-

Marge:

Well, and Mark Henkels.

Joel:

Yeah. And Mark. Yeah. Yeah. I don't want to be too negative. I just... These were just some things that popped up for me, but I'll try to be helpful and constructive.

Marge:

Okay. Now Darren Nichols has his hand up.

Ken:

Oh, thank you. Yes, Darren.

Darren Nichols:

Hey, good evening, Mr. Chair. Thank you for the robust discussion and the feedback. I appreciate it. I'm sorry you can't see my cameras, it doesn't seem to be working. But I just wanted to double check the process whereby SWAC members will send their comments to you. I thought I heard early on that you were asking for them to send them to you privately. And I just want to remind SWAC that any writings that members make that are leading towards a decision by the body are public record and must be disclosed publicly. So otherwise, SWAC is having, essentially, a serial meeting that's outside the public view. If we can help find a way for that process to happen, I'd like to just make sure we protect the integrity of SWAC's feedback into the Benton County talks trash.

Ken:

Okay, great. Yes. So Daniel had... He read us that right act a little earlier in the program, so we have heard that. But we'll emphasize again, so CC... The comments do come to me because I am compiling them. But you should CC the trash talk and work group. Yeah.

Darren Nichols:

Thank you. Yeah, thank you for that. I just want to remind the members that we're trying to protect the deliberations here for so they're valid and not subject to attack later.

Ken:

Sure. Yes. Yeah. Thank you very much for-

Darren Nichols:

Okay. And thank you.

Ken:

... bring that up again.

Darren Nichols:

Thank you for the discussion.

Ken:

Yep. Okay members, thank you so much. It was very good to hear from all of you, and your engagement is very inspiring.

Joel:

Yeah. Yeah. Thank you, Ken. And Mark's gone, but [inaudible 02:08:04], I guess.

Ken:

Yes. Quite the trooper for us.

Chuck:

Yeah, chair. I just glad to see that Ginger is back up and going. I know she had a battle with COVID there, but it's good that she's up and going, so appreciate that.

Ginger:

[inaudible 02:08:28]. I [inaudible 02:08:29] Mark and if Joel's getting the funk too, I hope everybody's back to full speed our next meetings. So...

Ken:

For me, it's just a cold, I think. It's... Or a bit of rain. Yeah.

Ginger:

Yeah. You've already had it, haven't you, Joel?

Ken:

Yeah. Yeah, a couple times.

Ginger:

That's what I thought.

Ken:

Yeah.

Ginger:

So, all right. Have a good night everybody. Thanks.

Ken:

Yes, indeed. Good night everyone. Thank you. All the public out there participating, we appreciate you tuning in with us. [inaudible 02:09:03].

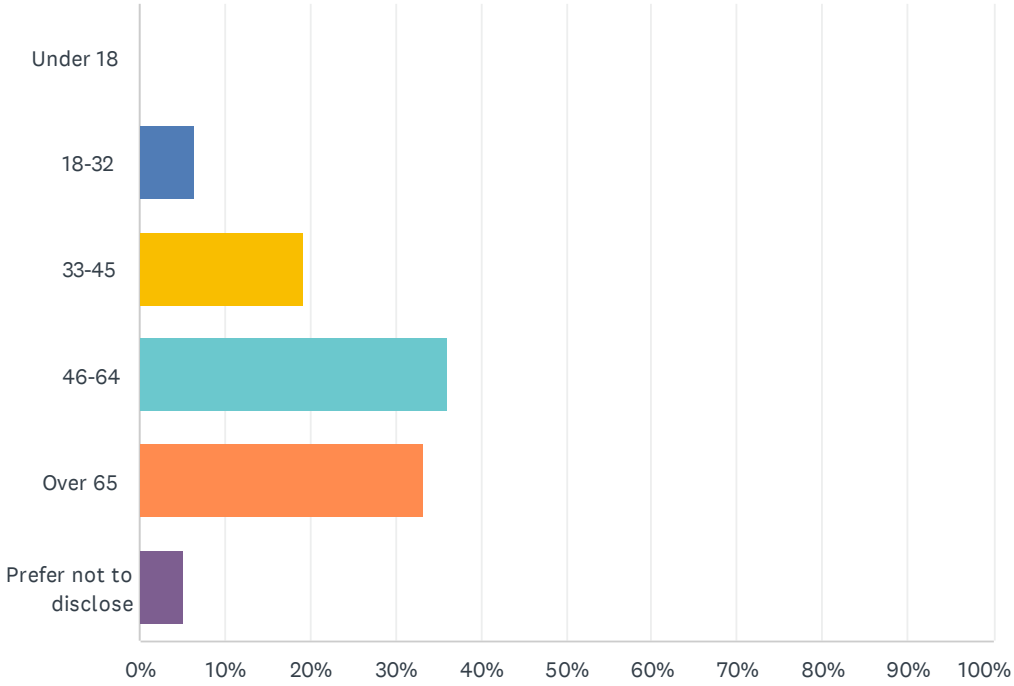
PART 4 OF 4 ENDS [02:09:09]

Appendix E. Public Survey Results



Q1 What is your age range?

Answered: 219 Skipped: 0

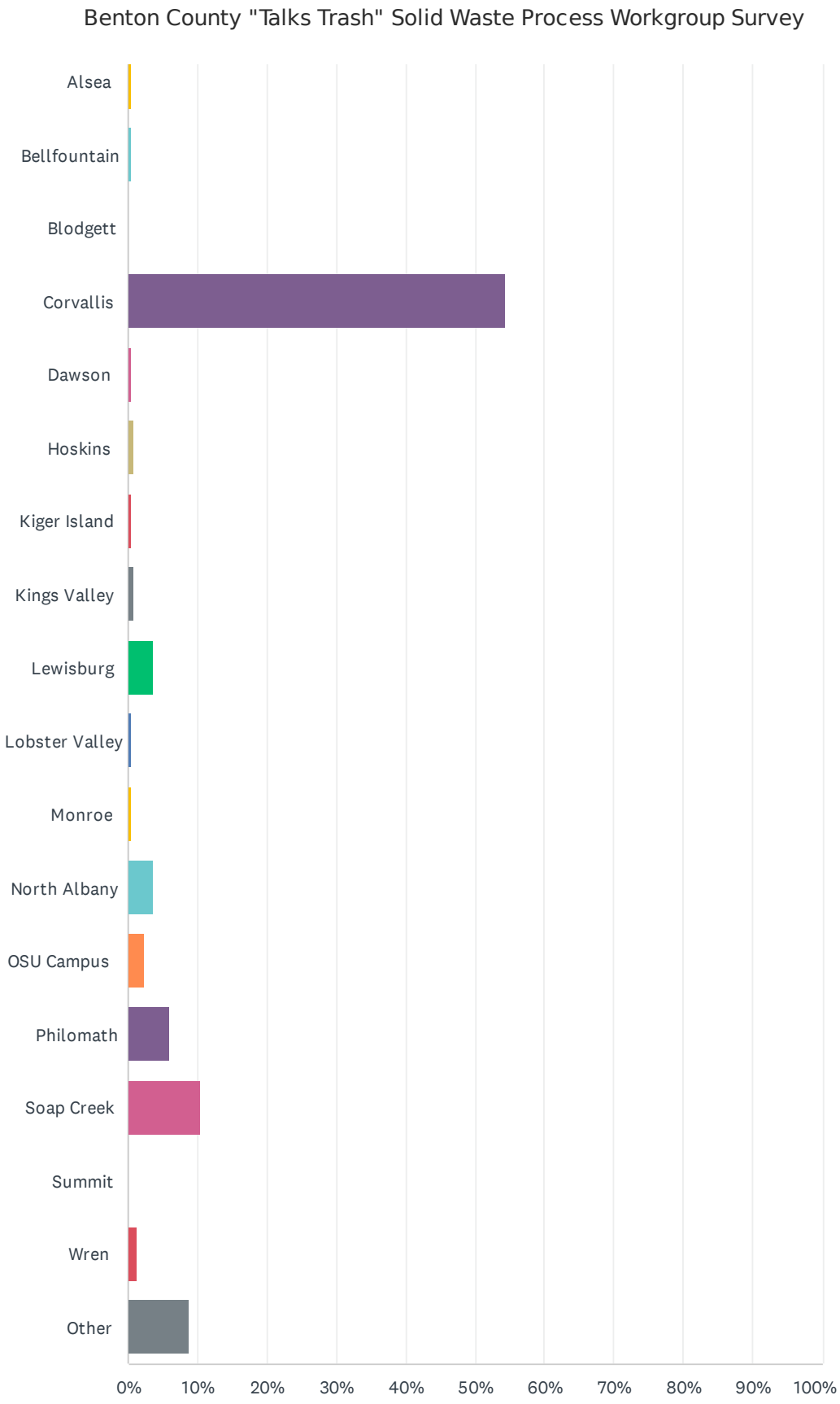


ANSWER CHOICES	RESPONSES	
Under 18	0.00%	0
18-32	6.39%	14
33-45	19.18%	42
46-64	36.07%	79
Over 65	33.33%	73
Prefer not to disclose	5.02%	11
TOTAL		219

Q2 In which community or area of Benton County do you live? (Check one)

Answered: 219 Skipped: 0

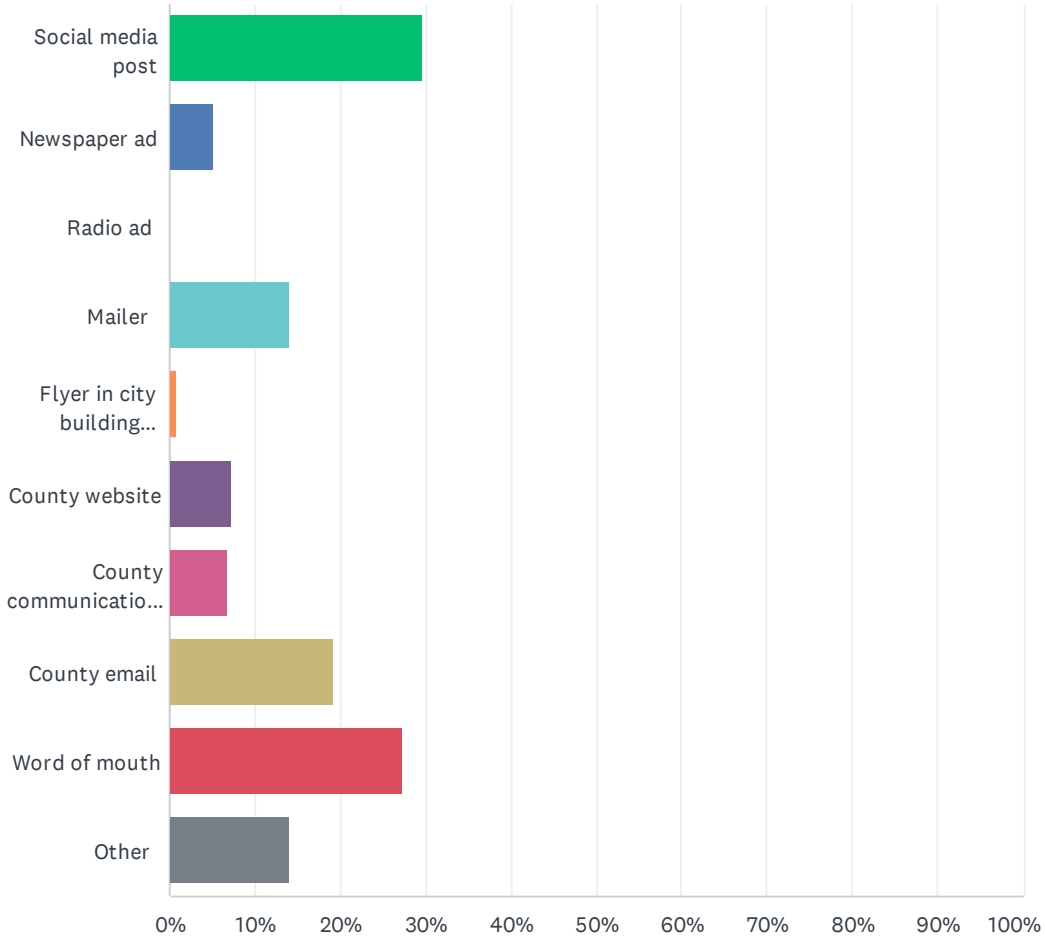



Benton County "Talks Trash" Solid Waste Process Workgroup Survey
Alsea
Bellfountain
Blodgett
Corvallis
Dawson
Hoskins
Kiger Island
Kings Valley
Lewisburg
Lobster Valley
Monroe
North Albany
OSU Campus
Philomath
Soap Creek
Summit
Wren
Other
0%
10%
20%
30%
40%
50%
60%
70%
80%
90%
100%

ANSWER CHOICES	RESPONSES	
Adair	4.57%	10
Alpine	0.46%	1
Alsea	0.46%	1
Bellfountain	0.46%	1
Blodgett	0.00%	0
Corvallis	54.34%	119
Dawson	0.46%	1
Hoskins	0.91%	2
Kiger Island	0.46%	1
Kings Valley	0.91%	2
Lewisburg	3.65%	8
Lobster Valley	0.46%	1
Monroe	0.46%	1
North Albany	3.65%	8
OSU Campus	2.28%	5
Philomath	5.94%	13
Soap Creek	10.50%	23
Summit	0.00%	0
Wren	1.37%	3
Other	8.68%	19
TOTAL		219

Q3 How did you learn about this survey? (Check all that apply)

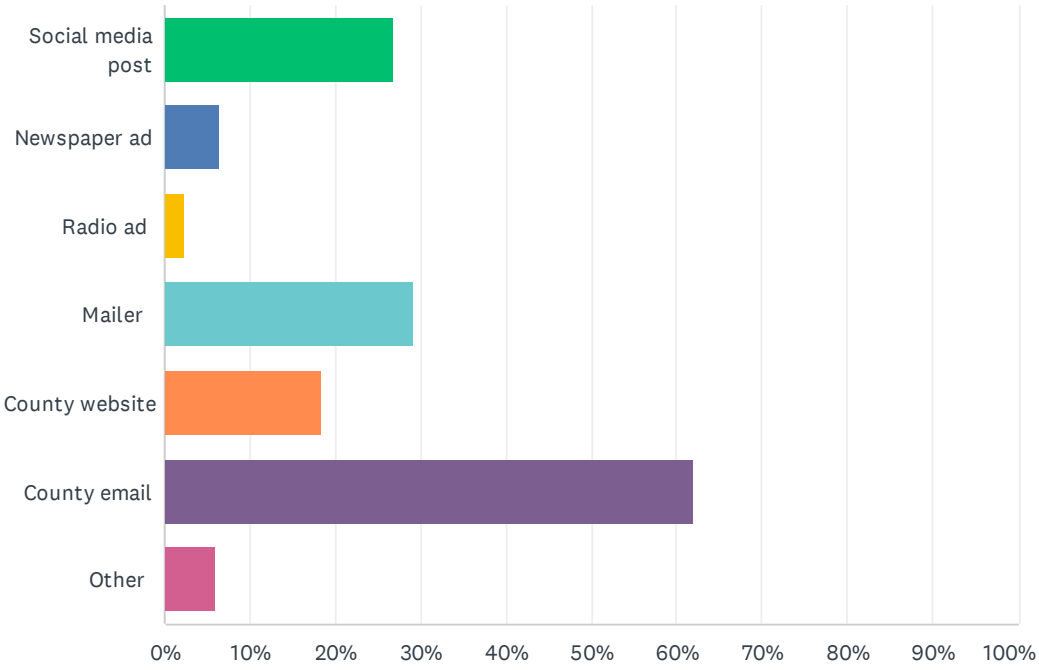
Answered: 219 Skipped: 0



ANSWER CHOICES	RESPONSES	
Social media post	29.68%	65
Newspaper ad	5.02%	11
Radio ad	0.00%	0
Mailer	14.16%	31
Flyer in city building (library, etc.)	0.91%	2
County website	7.31%	16
County communication for something else I am involved in	6.85%	15
County email	19.18%	42
Word of mouth	27.40%	60
Other	14.16%	31
Total Respondents: 219		

Q4 What is your preferred method of communication from the County? (Check all that apply)

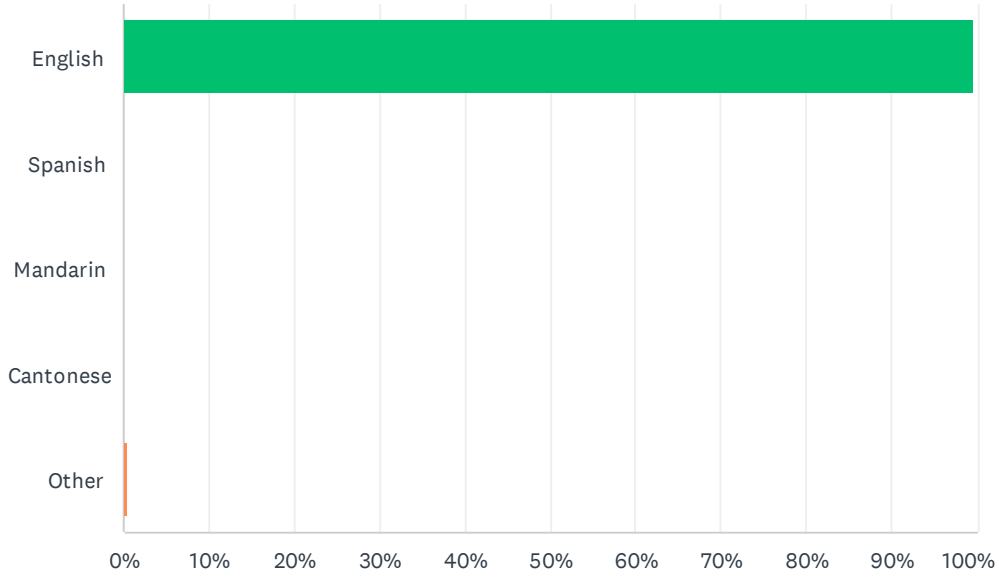
Answered: 219 Skipped: 0



ANSWER CHOICES	RESPONSES	
Social media post	26.94%	59
Newspaper ad	6.39%	14
Radio ad	2.28%	5
Mailer	29.22%	64
County website	18.26%	40
County email	62.10%	136
Other	5.94%	13
Total Respondents: 219		

Q5 What language do you prefer to receive County communications?

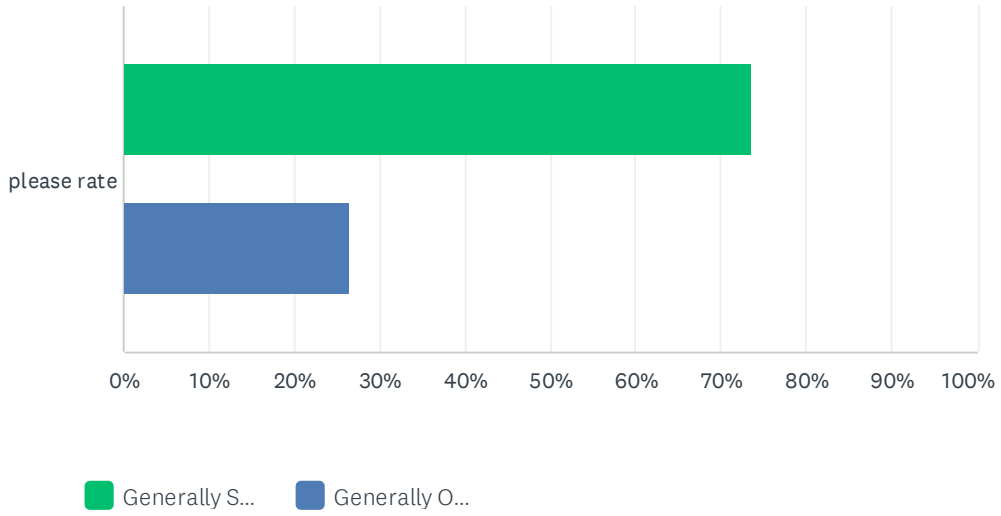
Answered: 219 Skipped: 0



ANSWER CHOICES	RESPONSES	
English	99.54%	218
Spanish	0.00%	0
Mandarin	0.00%	0
Cantonese	0.00%	0
Other	0.46%	1
TOTAL		219

Q6 SMMP Recommendation 1 A Benton County SMMP should be developed within a Sustainable Materials Management framework, reflecting full lifecycle impacts. The development of a SMMP should consider:1) the 2040 Thriving Community Initiatives and our communities' Core Values, 2) national, state and local goals, vision documents (The Dept. of Environmental Quality's (DEQ's) Materials Management in Oregon 2020 Framework for Action), plans, policies, ordinances, etc. relating to materials management and climate change, 3) examples of values and goals expressed in state and local jurisdiction materials management plans, and 4) long-term strategies (to 2040) with short-term action items (5 years or less).

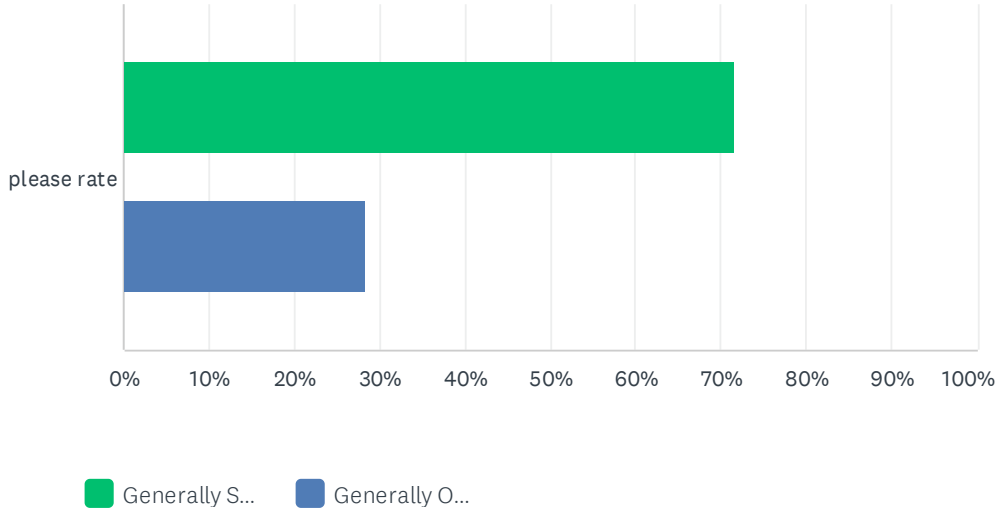
Answered: 132 Skipped: 87



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	73.48% 97	26.52% 35	132	1.27

Q7 SMMP Recommendation 2 Benton County (County) should use the 2040 Thriving Community Initiatives as a high-level lens to frame our communities' Core Values in developing the SMMP.

Answered: 127 Skipped: 92

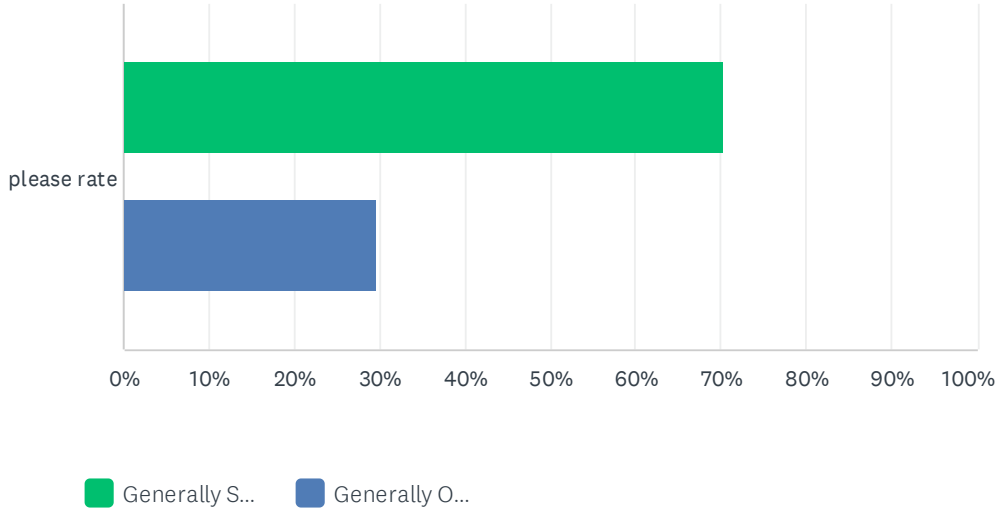


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	71.65% 91	28.35% 36	127	1.28

Q8 SMMP Recommendation 3 The SMMP should not just be about how the County can better manage materials, but to also address how to

approach inter-county collaboration from a regional perspective. The request for proposal (RFP) should indicate the need for researching and exploring opportunities for a regional multi-county approach to achieve the goals of sustainable materials management. RFP firms with experience with Oregon's materials management legislation, policies and other county materials management plans may have the capability to address this need.

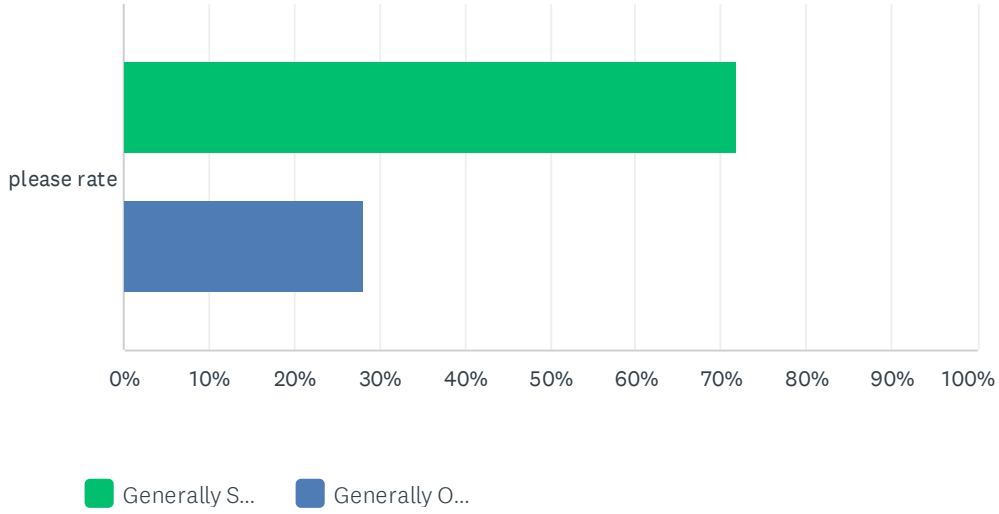
Answered: 128 Skipped: 91



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	70.31% 90	29.69% 38	128	1.30

Q9 SMMP Recommendation 4 Counties impacting Benton County through their materials management practices (including by contributing materials to Coffin Butte Landfill) should have an SMMP in place. The SMMP should have a perspective on how to strategize this.

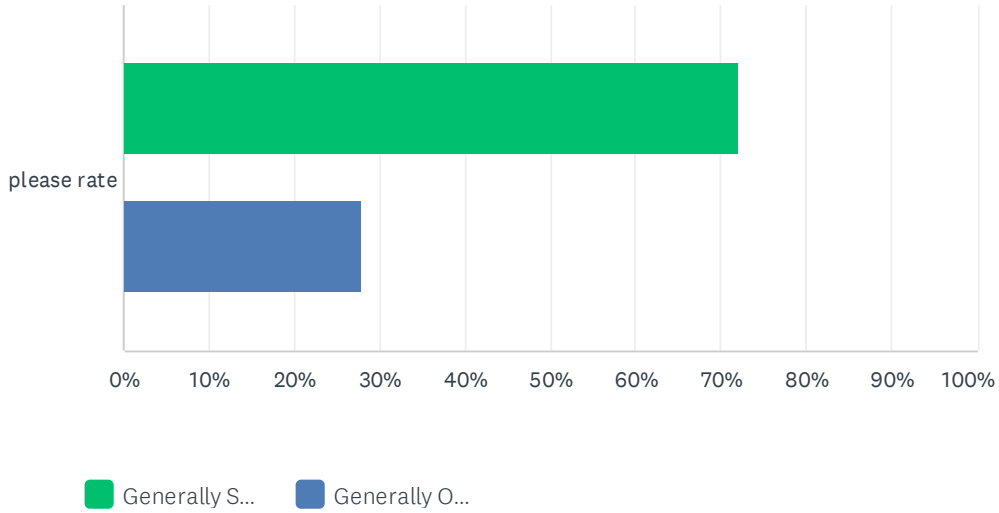
Answered: 128 Skipped: 91



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	71.88% 92	28.13% 36	128	1.28

Q10 SMMP Recommendation 5 SMMP content should incorporate the sustainability of materials management strategies/tactics. The result of the process should give us a method of measuring costs and benefits to evaluate the impact on economic, social, and environmental indicators. Specific goals should be included of how materials in the County can fit within a circular economy, cradle-to-cradle, or similar framework.

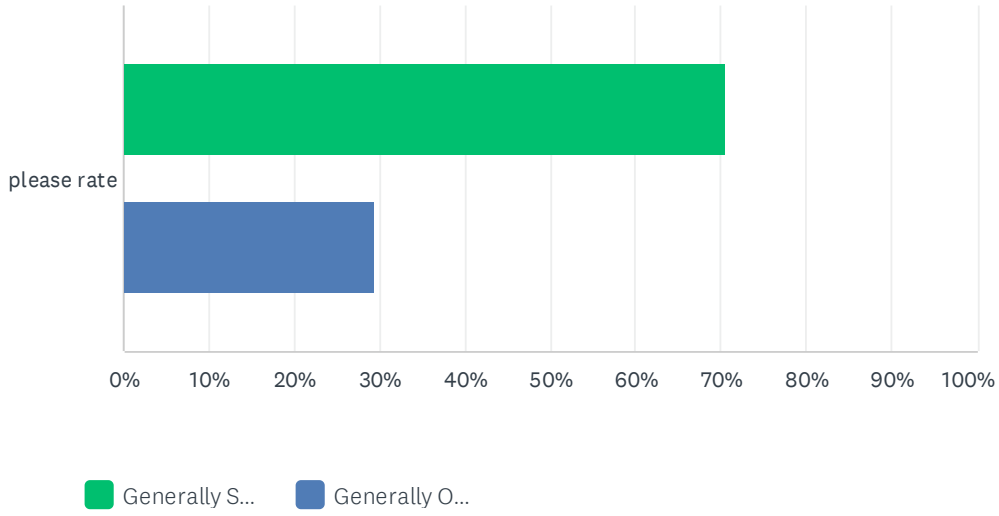
Answered: 125 Skipped: 94



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	72.00% 90	28.00% 35	125	1.28

Q11 SMMP Recommendation 6 The SMMP should clarify Benefit-Cost perspectives being addressed through an equity analysis, including:1) financial cost impacts associated with materials management and outcomes, 2) the equity of circular economy, how it engages and impacts consumers, 3) a perspective that goes beyond landfilling, and 4) a “who’s at the table” list of stakeholder perspectives.

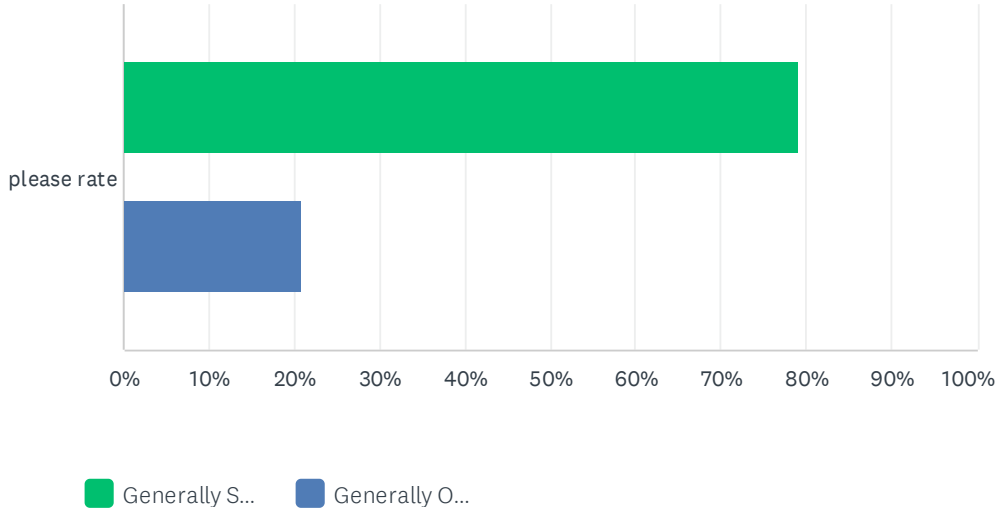
Answered: 126 Skipped: 93



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	70.63% 89	29.37% 37	126	1.29

Q12 SMMP Recommendation 7 Bring “lessons learned” into the process from other sources, including international examples as well as other counties, lessons from past Benton County experiences, and West Coast states.

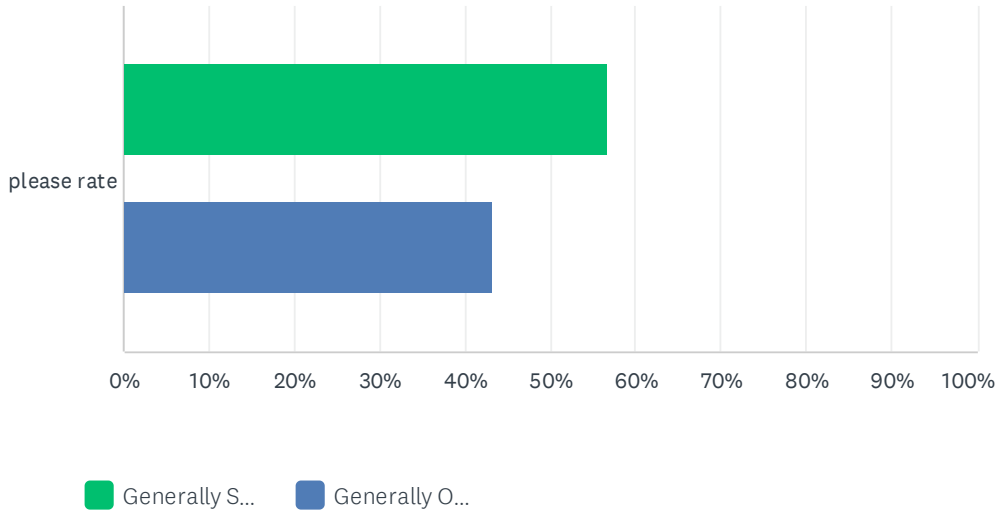
Answered: 124 Skipped: 95



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	79.03% 98	20.97% 26	124	1.21

Q13 SMMP Recommendation 8 Beyond those in the County, a wide assortment of stakeholders should be brought to the table. Stakeholders include community members, advocacy groups, businesses and industry, local and state government, and resources for innovation. The consultant should provide recommendations based on analysis and extensive outreach and engagement with community stakeholders from the “who should be at the table” list. These stakeholders should represent a broader area than Benton County.

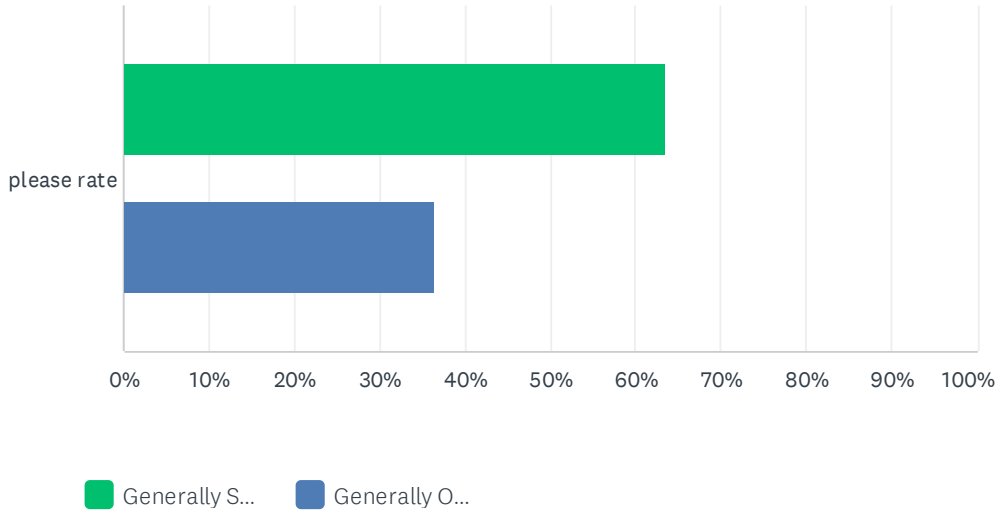
Answered: 120 Skipped: 99



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	56.67% 68	43.33% 52	120	1.43

Q14 SMMP Recommendation 9 The County should use an RFP to find consultant(s) for developing a SMMP.

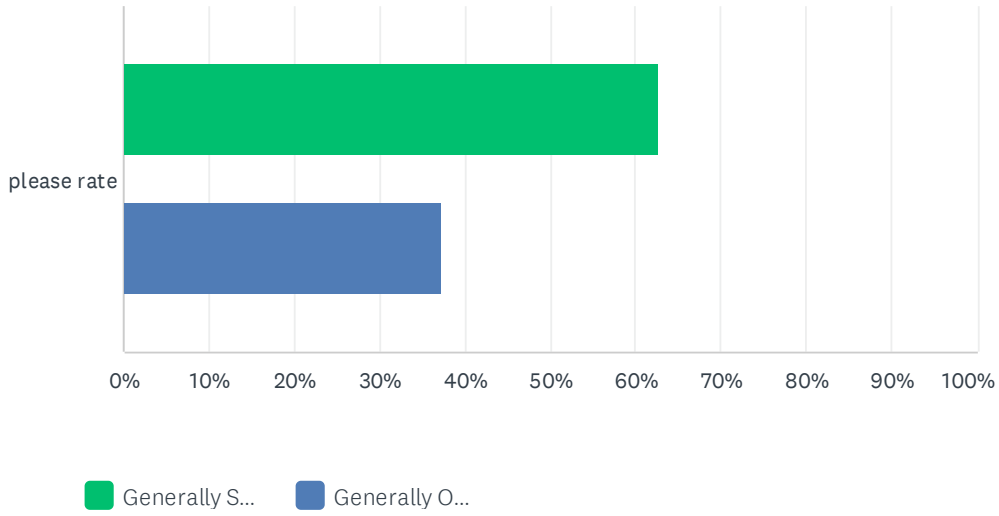
Answered: 115 Skipped: 104



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	63.48% 73	36.52% 42	115	1.37

Q15 SMMP Recommendation 10 The SMMP subcommittee researched other jurisdiction's plans, compared and aggregated a list of subjects, and the SMMP should evaluate and address the subjects listed in the full subcommittee report, answering the 117 questions listed as RFP priorities allow, and include recommended courses of action.

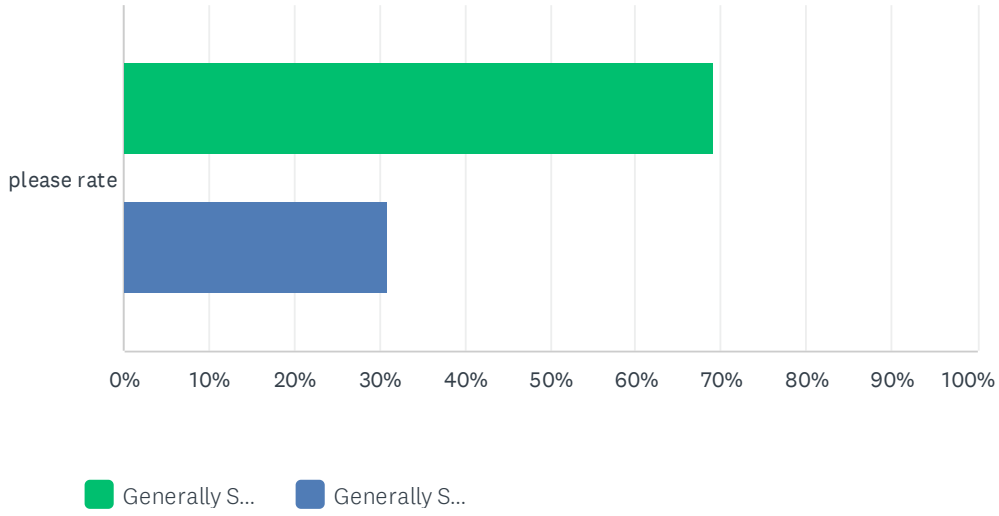
Answered: 110 Skipped: 109



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	62.73% 69	37.27% 41	110	1.37

Q16 SMMP Recommendation 11 Recruitment for the RFP needs to be extensive, and selection of successful proposal should be careful and thorough. Qualities of a successful applicant should include those listed in the full subcommittee report.

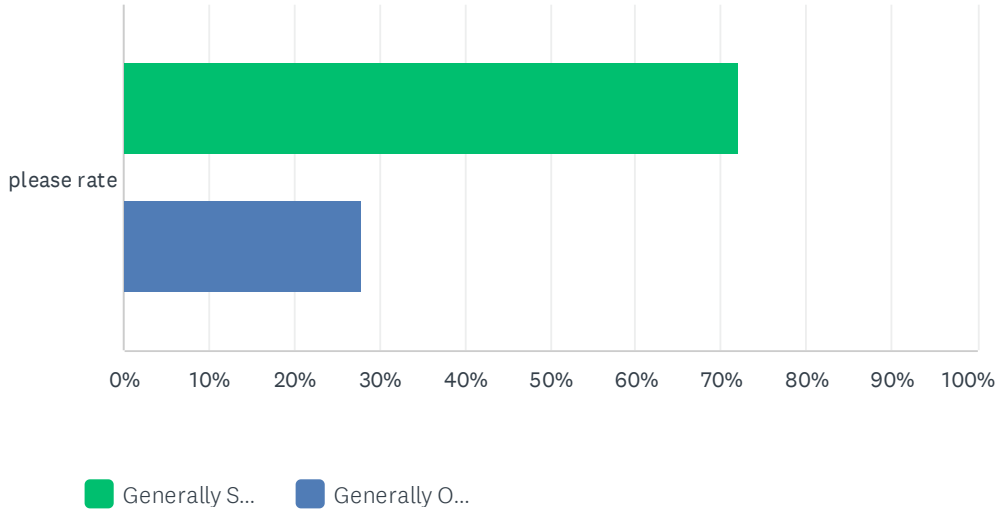
Answered: 110 Skipped: 109



	GENERALLY SUPPORT	GENERALLY SUPPORT	TOTAL	WEIGHTED AVERAGE
please rate	69.09% 76	30.91% 34	110	1.31

Q17 SMMP Recommendation 12 The scope of work for this project is expected to be broad and comprehensive, with specific goals recommended for the County to consider as milestones.

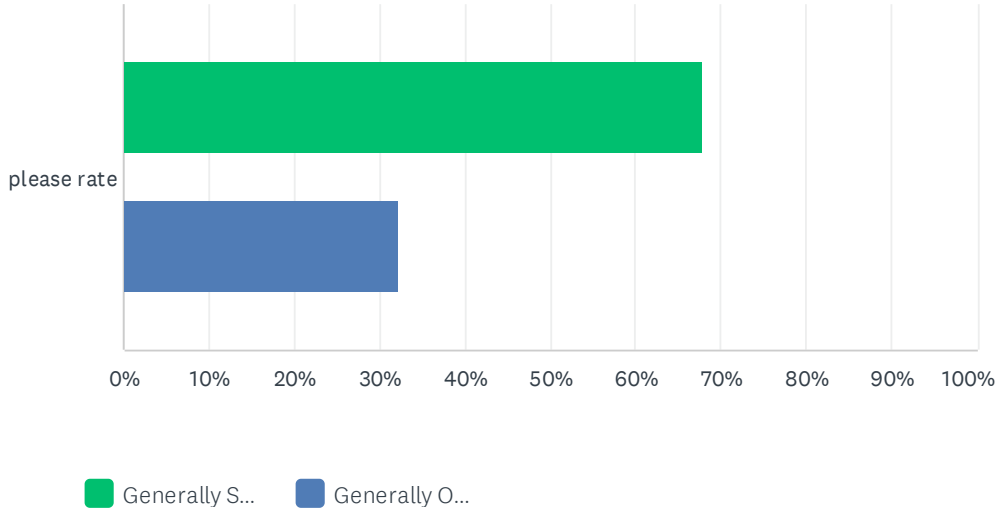
Answered: 122 Skipped: 97



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	72.13% 88	27.87% 34	122	1.28

Q18 SMMP Recommendation 13 The RFP development process should: 1) provide details about the Workgroup process and its findings to RFP applicants, 2) prioritize topics, adding additional topics that are important to consider, and 3) communicate accurate priorities to applicants.

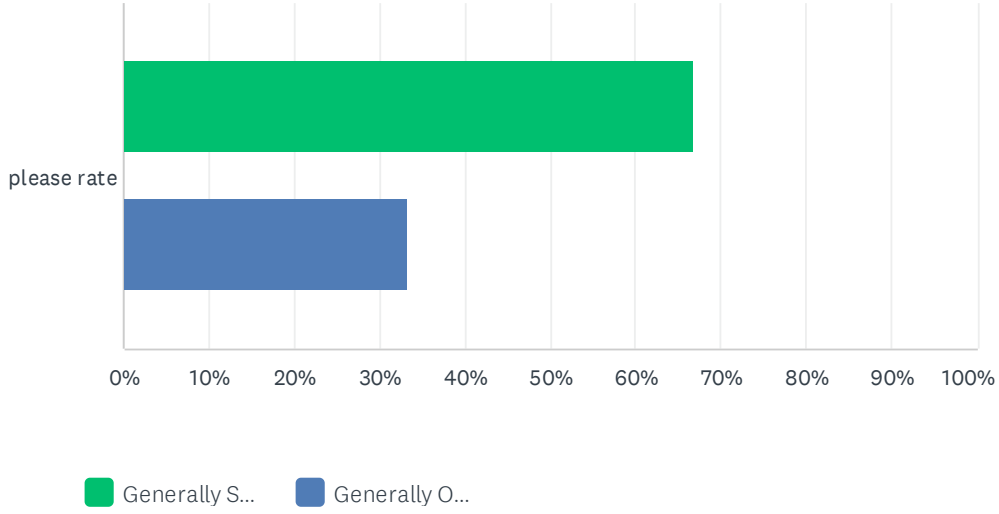
Answered: 115 Skipped: 104



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	67.83% 78	32.17% 37	115	1.32

Q19 SMMP Recommendation 14 Members of this Benton County "Talks Trash" (BCTT) SMMP subcommittee should be offered to participate in subsequent stakeholder group meetings for RFP development and review. The County's Advisory Committees related to SMMP work should have an advisory role during the development of the plan.

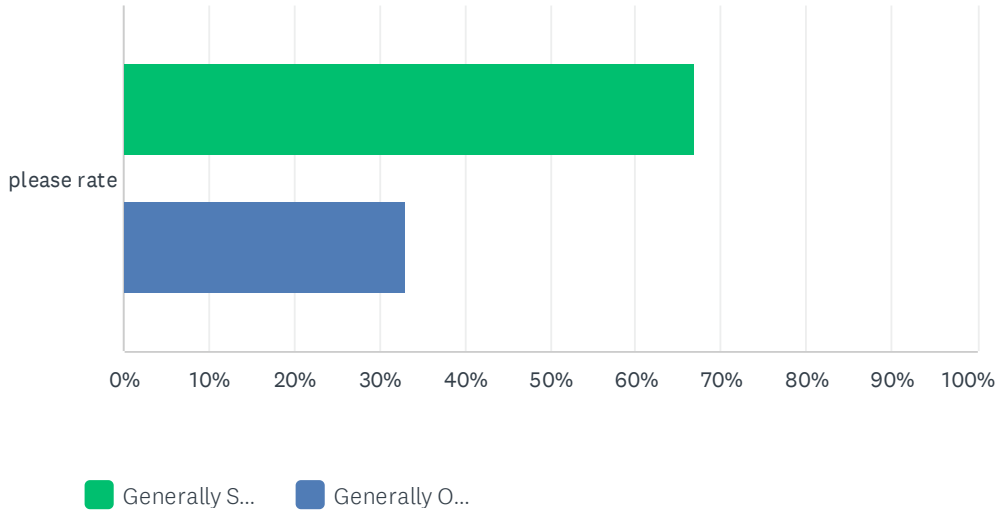
Answered: 120 Skipped: 99



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	66.67% 80	33.33% 40	120	1.33

Q20 SMMP Recommendation 15 The RFP Release/Announcement should:1) communicate an expectation that this plan can be approached by teams (multiple firms), instead of just single firms, 2) put guidelines on the size/length of proposals and sections of proposals, and 3) be distributed to allow enough time for it to be posted to various trade groups, shared with underrepresented groups, and internationally minded outlets.

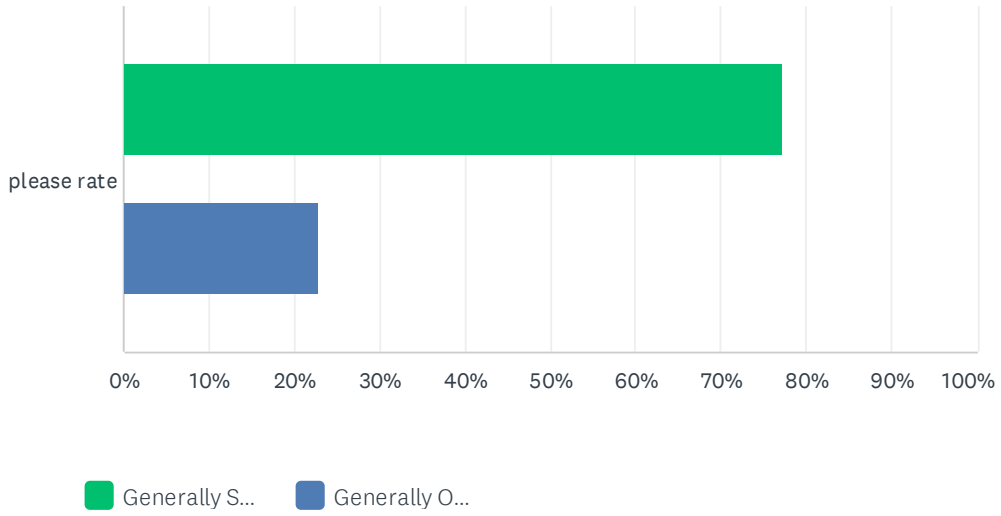
Answered: 118 Skipped: 101



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	66.95% 79	33.05% 39	118	1.33

Q21 SMMP Recommendation 16 The County should share the various steps of the process with the public, making updates available, and demonstrating transparency.

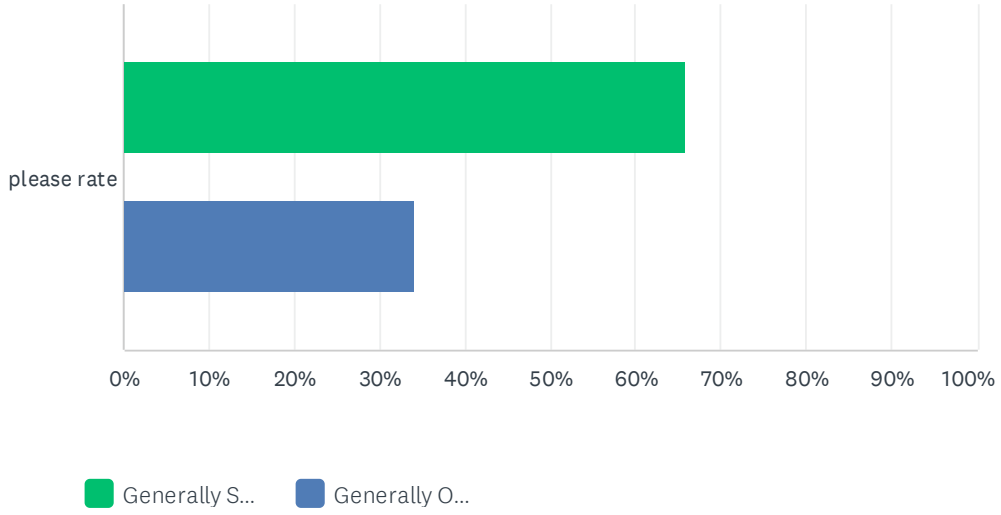
Answered: 127 Skipped: 92



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	77.17% 98	22.83% 29	127	1.23

Q22 SMMP Recommendation 17 The RFP should demonstrate flexibility in allowing further work plan development after applications are reviewed and accepted.

Answered: 117 Skipped: 102

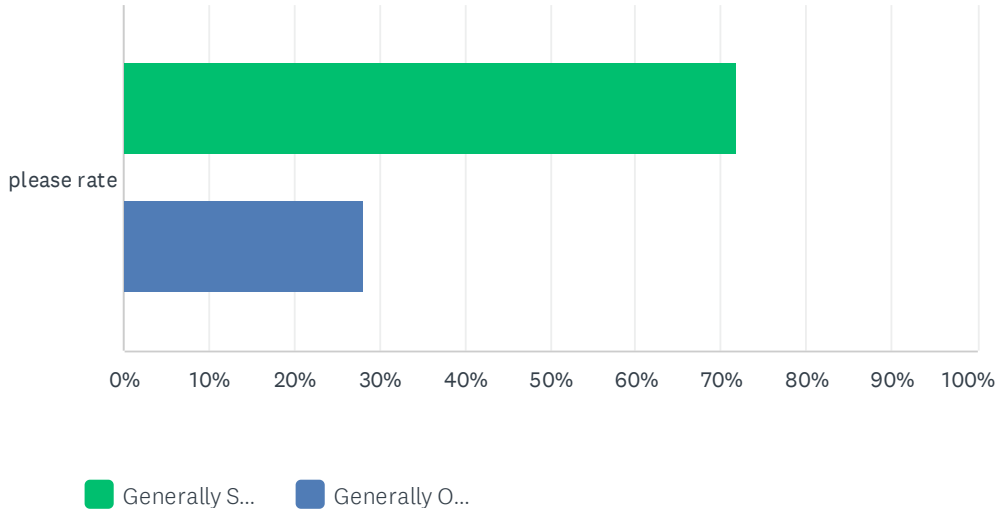


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	65.81% 77	34.19% 40	117	1.34

Q23 SMMP Recommendation 18 The SMMP timeline should allow for extensive public interaction and engagement. In order to expedite the

process, procedural elements should be done concurrently as possible. The timeline should generally be defined throughout the process.

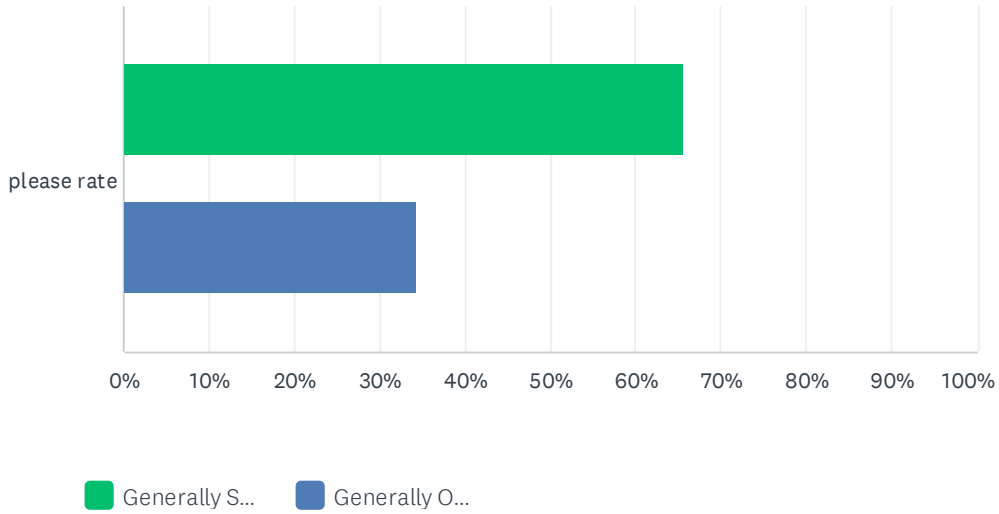
Answered: 121 Skipped: 98



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	71.90% 87	28.10% 34	121	1.28

Q24 SMMP Recommendation 19 Applicants should include various scope/cost options for one year, two years, and three-year timelines. The report should be released in sections, based on timeline and content priorities.

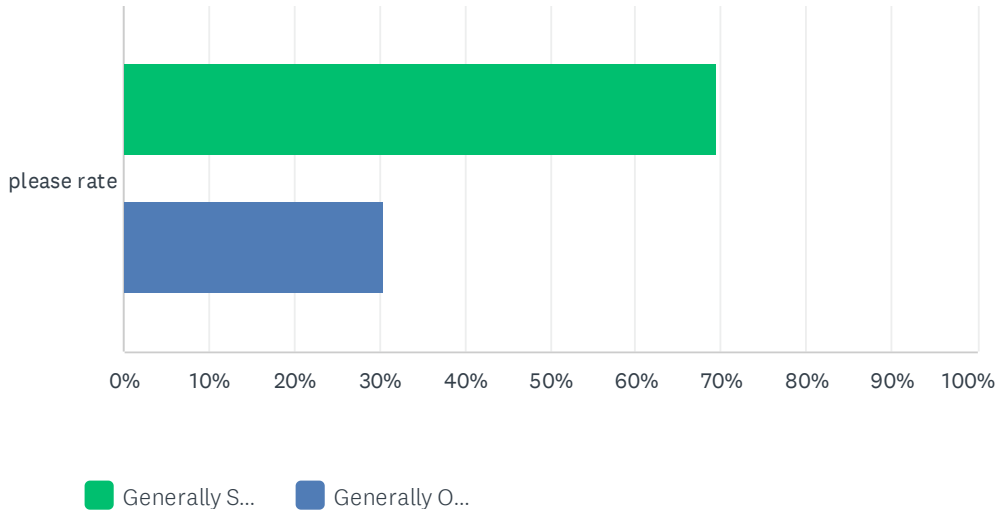
Answered: 111 Skipped: 108



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	65.77% 73	34.23% 38	111	1.34

Q25 SMMP Recommendation 20 It's important that the SMMP process include extensive public outreach and engagement. In addition, a Technical Advisory Committee (TAC) should vet the consultant's technical work (SMMP development) and a Community Advisory Committee (CAC) to provide more general review. SMMP subcommittee members should be included in the CAC. The TAC should include subject matter experts from Oregon State University, and other regional academic institutions. Many of the subject areas of central importance to the SMMP are characterized by fast-moving science, and a TAC could help the SMMP consultant to navigate to the best available data and knowledge.

Answered: 118 Skipped: 101

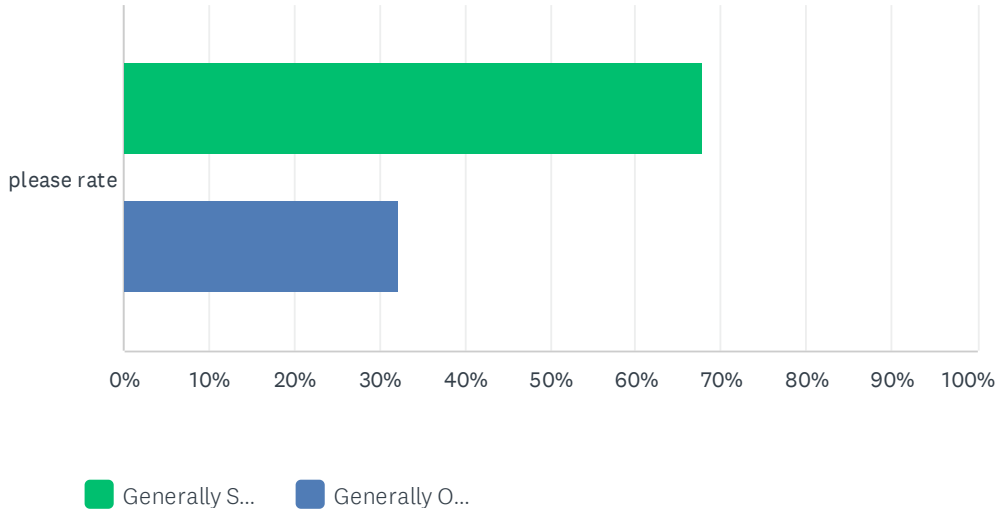


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	69.49% 82	30.51% 36	118	1.31

Q26 SMMP Recommendation 21 Proposals contain the following information, with parameters around each of these items in terms of document length. Requested information includes project team experience and qualifications, understanding of the project, approach to the scope of work, cost of the proposal, the project schedule, social/environmental

responsibility, and references. Each criteria includes a total set of points the proposal can be awarded.

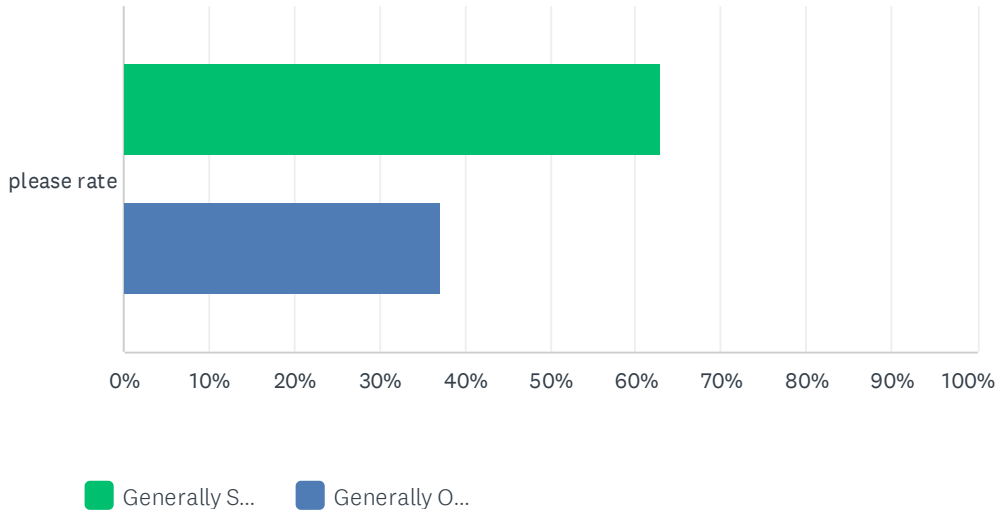
Answered: 112 Skipped: 107



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	67.86% 76	32.14% 36	112	1.32

Q27 SMMP Recommendation 22 An evaluation team consisting of County staff and members of the stakeholder group should determine the best proposal deemed most qualified based on the above criteria.

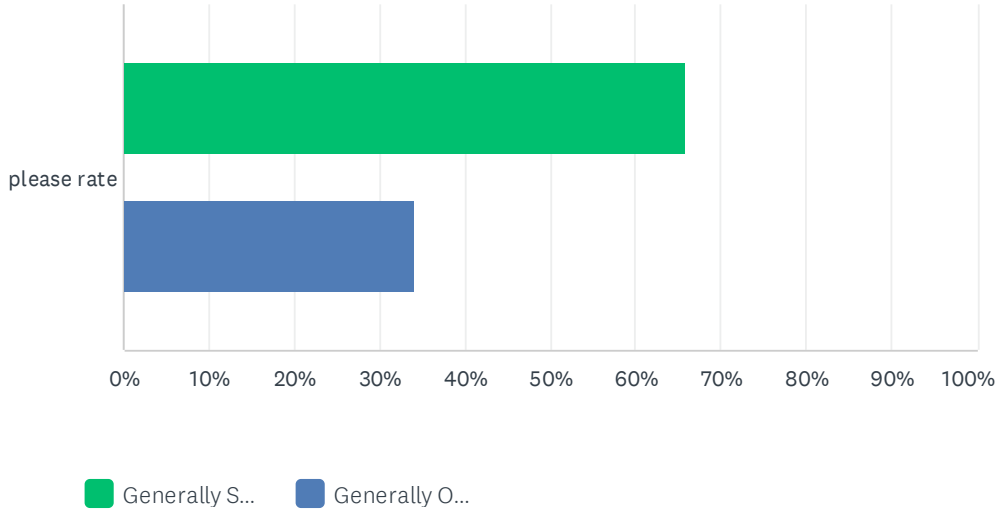
Answered: 116 Skipped: 103



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	62.93% 73	37.07% 43	116	1.37

Q28 SMMP Recommendation 23 The SMMP should emphasize impacts of the results of the RFP on social equity and innovation, to understand and emphasize the upstream aspects of material sustainability and creative solutions that provide pathways for tangible long-term outcomes.

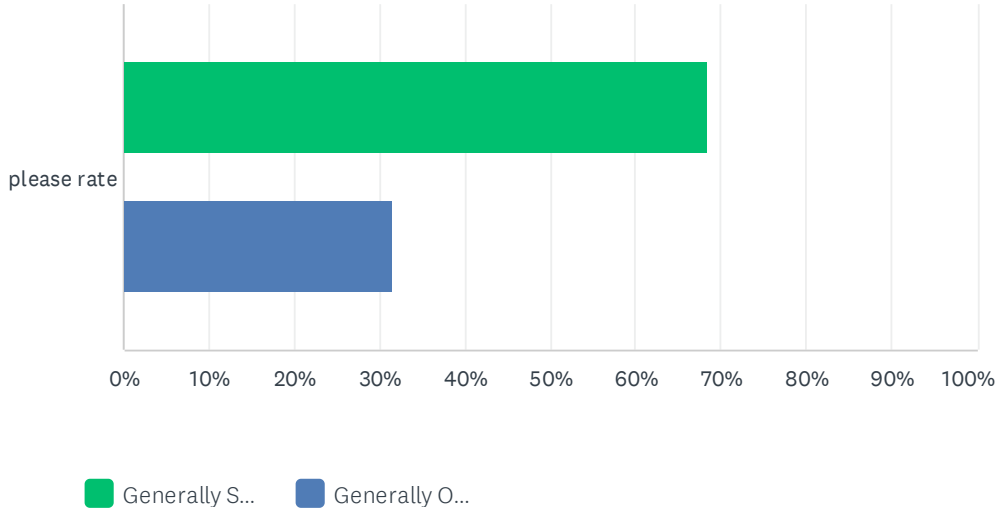
Answered: 117 Skipped: 102



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	65.81% 77	34.19% 40	117	1.34

Q29 SMMP Recommendation 24 The workplan should include ongoing adaptive management and refinement and include a timeline for completion. The sections of the workplan outline include RFP development and release, a webinar for prospective consultants, a pre-proposal Q&A period, a period for application submittal, and the selection committee to identify shortlisted firms who are given time for additional presentation. The committee then evaluates proposals, selects a consultant, and develops a workplan with selected consultant.

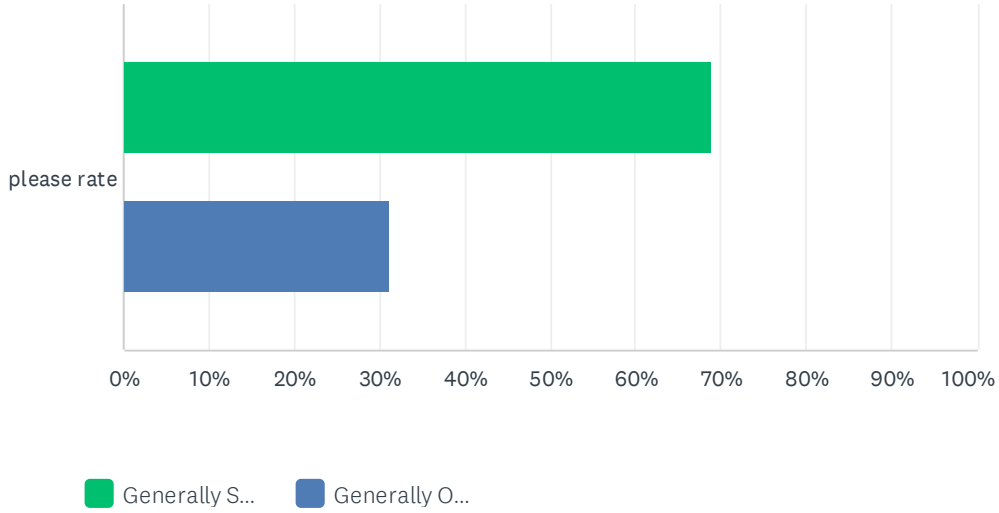
Answered: 117 Skipped: 102



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.38% 80	31.62% 37	117	1.32

Q30 SMMP Recommendation 25 The County should evaluate if it would be in their best interest to have a SMMP in place prior to any major materials management decisions.

Answered: 119 Skipped: 100

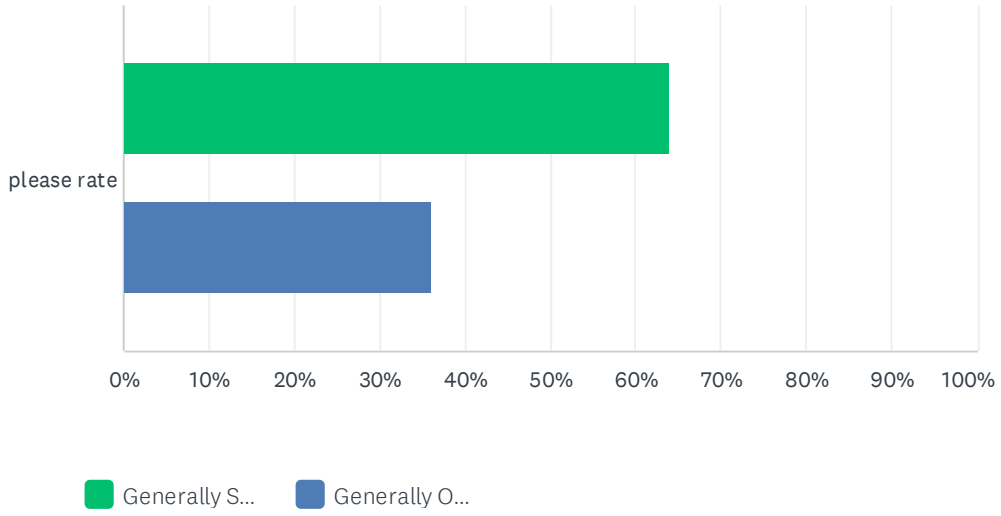


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.91% 82	31.09% 37	119	1.31

Q31 SMMP Recommendation 26 The County should consider using alternative funding mechanisms, including landfill revenue, to support the

SMMP recommendations.

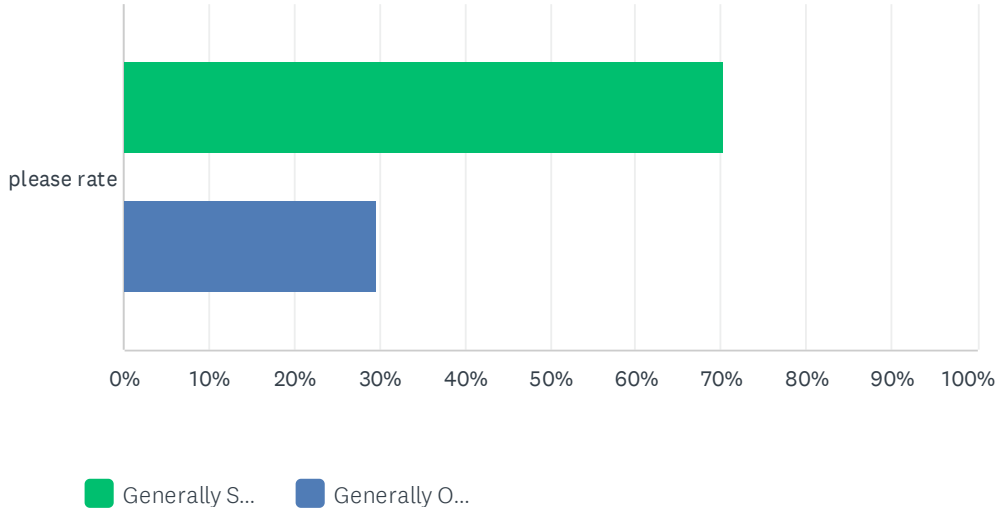
Answered: 119 Skipped: 100



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	63.87% 76	36.13% 43	119	1.36

Q32 SMMP Recommendation 27A complete materials audit is highly recommended as both a benchmark and a way to measure progress. The County should initiate a Waste Audit to characterize more precisely what is in the waste stream of Coffin Butte Landfill. The SMMP consultant can use this audit information when formulating this plan, and there is no up-to-date information specific to the landfill currently available. The benchmark audit should be completed as soon as possible, along with recommendations for follow up audits.

Answered: 115 Skipped: 104



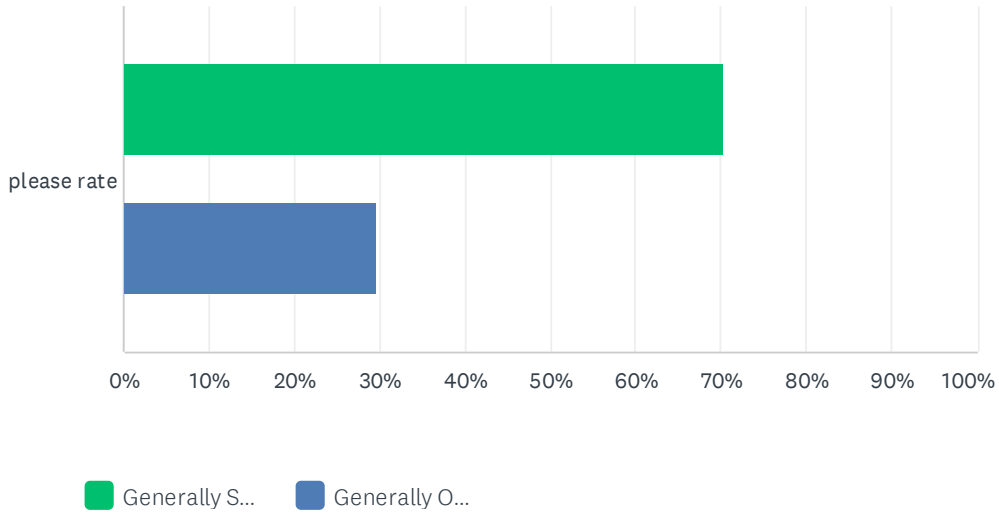
	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	70.43% 81	29.57% 34	115	1.30

Q33 Please provide the Workgroup with your additional comments in the box below.

Answered: 58 Skipped: 161

Q34 LSCL Recommendation 1 The Sustainable Materials Management Plan (SMMP) should further develop scenarios and factors that may impact the landfill lifespan, including detailed analyses of likely projections. The Board of Commissioners (Board) and Benton County (County) staff should keep the questions about these factors and their effects in mind when making decisions affecting the landfill.

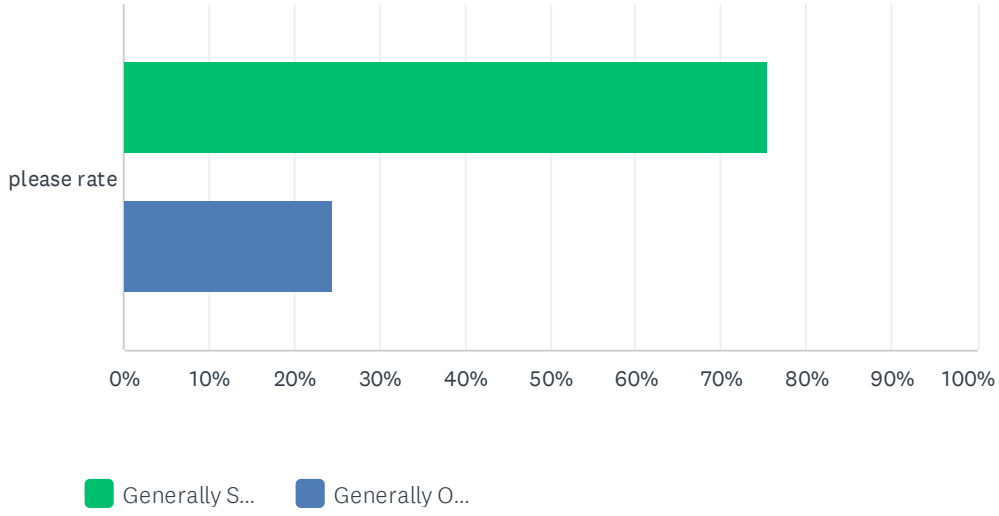
Answered: 108 Skipped: 111



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	70.37% 76	29.63% 32	108	1.30

Q35 LSCL Recommendation 2 The County should create and share a plan for the enforcement of all franchise agreements.

Answered: 106 Skipped: 113

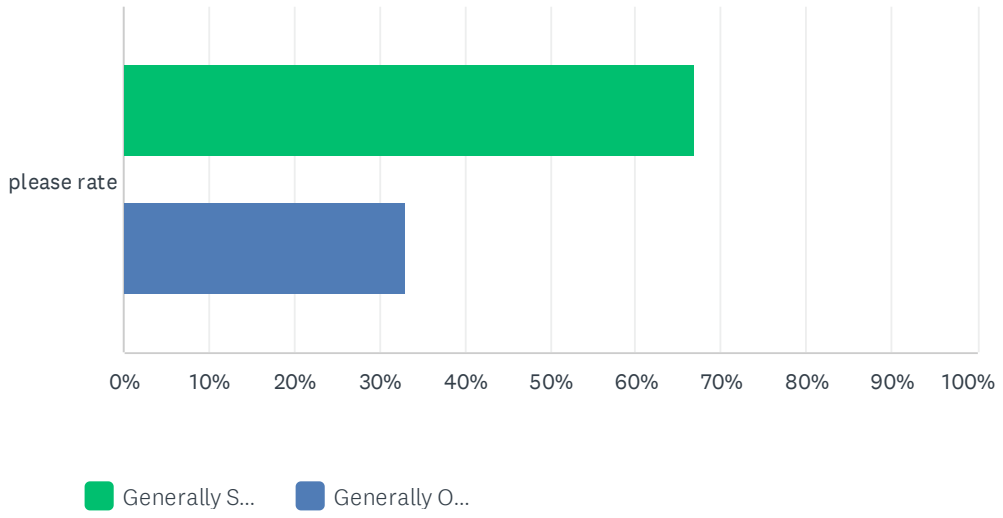


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	75.47% 80	24.53% 26	106	1.25

Q36 LSCL Recommendation 3 The County should contract for an updated Baseline Study to evaluate the impact of the current intake level at Coffin Butte Landfill. As with the 2001 Baseline Study stipulated in the

2000 Landfill Franchise Agreement, this study should determine and measure adverse effects, including but not limited to: traffic, soil conditions and contamination levels, air quality, surface and ground water conditions and contamination levels, noise, odor, visual screenings, litter, hours of operation, solid waste control systems and compliance with all solid waste permits. This baseline study could help inform the County in decision making and financial choices regarding how to use the income from the landfill.

Answered: 109 Skipped: 110

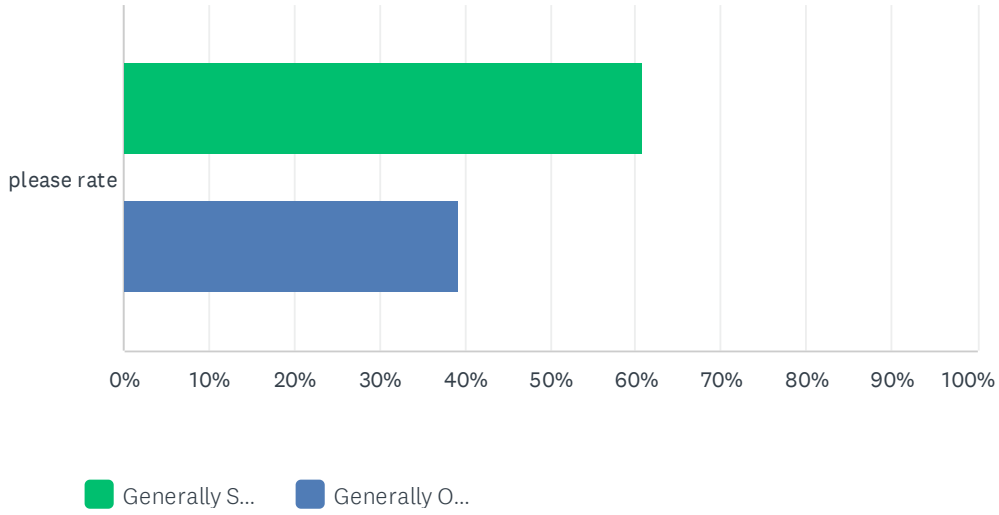


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	66.97% 73	33.03% 36	109	1.33

Q37 LSCL Recommendation 4 The County should, as soon as possible, consider the public record of the deliberations leading to the execution of the 2020 Landfill Franchise Agreement in order to assess:1) which party requested that the 2020 Tonnage Cap be eliminated if expansion was approved, 2) if the County proposed the elimination of the 2020 Tonnage Cap, determine why this was done, 3) determine the County's expectation for the benefit(s) to the County of accepting up to 1.1 million tons of waste per year when the County's reserve portion is approximately 6.8% of that amount, 4) interpretation of the "Tonnage Cap", specifically relative to the 2020 Tonnage Cap, and 5) expectations of both parties for future landfill site expansion, including any plans for multiple (repeated) future expansions. The County should then use this information to inform landfill-

related decision-making. These negotiations were conducted privately (not in public meetings), and there are elements of these discussions that may be proprietary and/or fall under attorney-client privilege.

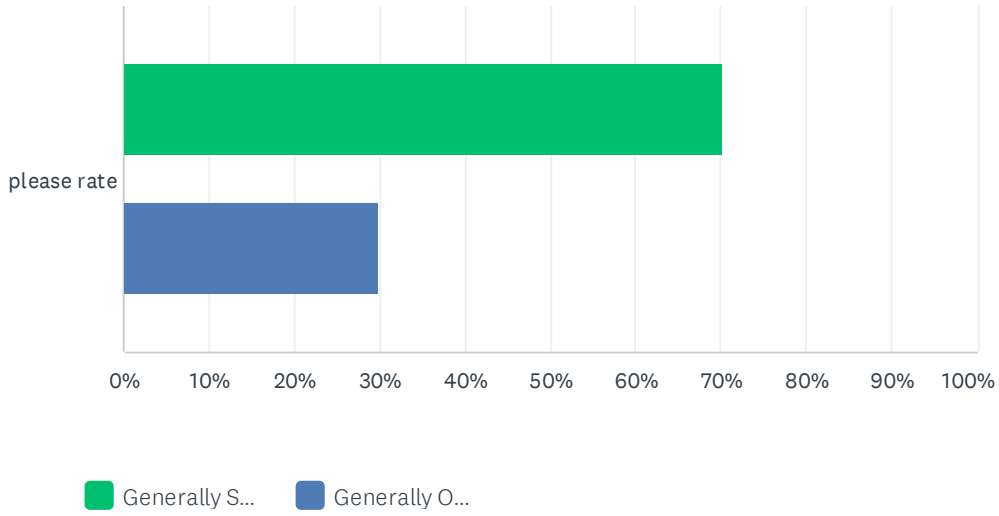
Answered: 102 Skipped: 117



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	60.78% 62	39.22% 40	102	1.39

Q38 LSCL Recommendation 5 The County should clarify and document the process for officially establishing Permitted Space, including any and all required Benton County actions and regulatory agency approvals (Oregon Dept. of Environmental Quality (ORDEQ), Environmental Protection Agency (EPA), etc.).

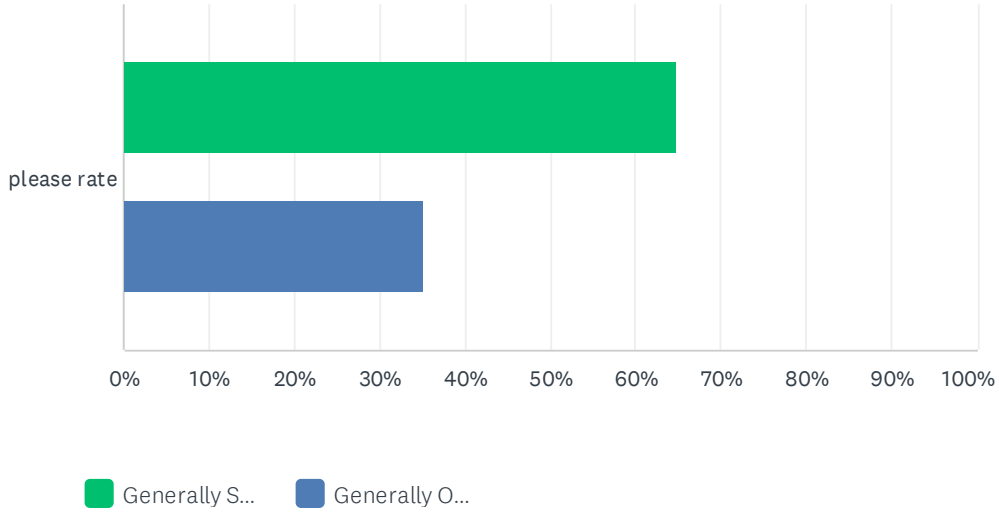
Answered: 107 Skipped: 112



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	70.09% 75	29.91% 32	107	1.30

Q39 LSCL Recommendation 6 The County should clarify when formal approval of Cell 6 as a disposal area was granted.

Answered: 108 Skipped: 111

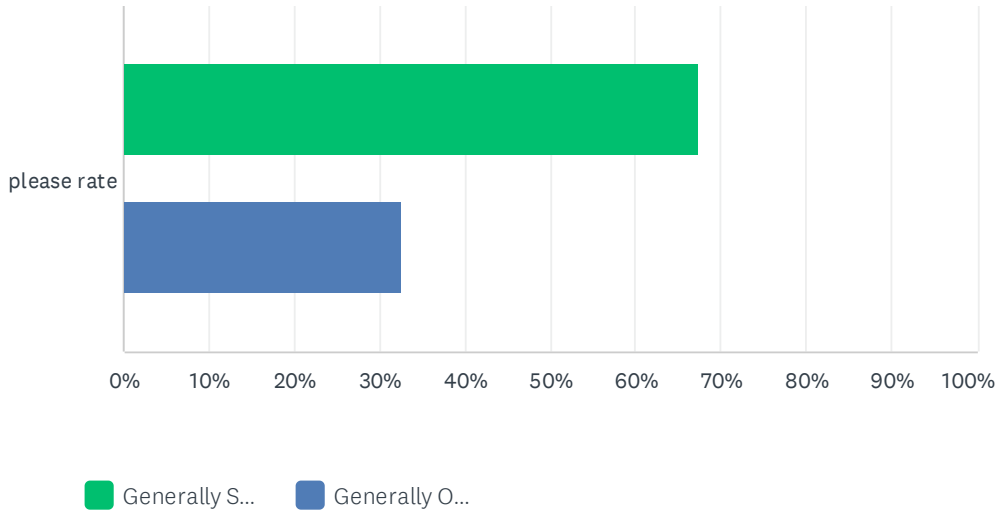


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	64.81% 70	35.19% 38	108	1.35

Q40 LSCL Recommendation 7 The Benton County Solid Waste Advisory Council (SWAC) should review all future Coffin Butte Landfill Annual Reports relative to past reports and official approvals, in particular with

regard to intake volume, landfill traffic volume (both Municipal Solid Waste and leachate transport), expected landfill life and end of life, and total and remaining Permitted Space. SWAC should report these findings to the Board for consideration.

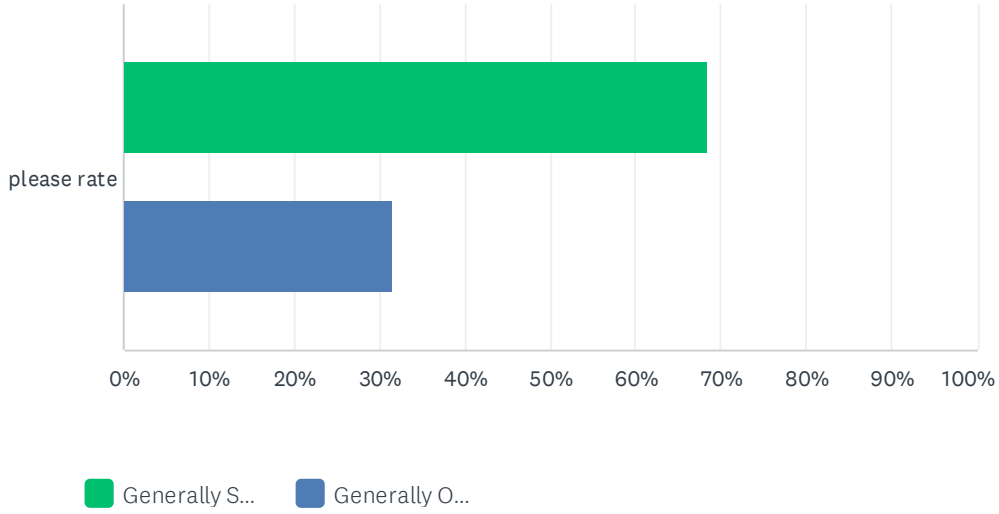
Answered: 107 Skipped: 112



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	67.29% 72	32.71% 35	107	1.33

Q41 LSCL Recommendation 8 The County should secure information from Republic Services about the Annual Tonnage figures for presentation to the SWAC/Disposal Site Advisory Committee (DSAC) members as soon as they are available, and not wait to include them for the first time in the Annual Report.

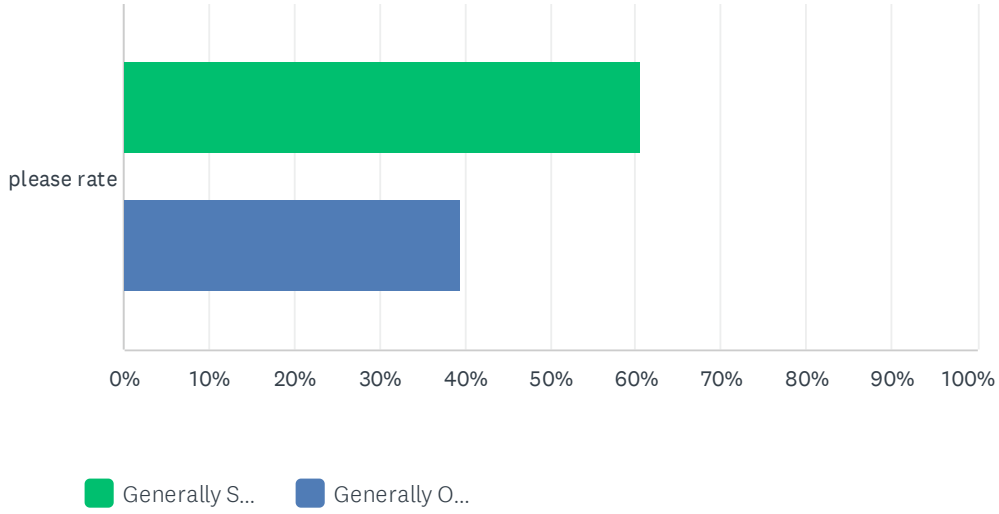
Answered: 108 Skipped: 111



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.52% 74	31.48% 34	108	1.31

Q42 LSCL Recommendation 9 The baseline scenarios laid out in this report assume that landfilling will continue as it is doing today for the next 16 years. That expectation should be tempered by signals of factors that can reshape Coffin Butte Landfill's social and regulatory landscape, especially environmental considerations related to the climate crisis. This reshaping is something that the County can participate in, on behalf of its residents, as the landfill's permitted volume is filled.

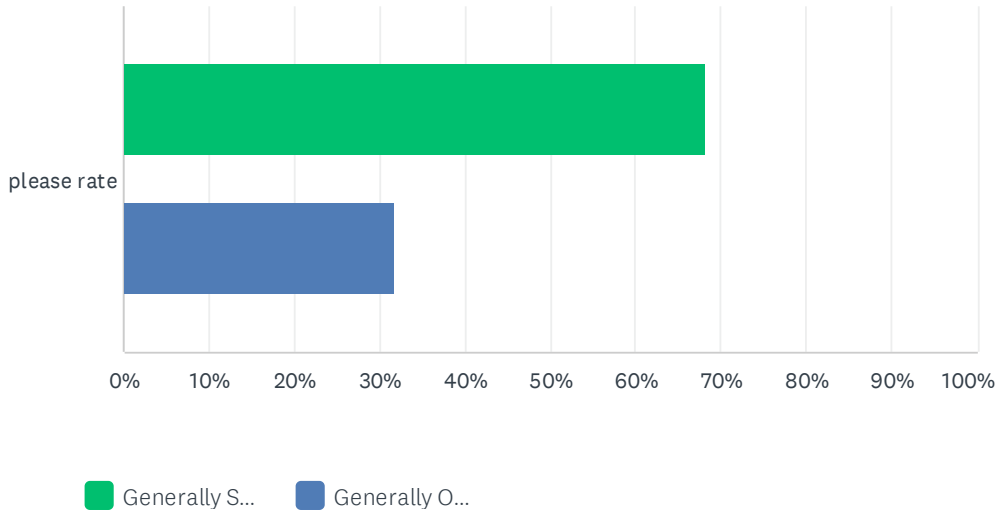
Answered: 104 Skipped: 115



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	60.58% 63	39.42% 41	104	1.39

Q43 LSCL Recommendation 10 The County should take steps to acquire better information about the methane emissions of Coffin Butte Landfill, because the landfill's emissions are currently not well-characterized and use this information to guide diversion programs that could limit the amount of organic waste going to the Landfill.

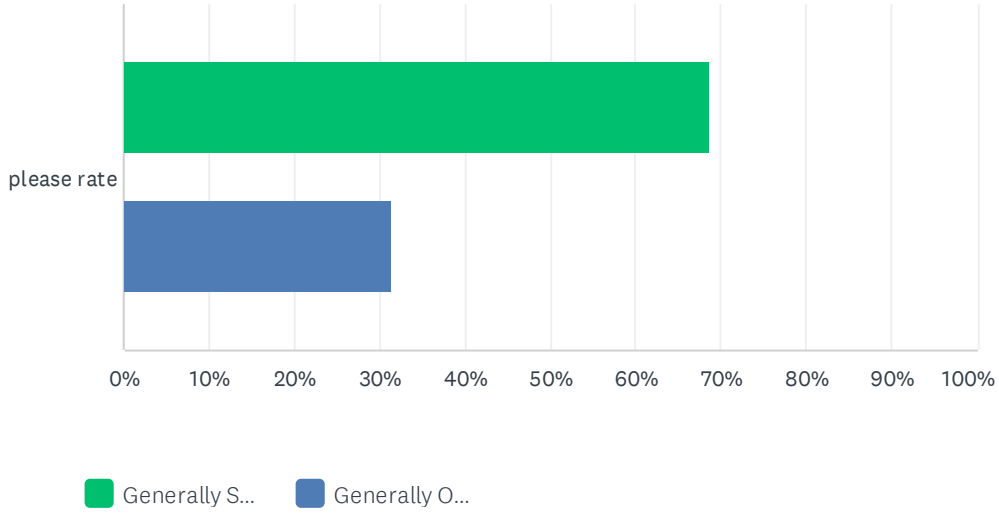
Answered: 110 Skipped: 109



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.18% 75	31.82% 35	110	1.32

Q44 LSCL Recommendation 11 In its current actions and in concert with its Sustainable Materials Management Plan, the County should be aware of and prepare for changes in Coffin Butte Landfill's social and regulatory landscape, as the future could hold significant opportunities for the County and affiliated organizations to bring waste management closer to the County's goals and values.

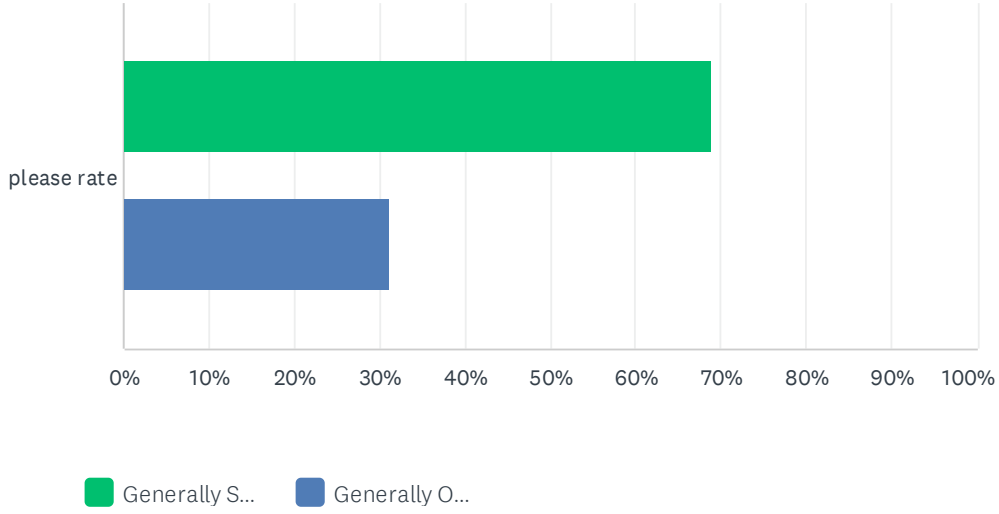
Answered: 105 Skipped: 114



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.57% 72	31.43% 33	105	1.31

Q45 LSCL Recommendation 12 The County should keep in mind that the most effective way to curtail a landfill's greenhouse gas emissions is to divert organic material from being landfilled. This can inform County and area-wide decisions regarding recycling, composting, food waste, and other initiatives affecting how the landfill's permitted volume is filled.

Answered: 106 Skipped: 113



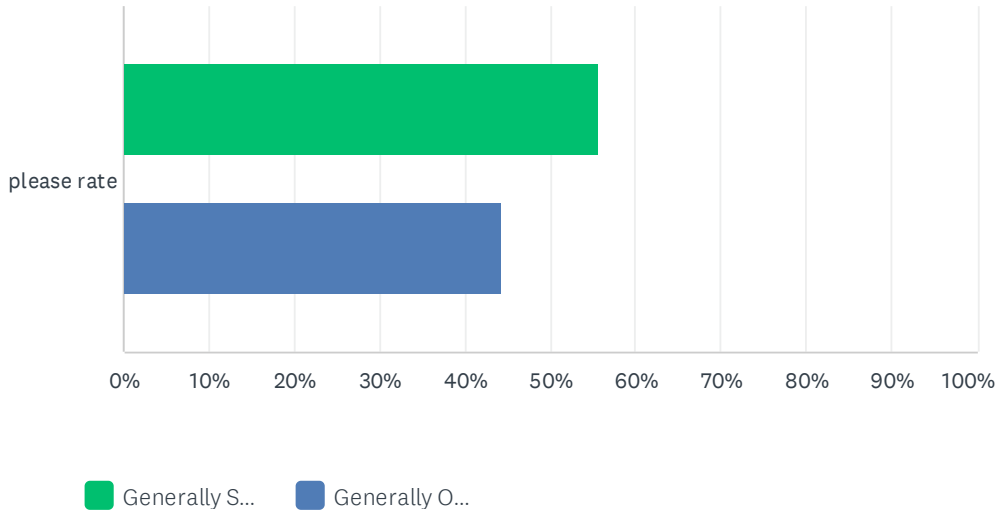
	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.87% 73	31.13% 33	106	1.31

Q46 Please provide the Workgroup with your additional comments in the box below.

Answered: 41 Skipped: 178

Q47 LLU Recommendation 1 A process to allow public input, comment, and feedback on any provisions subject to Section 2 of the collection franchise agreement between Benton County (County) and Allied Waste Services of Corvallis (Republic Services) could be designed as follows:After the parties have begun discussing what specific terms may be amended pursuant to Section 2, but no more than 60 days prior to any amendment being approved by the Board of Commissioners (Board), the County will publish a notice that it is seeking suggestions from th public for negotiation topics generated from the “concepts from the consensus-seeking process.” Any input received would be presented to the Board at a work session, at which time the Board would identify those ideas or suggestions that may be included as negotiation topics.Following the work session and as part of the ongoing negotiations, County staff will discuss with Republic Services the topics and ideas the Board identified.At such time as the County and Republic Services reach a tentative agreement on the renegotiated terms, staff would bring the proposed franchise changes to the Board meeting, where consideration of the amended franchise agreement would be conducted in a public hearing pursuant to BCC 23.235, which will include an opportunity for the public to present testimony. The Board could approve the agreement as presented or may direct staff to resume negotiations with Republic Services to include specific topics identified by the Board.The renegotiated collection franchise agreement must be agreed upon, in its entirety, by both the County and Republic Services. At such time as the terms have been agreed upon, and the Board is satisfied that public input has been adequately included or addressed in the renewed agreement, the franchise agreement will be the subject of a public hearing and, ultimately, approval by the Board at a regular Board meeting.

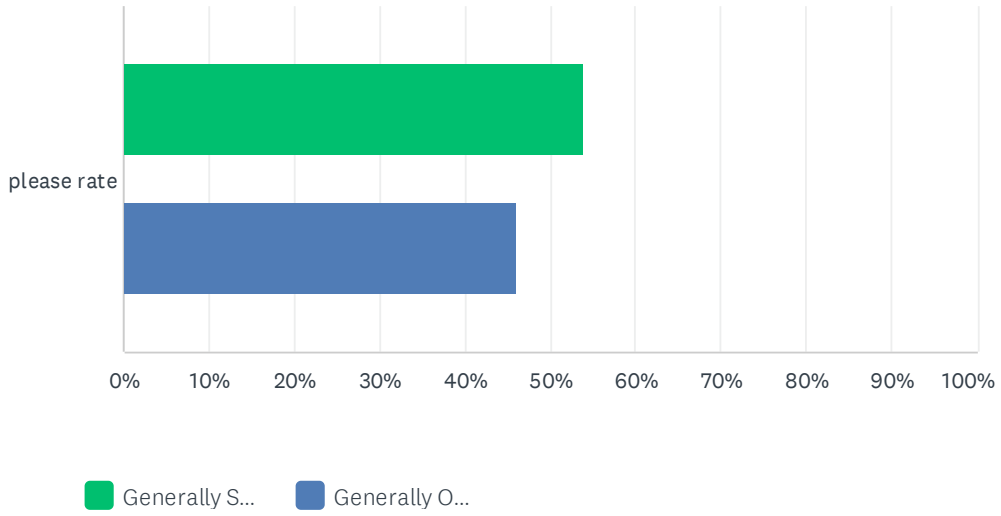
Answered: 88 Skipped: 131



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	55.68% 49	44.32% 39	88	1.44

Q48 LLU Recommendation 2 The County should provide to the public a description of the purpose of the statutory completeness review process, and the scope of the information the Planning Official considers at the completeness stage. That description should clearly explain how the administrative “completeness” process fits into the review of a land use application. While the County should not discourage public involvement at all stages of the review process, the public should be informed that the statutory completeness is a preliminary step that does not include any review of whether an application does or can satisfy the approval criteria; and that the public review and hearing process that follows after the application is complete provides the public an opportunity to provide evidence and arguments to the decision-makers on the merits of the application. The information should clearly inform the public that any evidence or testimony submitted at the completeness stage is not part of the “record” that the decision-makers will review, and that information would have to be re-submitted during the public hearing process in order for the decision-makers to review it.

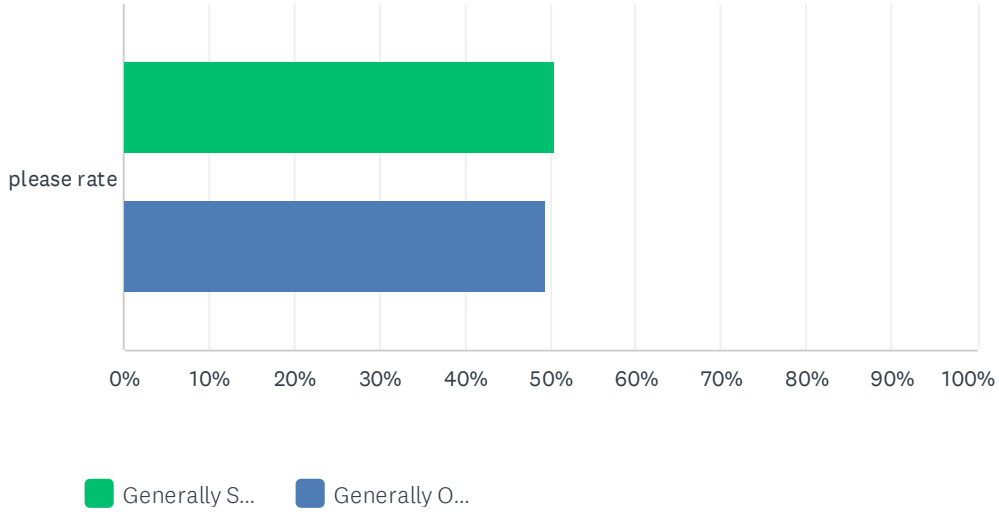
Answered: 89 Skipped: 130



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	53.93% 48	46.07% 41	89	1.46

Q49 LLU Recommendation 3 BCC 77.310 states that “The applicant for a conditional use permit shall provide a narrative which describes: ***Other information as required by the Planning Official.” [BCC 77.310(1)(e)] The workgroup could make recommendations regarding what “other information” would be helpful in a narrative. However, any committee recommendations would have to be limited to information related to the applicable criteria and could not expand that criteria. “Additional information” required by the Planning Official does not become part of the applicable criteria. BCC 77.310 states only what the applicant’s narrative shall include; it does not identify criteria for SWAC’s review of a CUP application. This absence contributed to the subcommittee’s recommendation in LLU Recommendation 2 above.

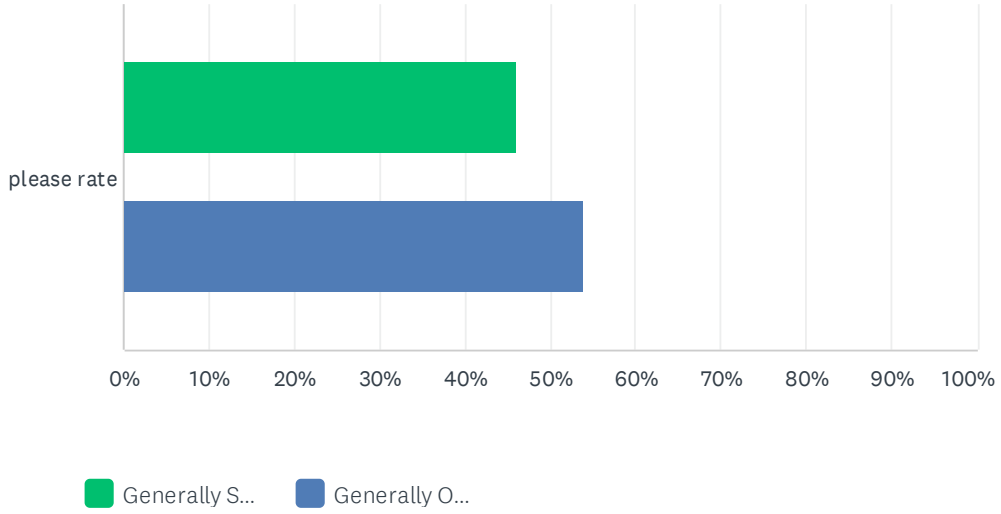
Answered: 85 Skipped: 134



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	50.59% 43	49.41% 42	85	1.49

Q50 LLU Recommendation 4 BCC 77.310(1) lists the information required for a conditional use application in the landfill site zone and permits the Planning Official to request that the applicant's narrative include "additional information." However, the development code does not specify how or when that information is to be requested. In the past, the Planning Official has used the statutory completeness review process to request additional information. However, in addition to the Planning Official's review of the information after the application has been submitted, the Board could amend the code to require that the Planning Official conduct a "preapplication conference" with the applicant to discuss the information that is required. It could also require a "neighborhood meeting" before the application is filed that requires the applicant to present its proposal to the public and allow the applicant to obtain more information about the proposal. Public comment during a pre-application neighborhood meeting, as with other public comment submitted before the application is complete and notification is sent, is not part of the formal record of the land use review and cannot be considered by decision-makers. The record includes only public comment submitted after formal notification has been sent to affected parties stating that the comment period is open.

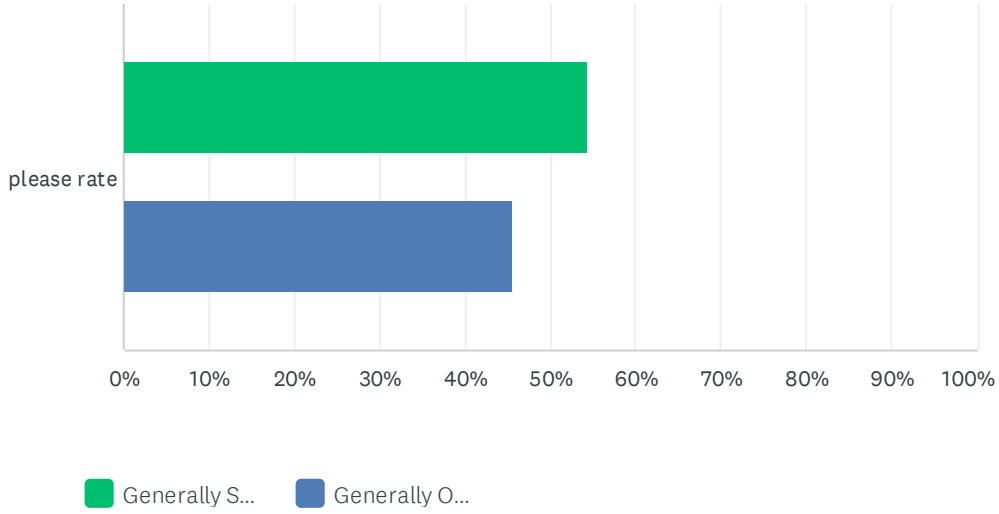
Answered: 87 Skipped: 132



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	45.98% 40	54.02% 47	87	1.54

Q51 LLU Recommendation 5 Benton County Code (BCC) 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations regarding the Site Development Plan and Narrative submitted on a landfill-expansion conditional use permit (CUP); however, the code does not specify what criteria or considerations that recommendations should be based on. Consistent with SWAC's bylaws and Chapter 23 of the BCC, which require SWAC to "assist the Board of Commissioners (Board) in planning and implementing solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance", the Board should more clearly define SWAC's role by articulating the scope, manner and timing of SWAC's review. Interpreting County Code is within the Board's purview, but amending that code effects a more permanent solution. As an initial step, the Board could issue an official interpretation of SWAC's role pursuant to Chapter 23. As a subsequent step, the Board could initiate amendments to Chapter 23 and/or Chapter 77 which would then proceed through a public hearings process. If/when SWAC's overall role shifts to sustainable materials management, instances of the term "solid waste management" above should be replaced with "sustainable materials management."

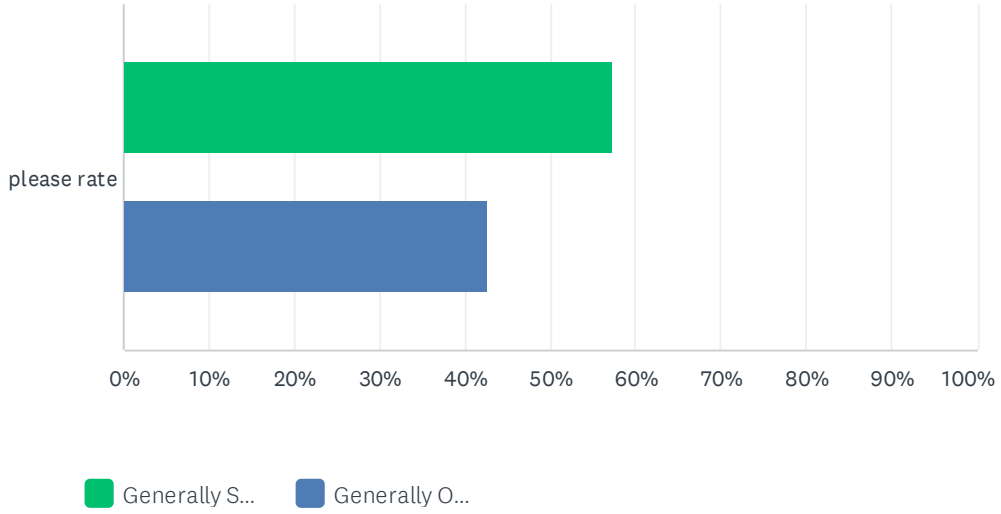
Answered: 92 Skipped: 127



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	54.35% 50	45.65% 42	92	1.46

Q52 LLU Recommendation 6 Amendments to the Development Code may be needed to create a clear and legally consistent process for SWAC's involvement in reviewing a CUP. Pursuant to the Development Code as written, the only criteria that a CUP decision can be based upon are those of BCC 53.215, and the Planning Commission is the decision-making body. Yet, the code states an ambiguous role for SWAC in that process and seems to imply that other considerations beyond those of BCC 53.215 should go into the decision-making process. This needs clarification.

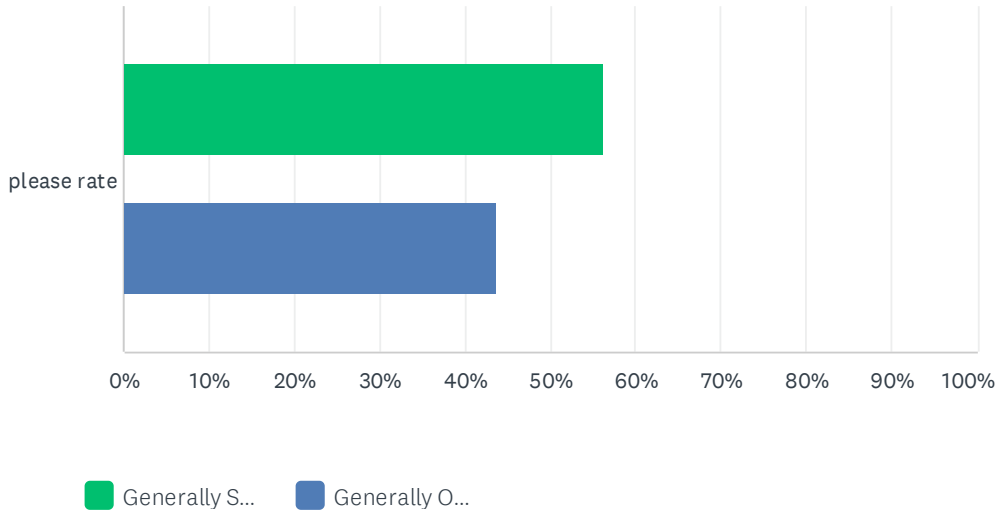
Answered: 89 Skipped: 130



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	57.30% 51	42.70% 38	89	1.43

Q53 LLU Recommendation 7 In addition to the two criteria listed in BCC 53.215(1) and (2), BCC 53.215(3) requires the decision-maker to consider whether the “proposed use complies with any additional criteria which may be required for the specific use by this code.” Currently Chapter 77 (Landfill Site Zone) does not include any additional criteria that must be considered in the review of a conditional use application for the expansion of a landfill in the landfill zone. If there are additional criteria that the Board determines are necessary for the review of a conditional use application in the landfill zone, the Board would have to amend Chapter 77 to specify those additional approval criteria. The Board could also require that compliance with the site plan and reclamation plan (currently required by Chapter 77 to be submitted with the application) be adopted as conditions of approval of any approved conditional use permit.

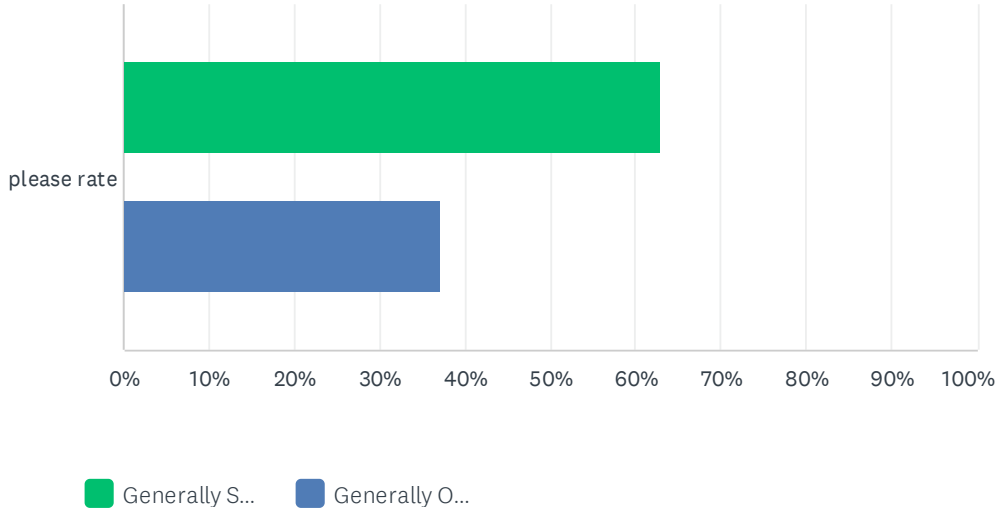
Answered: 87 Skipped: 132



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	56.32% 49	43.68% 38	87	1.44

Q54 LLU Recommendation 8 When the County adopts its SMMP, it should amend BCC chapter 77 to add a criterion under BCC 53.215(3) to require compliance with specific provisions of an adopted SMMP.

Answered: 89 Skipped: 130

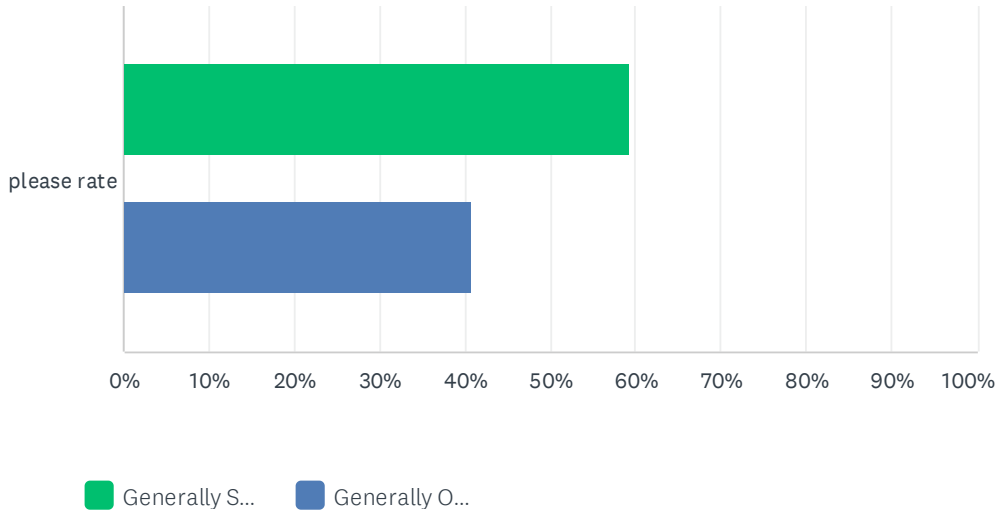


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	62.92% 56	37.08% 33	89	1.37

Q55 LLU Recommendation 9 BCC 77.405 states, “Copies of materials submitted to the Oregon Department of Environmental Quality as a part of

any permit process shall be submitted to the Planning Official. If at any time the Planning Official determines that permit application materials or conditions of DEQ permit are judged to merit public review, a Public Hearing before the Planning Commission shall be scheduled." This provision is unclear. (The provision might have been codified prior to the current state agency coordination requirements, which now require a land use compatibility statement (LUCS) as part of any application for a state permit in which local land use is implicated.) The subcommittee interprets this section as requiring a review if the use originally approved has been or will be modified due to the Dept. of Environmental Quality (DEQ) permit. The Planning Official could make such a determination using a formal "Interpretation" pursuant to BCC 51.205(1). Recommend a code amendment to clarify this provision, for example a code amendment could require that when DEQ issues a landfill permit, the Planning Official shall review the permit and conditions of approval and, if discrepancies with the County's land use approval are noted, determine whether this constitutes a "modification of a conditional use permit" (BCC 53.225) and, if so, require the applicant to submit application for such modification. A workgroup recommendation on how public review of DEQ permit requirements could most benefit the public would also be helpful.

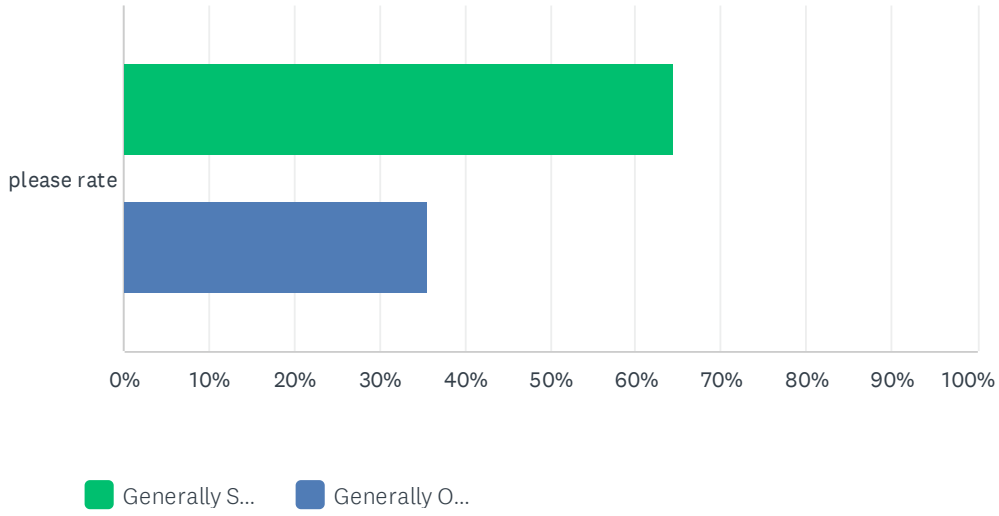
Answered: 86 Skipped: 133



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	59.30% 51	40.70% 35	86	1.41

Q56 LLU Recommendation 10 In issuing land use decisions, County decision-makers should:a) Draft clear findings and be certain to incorporate into the conditions of approval the items that are intended to be binding. b) State conditions of approval in clear and explicit terms and ensure that what is expected of the applicant in order to comply is clearly stated in the text of the conditions.

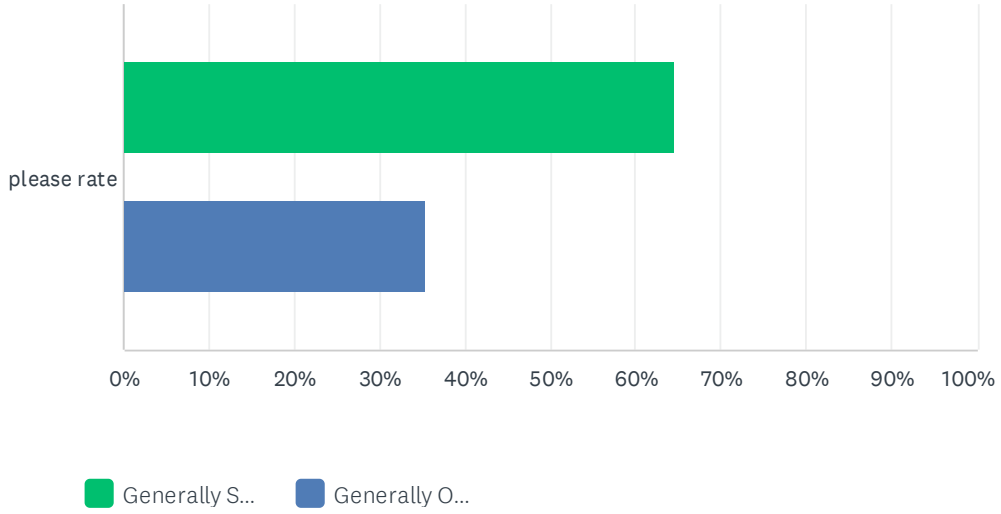
Answered: 87 Skipped: 132



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	64.37% 56	35.63% 31	87	1.36

Q57 LLU Recommendation 11 The County should evaluate its existing system regarding compliance monitoring and enforcement to determine if there are sufficient mechanisms in place to ensure compliance with conditions of approval that the County imposes on land use approvals and, if not, recommend improvements. Elements of such an evaluation could include: 1) What enforcement mechanisms exist within the County Code? 2) Is there a legal "mandamus" option or a private right of action option?3) What is missing?4) What provisions and procedures do other counties have, particularly counties that host a privately operated landfill?5) The future cost of such a system, the benefits, and the consequences of not improving the current practices and procedures.

Answered: 93 Skipped: 126



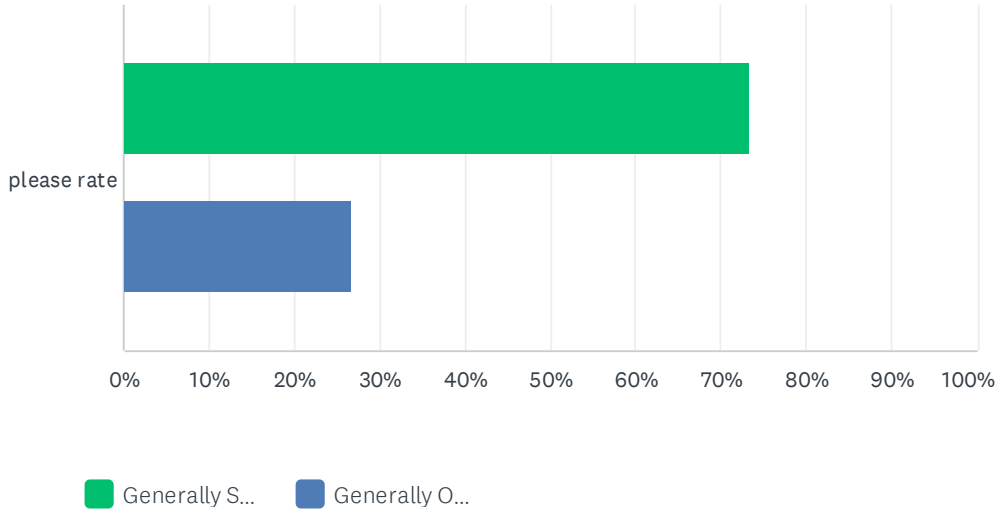
	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	64.52% 60	35.48% 33	93	1.35

Q58 Please provide the Workgroup with your additional comments in the box below.

Answered: 33 Skipped: 186

Q59 CUP Recommendation 1 Maintain the CUP Appendix along with the supporting County and Dept. of Environmental Quality (DEQ) files as an integral part of the Final Workgroup Report.

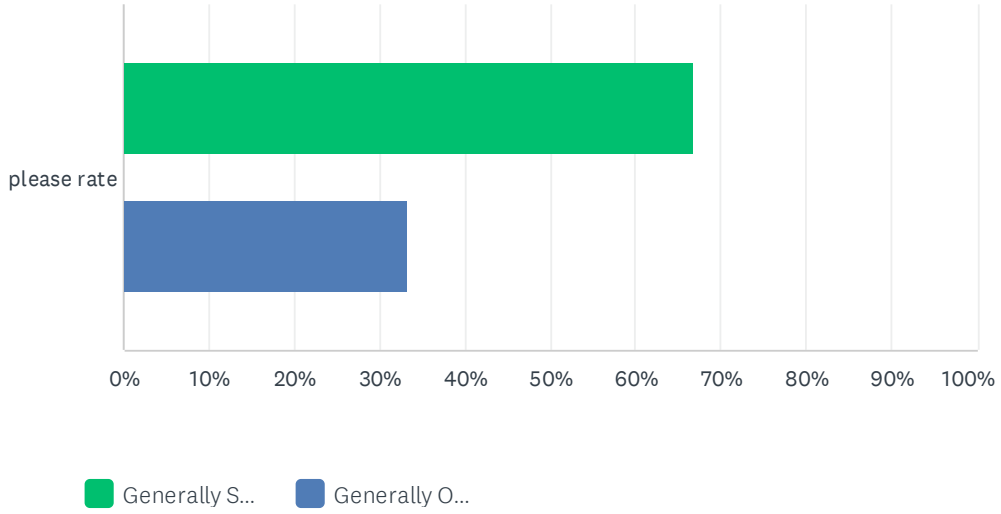
Answered: 94 Skipped: 125



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	73.40% 69	26.60% 25	94	1.27

Q60 CUP Recommendation 2 Make the Appendix and supporting comprehensive library of files related to the Coffin Butte Landfill electronically and continuously available to the public to increase accessibility and reduce the need for public records requests.

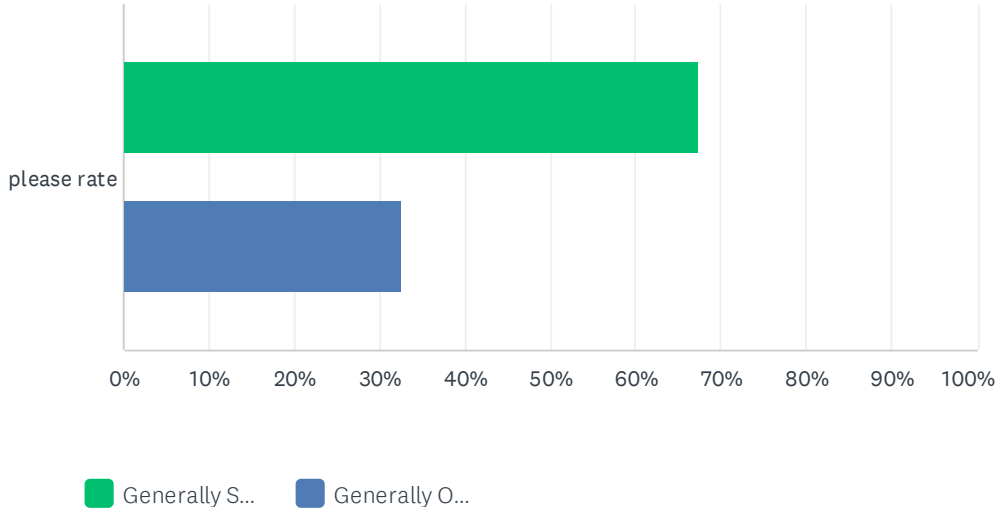
Answered: 96 Skipped: 123



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	66.67% 64	33.33% 32	96	1.33

Q61 CUP Recommendation 3 Actively monitor and enforce prior land-use decision Conditions of Approval for the landfill or any other land use decision.

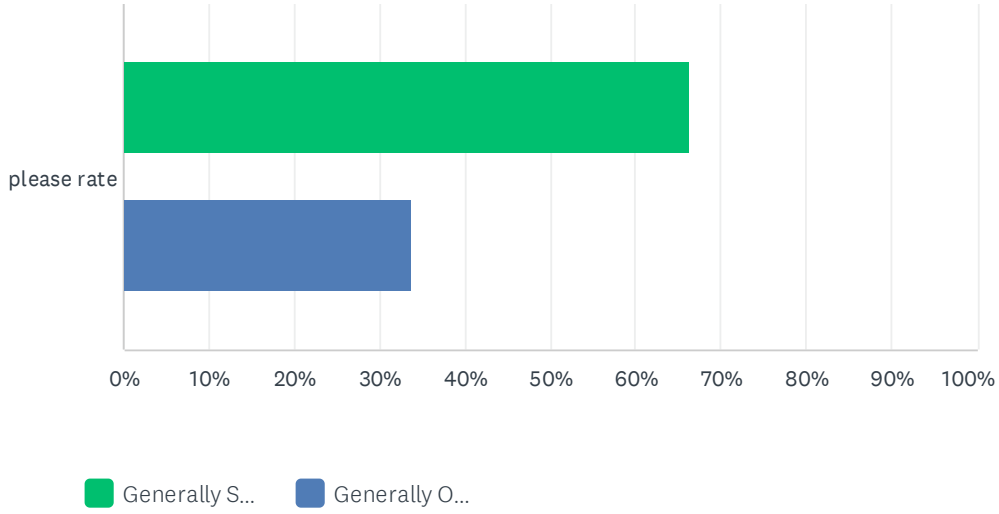
Answered: 95 Skipped: 124



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	67.37% 64	32.63% 31	95	1.33

Q62 CUP Recommendation 4 Establish and widely advertise a reporting process for receiving, tracking, and resolving complaints, such as odor, noise, hours of operation, not following conditions of approval. This administrative process should include an appeals process. Ensure there is a mechanism for providing reports regarding the nature, number and resolution of complaints to be provided to the Board of Commissioners (Board) in the normal course of its business.

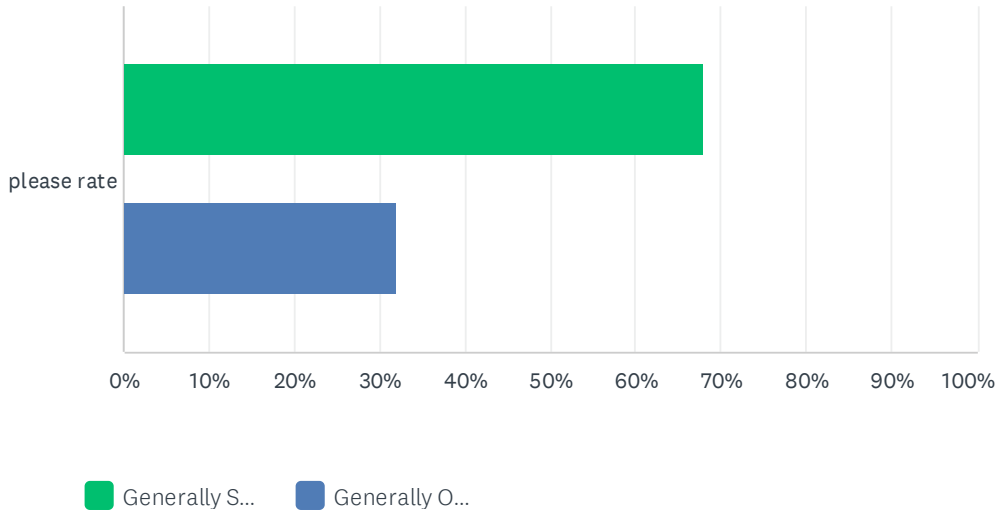
Answered: 95 Skipped: 124



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	66.32% 63	33.68% 32	95	1.34

Q63 CUP Recommendation 5 Ensure that all documents involved in a land use application and all documentation required to be submitted by a Condition of Approval are acquired and placed in the County records for that land use application and posted electronically and continuously available to the public.

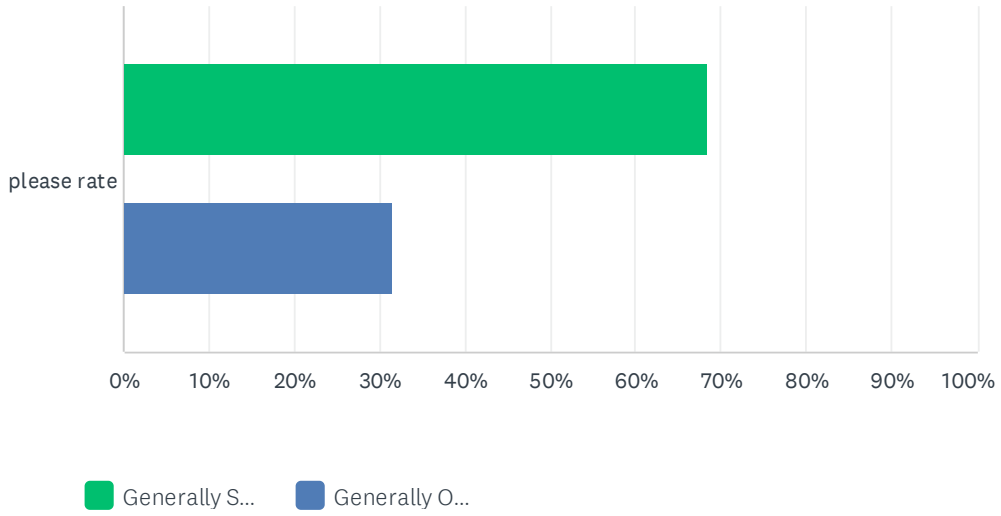
Answered: 94 Skipped: 125



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.09% 64	31.91% 30	94	1.32

Q64 CUP Recommendation 6 Create a system that tracks receipt of reports that are submitted as required per Conditions of Approval. For example, copies of water quality and air quality permits, emergency plans, permit submittals, financial assurance statements, and data produced from associated monitoring programs, etc.

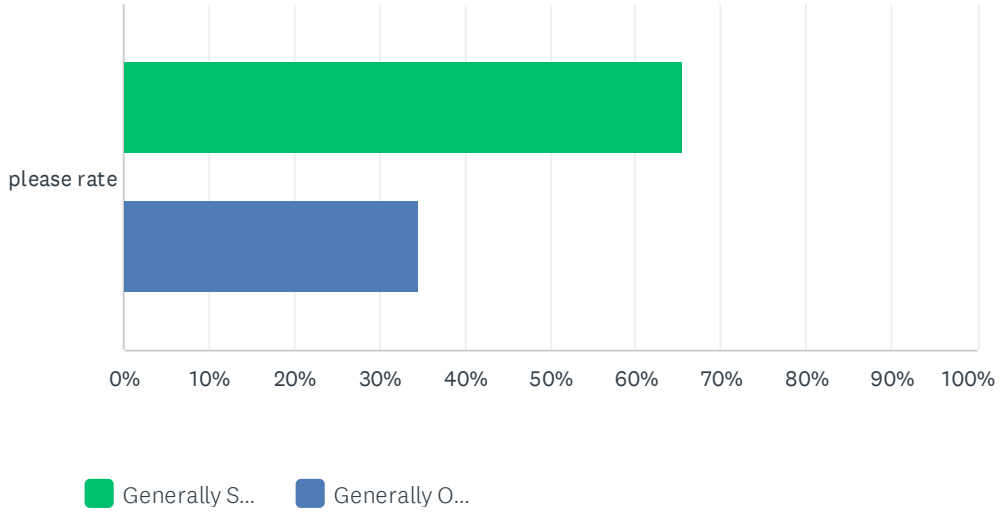
Answered: 95 Skipped: 124



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.42% 65	31.58% 30	95	1.32

Q65 CUP Recommendation 7 Determine if the Site Plan and Narrative included in the applicant submittals for PC-83-07/L-83-07 are regulatory conditions the landfill is required to follow.

Answered: 90 Skipped: 129

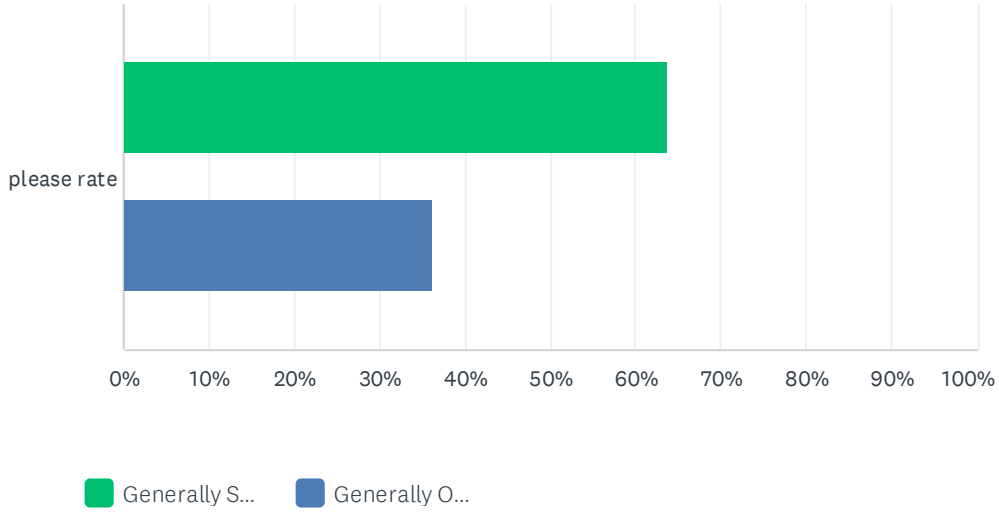


	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	65.56% 59	34.44% 31	90	1.34

Q66 CUP Recommendation 8 Clarify and communicate to the public what appropriate reclamation will look like to appropriately manage

community expectations for the ultimate disposition of the landfill. For example, the County should explain to the public, with the DEQ's and Republic Service's assistance, DEQ's minimum reclamation requirements in the current Worst–Case Closure and Post-Closure Care Plan. Working with the public, Republic Services and the DEQ should establish a reclamation plan that is acceptable to the community.

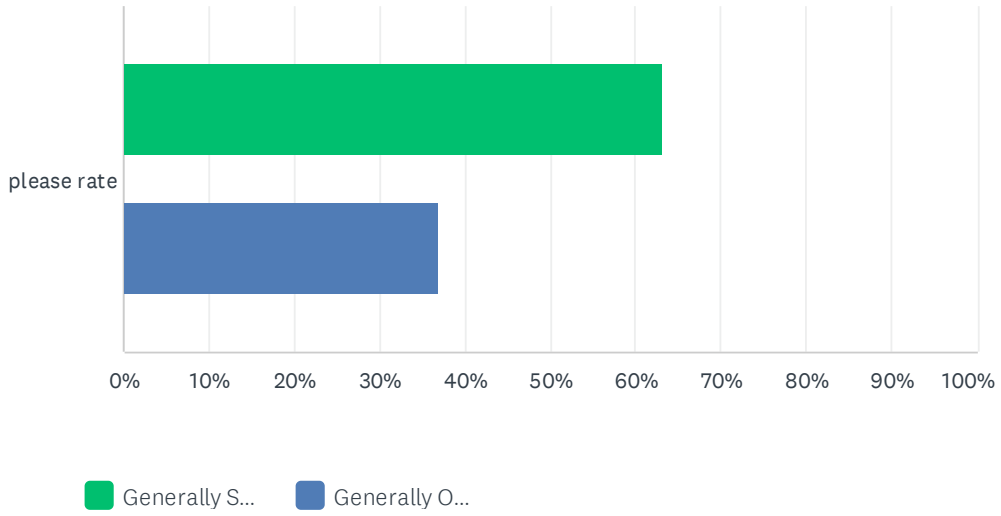
Answered: 94 Skipped: 125



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	63.83% 60	36.17% 34	94	1.36

Q67 CUP Recommendation 9 Determine how or if the County's reclamation conditions of approval can be incorporated into DEQ's requirements for Valley Landfill's Worst–Case Closure and Post-Closure Care Plan for the landfill.

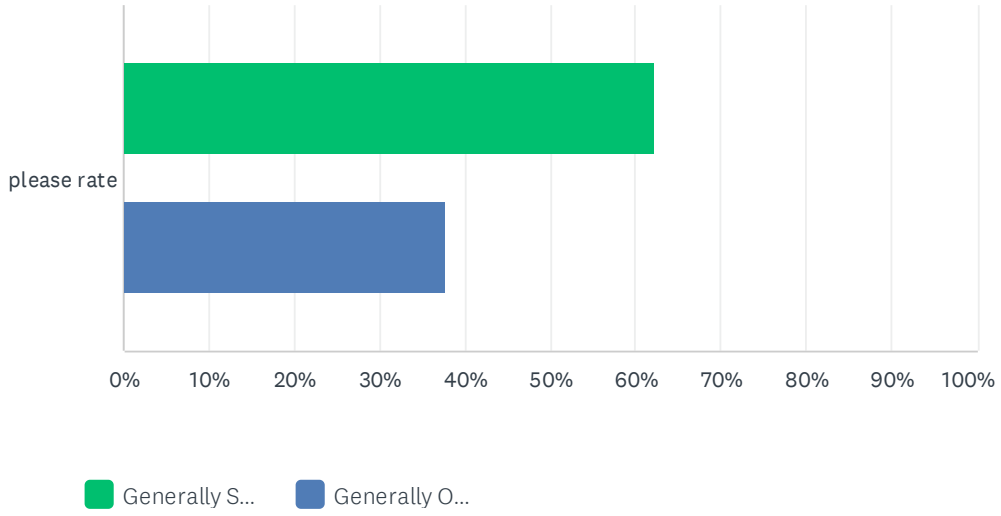
Answered: 92 Skipped: 127



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	63.04% 58	36.96% 34	92	1.37

Q68 CUP Recommendation 10 Determine the authority of the 2002 Memorandum of Understanding (MOU) as it relates to pre-2002 Conditions of Approval and broadly communicate the applicability of the 2002 MOU to the public to help manage community expectations.

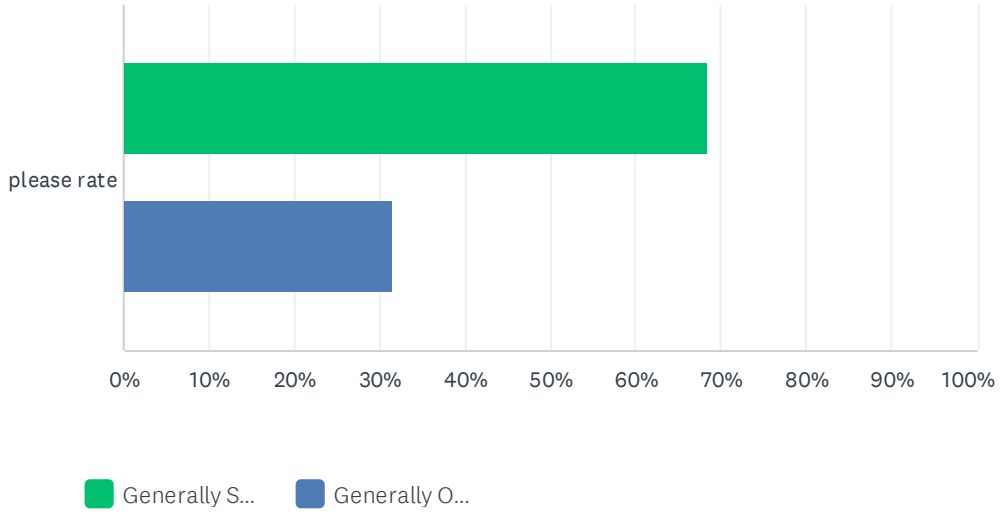
Answered: 90 Skipped: 129



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	62.22% 56	37.78% 34	90	1.38

Q69 CUP Recommendation 11 Clarify the intersecting roles between the County and DEQ in future CUP actions, recognizing the line between "environmental" and "land use" impacts may not be clear and establish a process of reconciliation.

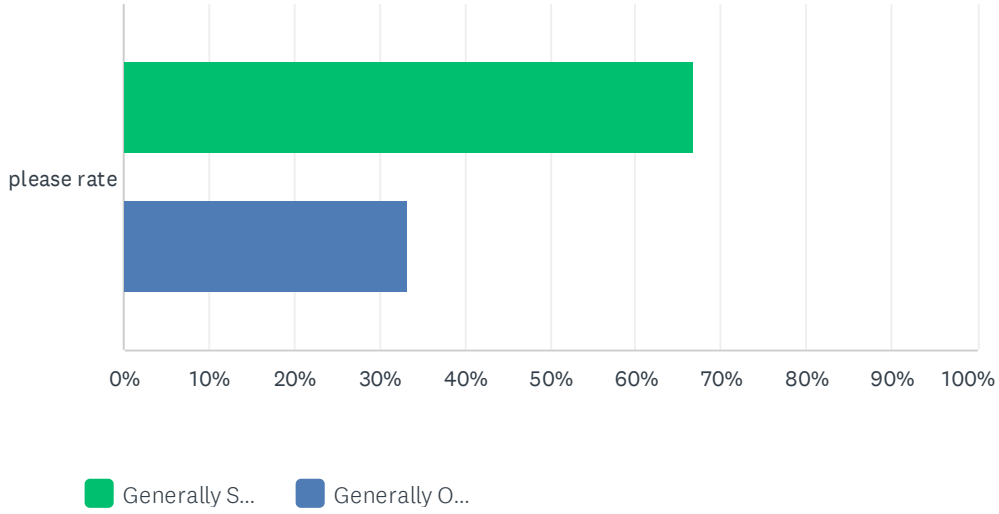
Answered: 92 Skipped: 127



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	68.48% 63	31.52% 29	92	1.32

Q70 CUP Recommendation 12 Establish a reporting program for compliance confirmation for facilities contributing to environmental burdens on the County, such as a landfill, industrial-scale composting, or direct dischargers to water bodies within the County, etc.

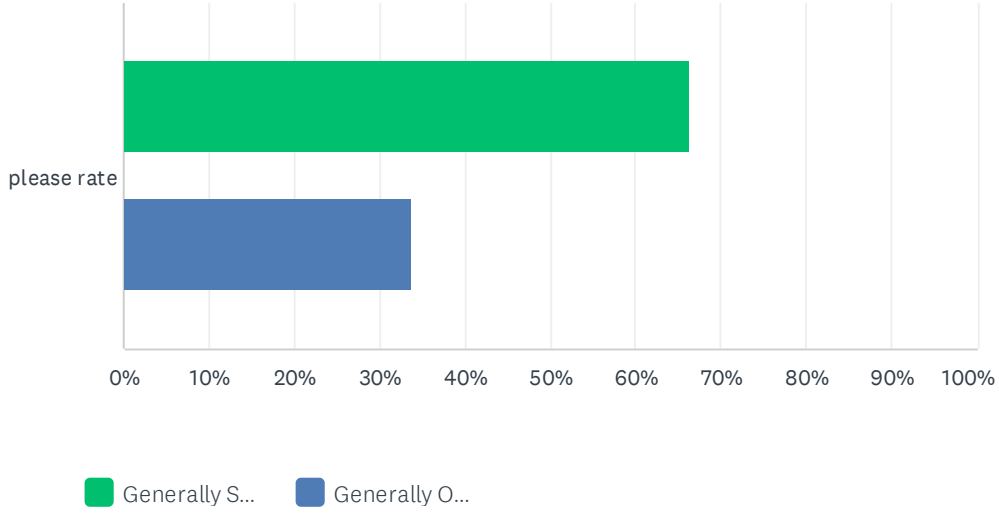
Answered: 93 Skipped: 126



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	66.67% 62	33.33% 31	93	1.33

Q71 CUP Recommendation 13 Consider the impact of leachate from the landfill site on traffic safety, road maintenance, public wastewater treatment plants (Corvallis, Salem), and the Willamette River (water quality, sediments, wildlife, etc.) in future assessments of the impact of landfilling in the County.

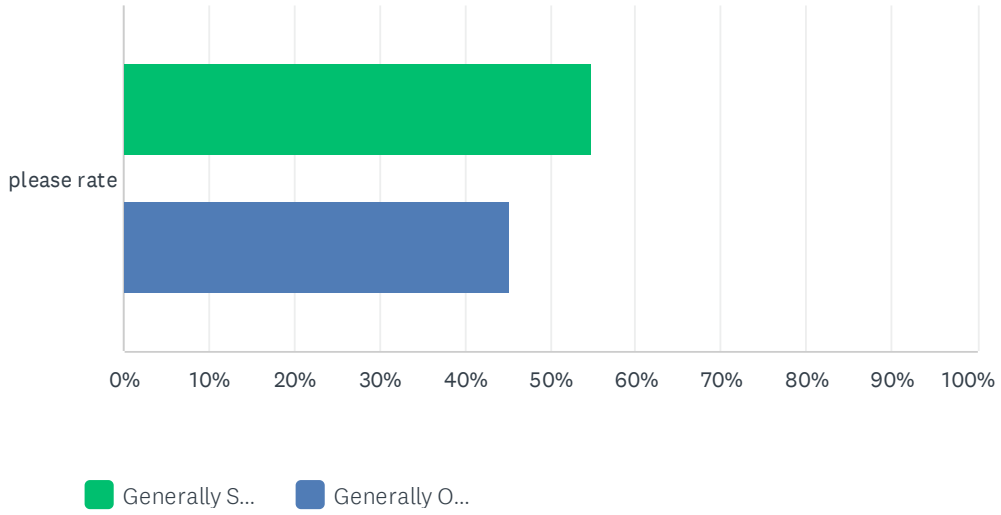
Answered: 92 Skipped: 127



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	66.30% 61	33.70% 31	92	1.34

Q72 CUP Recommendation 14 Evaluate whether acquiring buffer land by landfill-related entities is consistent with Vision 2040 including the impact on housing, forestry, and agricultural land uses. Acquiring buffer land is an action specified in DEQ's 2005 Resource Conservation and Recovery Act Corrective Measures Record of Decision for the landfill. "Property purchases as buffer around the landfill." is identified as one of the remedies for groundwater contamination.

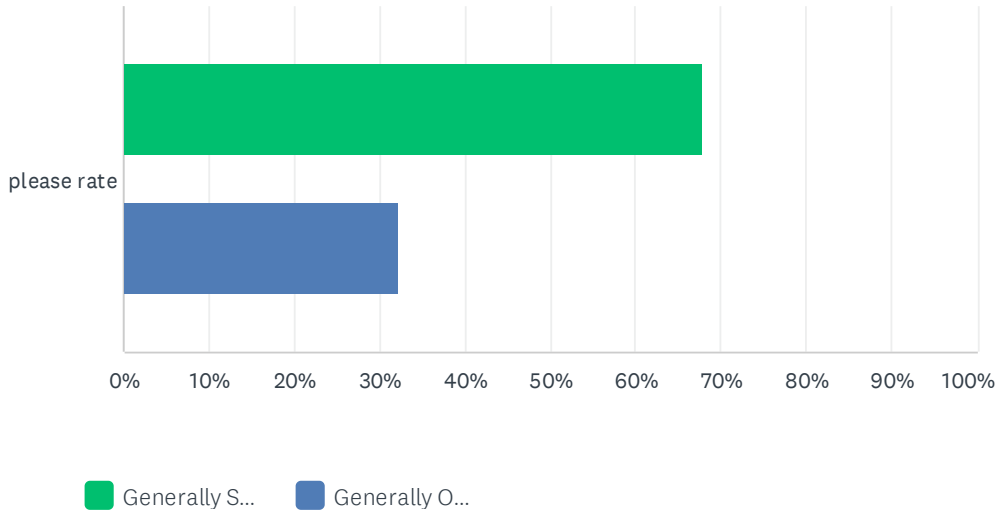
Answered: 93 Skipped: 126



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	54.84% 51	45.16% 42	93	1.45

Q73 CUP Recommendation 15 Require submittal of a plan for emergency water supplies for fire protection to the Power Generation facility per S-97-58.

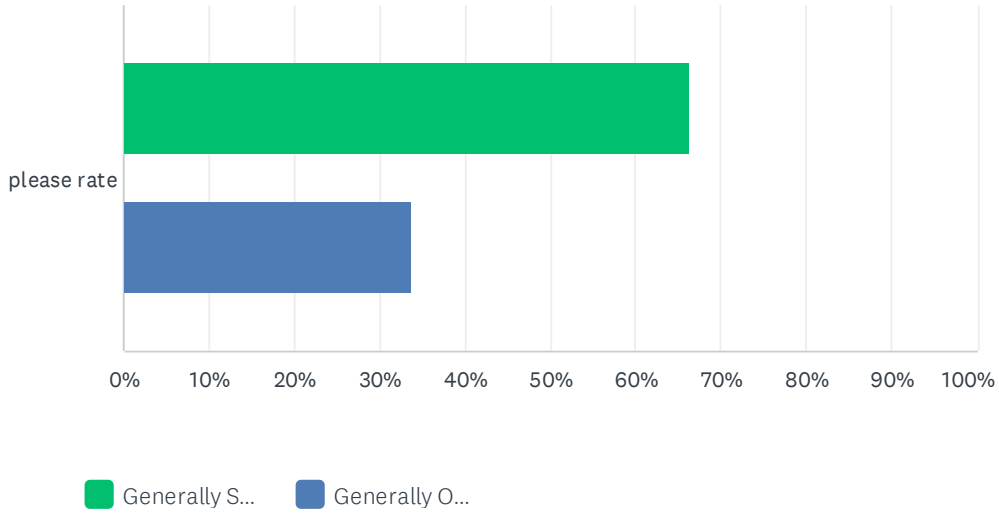
Answered: 93 Skipped: 126



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	67.74% 63	32.26% 30	93	1.32

Q74 CUP Recommendation 16 Develop a comprehensive emergency preparedness/response plan with neighboring counties, cities and fire districts given the experiences from the nationally reported 1999 landfill fire.

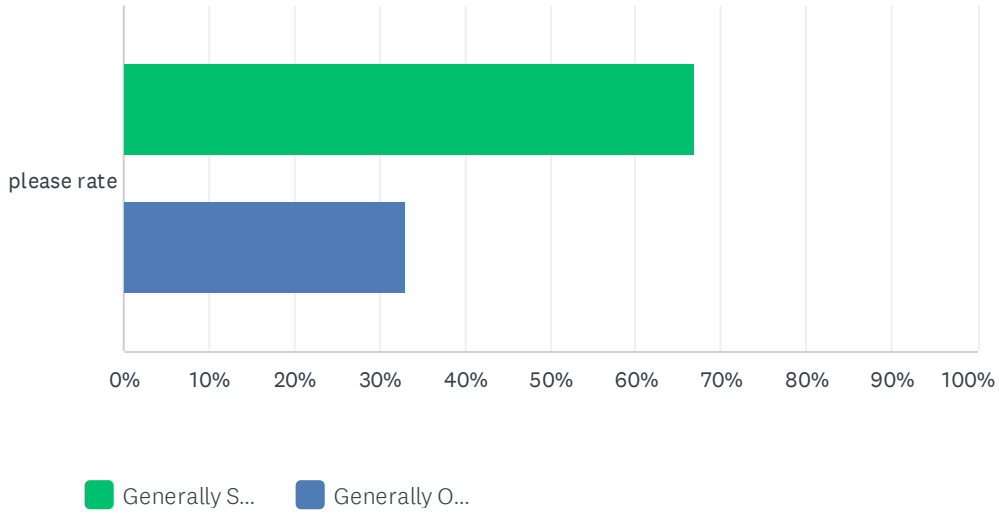
Answered: 95 Skipped: 124



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	66.32% 63	33.68% 32	95	1.34

Q75 CUP Recommendation 17 To address public concerns about odor, engage in a dialogue with the community to promptly develop and implement an odor reporting and mitigation plan that is consistent with the community's needs and DEQ requirements and County health and nuisance regulations.

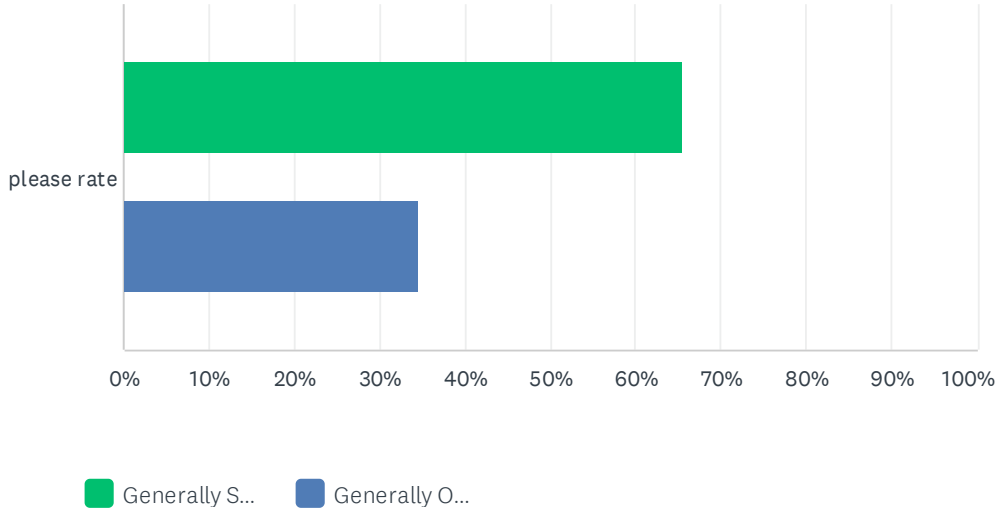
Answered: 94 Skipped: 125



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	67.02% 63	32.98% 31	94	1.33

Q76 CUP Recommendation 18 Update the Benton County Code and land use application documents to reflect the conditions of approval that are to be completed before final approval of an application and which conditions are applied to the on-going use of the land. This would improve understanding of the differing conditions of approval for the applicant, public, and decision-making bodies.

Answered: 90 Skipped: 129



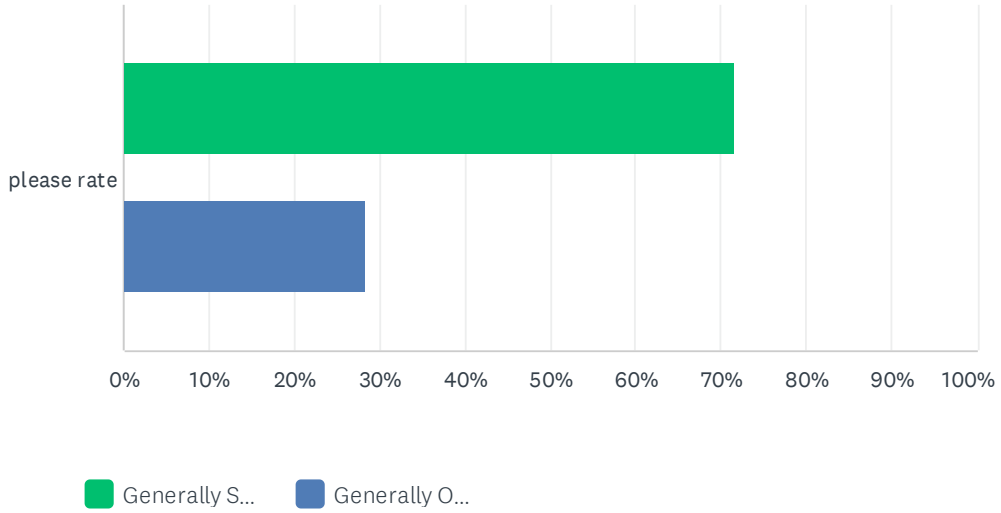
	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	65.56% 59	34.44% 31	90	1.34

Q77 Please provide the Workgroup with your additional comments in the box below.

Answered: 29 Skipped: 190

Q78 CEO Recommendation 1 The County Development Department and County Public Information Officer are responsible for conducting communication and outreach.

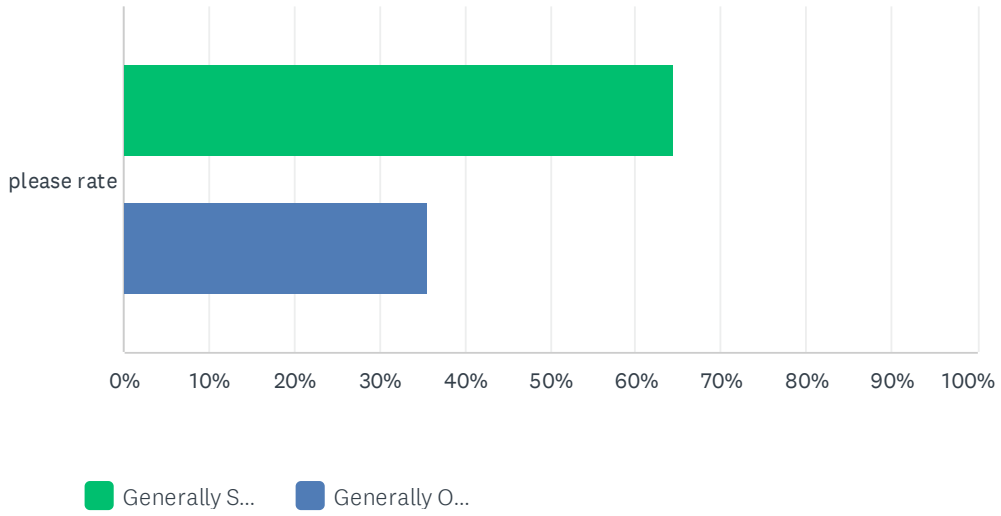
Answered: 92 Skipped: 127



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	71.74% 66	28.26% 26	92	1.28

Q79 CEO Recommendation 2 The Board of Commissioners (Board) should consider changes to these notification recommendations based on the potential impact of other CUP applications.

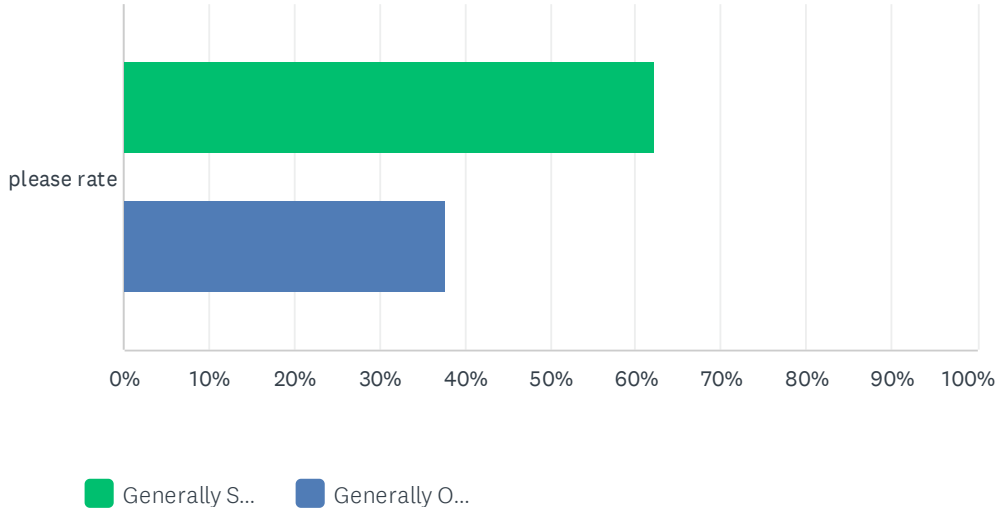
Answered: 90 Skipped: 129



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	64.44% 58	35.56% 32	90	1.36

Q80 CEO Recommendation 3 Notifications for the Benton County Talks Trash (BCTT) Survey for public input on the Workgroup Report should include an email blast, website post, and displays or presentations where people already spend time, for example a library or community event. Notifications should include a 10-mile radius from the landfill and should go out ideally a month before the survey closes.

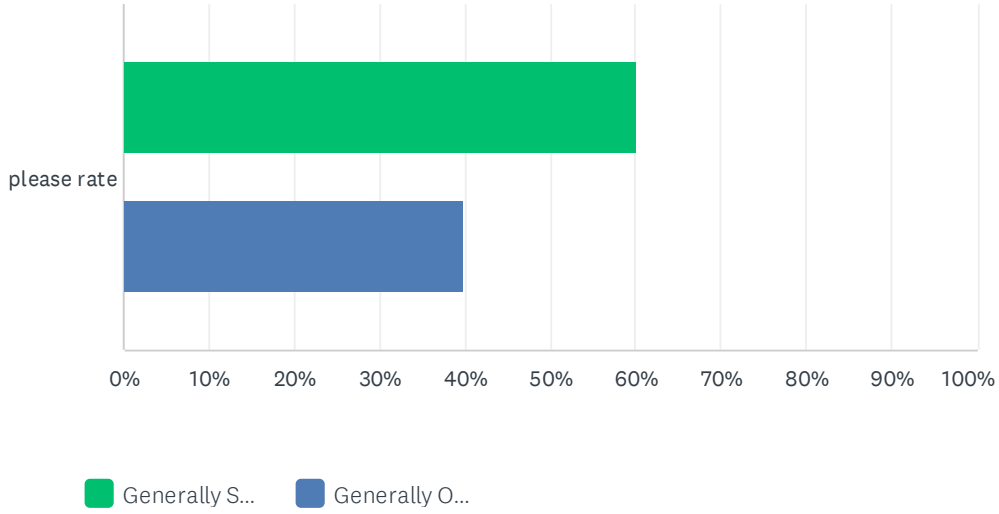
Answered: 93 Skipped: 126



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	62.37% 58	37.63% 35	93	1.38

Q81 CEO Recommendation 4 Notifications for the BCTT Report completion should include an email blast to the interested parties list, organic subscribers, those who spoke at the meetings, the Soap Creek Neighbors Group, and other landfill neighbors. Notifications should also include a possible postcard to the entire County with a link to go to and/or scan to get on a list to be informed of further updates and/or have an open house event/public informational meeting. The event/public information meeting should be on a weekend during the day so that most people can attend, and the link and email list should be readily available. A 10-mile radius from the landfill is proposed, and notifications should be sent 72 hours after the report is finished.

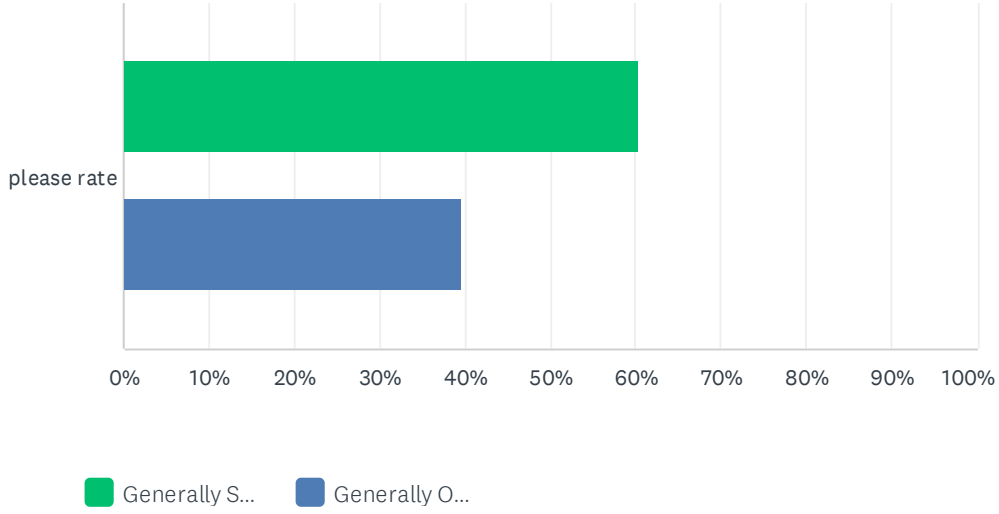
Answered: 93 Skipped: 126



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	60.22% 56	39.78% 37	93	1.40

Q82 CEO Recommendation 5 Notifications for Board hearings on the report should include a postcard, an email blast, a newspaper notification, and social media posts and advertisements. The postcards should be sent to everyone in a 10- or 15-mile radius of the landfill, and notifications should be sent 24 hours after the Board hearing is scheduled.

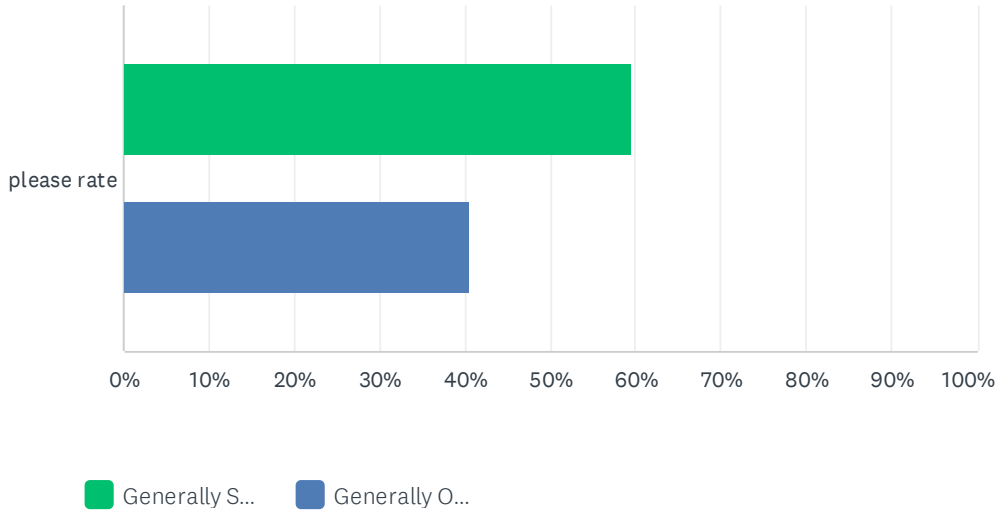
Answered: 91 Skipped: 128



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	60.44% 55	39.56% 36	91	1.40

Q83 CEO Recommendation 6 The County should notify the public when Republic Services first notifies the County that they plan to file a CUP application. This starts off any pre-filing public involvement. Notifications should include a postcard, email blast, newspaper notification, and social media posts and advertisements. Postcards should be sent to everyone within a 10- or 15-mile radius of the landfill, and notifications need to begin 24 hours after the County is notified.

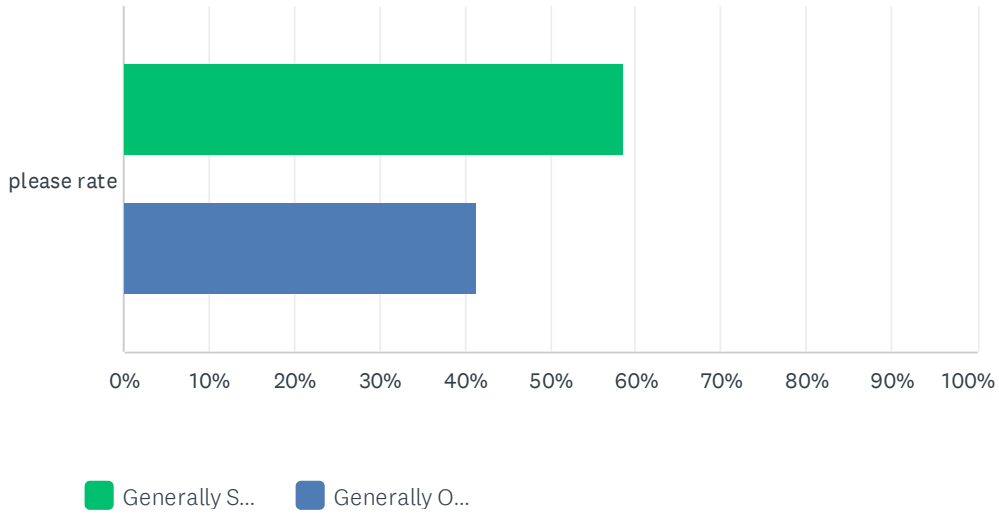
Answered: 94 Skipped: 125



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	59.57% 56	40.43% 38	94	1.40

Q84 CEO Recommendation 7 Notifications for CUP filings, which includes the application review process, should consist of a postcard, email blast, newspaper notification, and social media posts and advertisements. Postcards should be sent to everyone within a 10- or 15-mile radius of the landfill, and notifications need to begin 24 hours after the initiation of a CUP filing. During the “completeness” process, the Planning Official will consider whether the applicant’s documents and information are sufficient for purposes of review of the application. Determining that an application is complete does not mean the information satisfies the approval criteria.

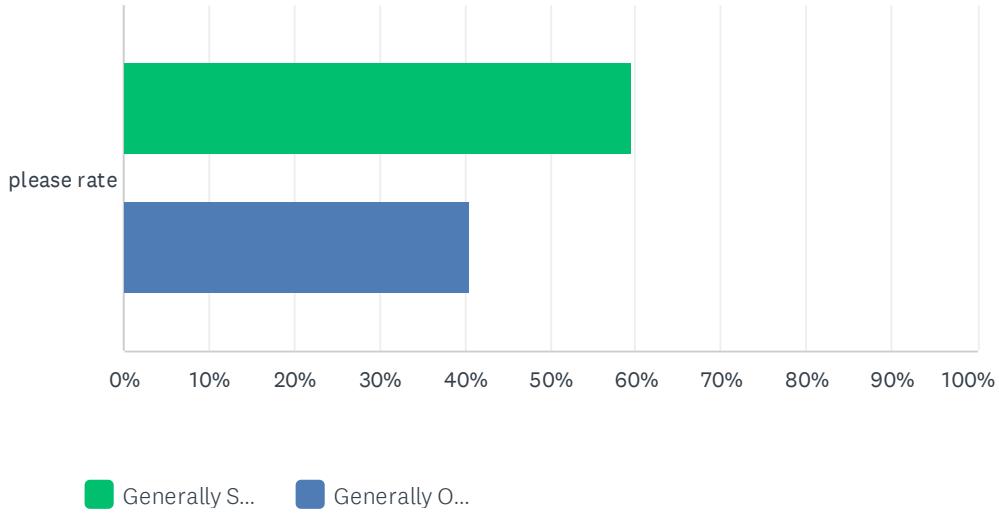
Answered: 92 Skipped: 127



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	58.70% 54	41.30% 38	92	1.41

Q85 CEO Recommendation 8 Notification when the County determines the application is complete will include a postcard, email blast, newspaper notification, and social media posts and advertisements. Notifications should be sent to the entire County and occur 24 hours after completion.

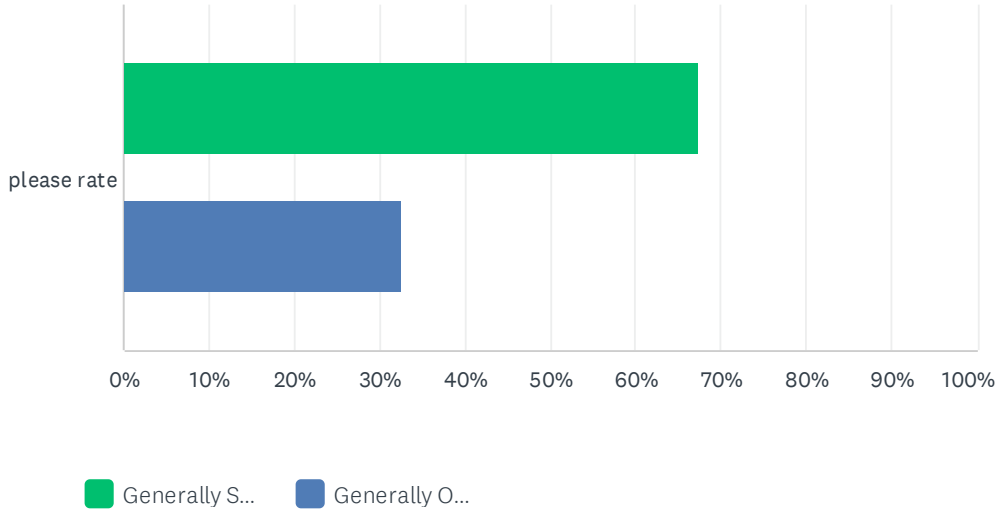
Answered: 89 Skipped: 130



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	59.55% 53	40.45% 36	89	1.40

Q86 CEO Recommendation 9 Notifications for Solid Waste Advisory Council (SWAC) meetings should include website posts and email blasts to interested groups and people already on the existing email list. Notifications should be sent 1 - 2 weeks before the meeting.

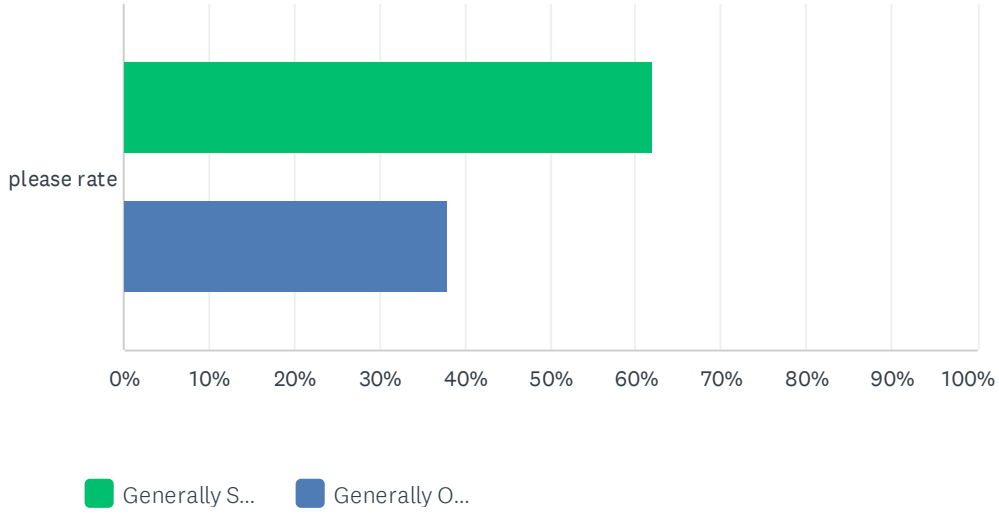
Answered: 95 Skipped: 124



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	67.37% 64	32.63% 31	95	1.33

Q87 CEO Recommendation 10 Notifications of SWAC recommendations should include website posts and email blasts to interested groups and people already on the existing email list. Notifications should be sent out 24 hours after the recommendation.

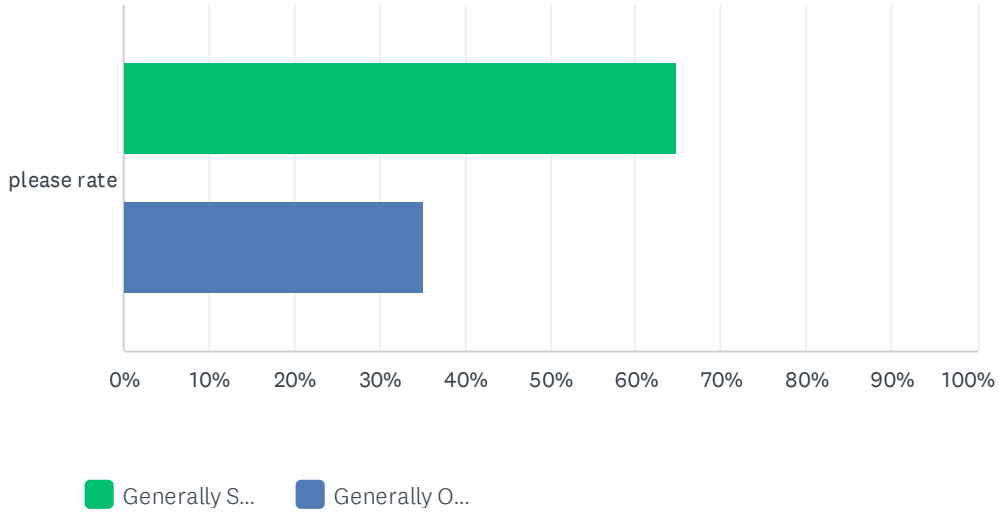
Answered: 95 Skipped: 124



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	62.11% 59	37.89% 36	95	1.38

Q88 CEO Recommendation 11 Notifications for Planning Commission meetings should include website posts and email blasts to interested groups and people already on the existing email list. Notifications should be sent no later than 2 weeks before the meeting.

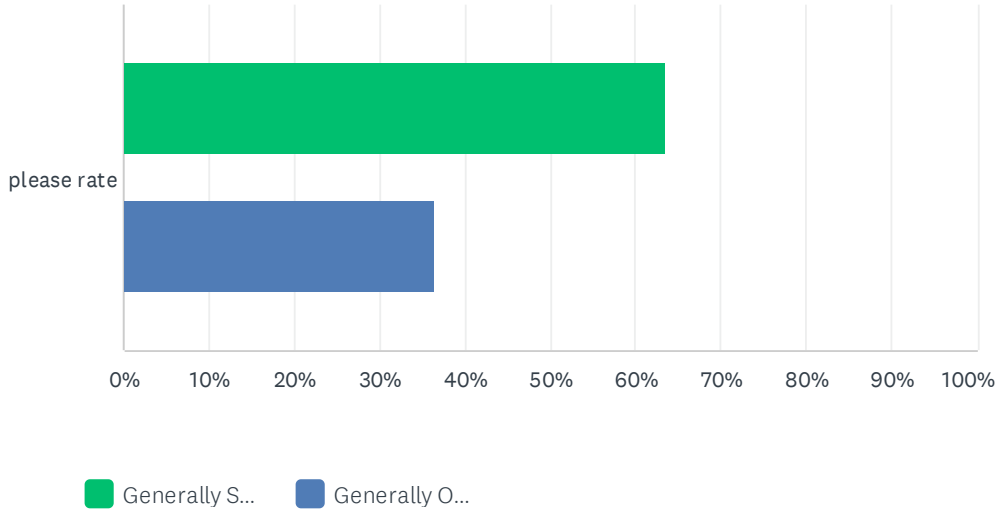
Answered: 91 Skipped: 128



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	64.84% 59	35.16% 32	91	1.35

Q89 CEO Recommendation 12 Notifications of the Planning Commission's decision on the application should include website posts and email blasts to interested groups and people already on the existing email list. Notifications should be sent out 24 hours after the recommendation.

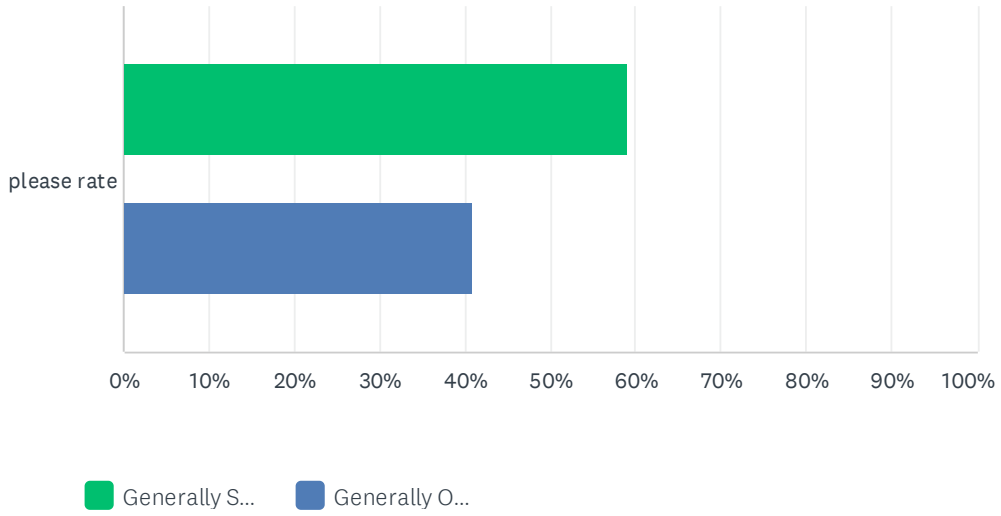
Answered: 93 Skipped: 126



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	63.44% 59	36.56% 34	93	1.37

Q90 CEO Recommendation 13 Notifications of when the Board is hearing the CUP application for approval will include a postcard, email blast, newspaper notification, and social media posts and advertisements. Notifications should be sent to everyone within a 10- or 15-mile radius of the CUP site and occur 24 hours after scheduled.

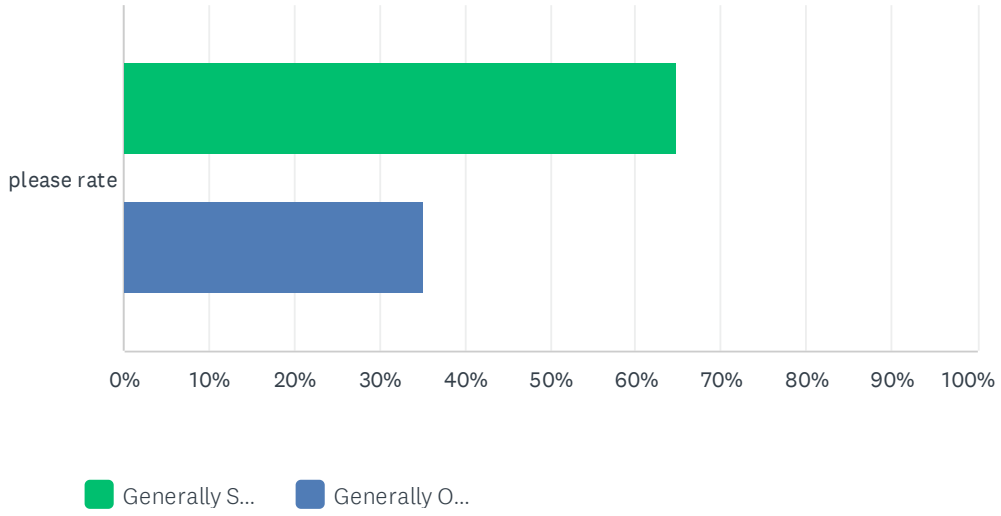
Answered: 93 Skipped: 126



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	59.14% 55	40.86% 38	93	1.41

Q91 CEO Recommendation 14 Notifications of the Board's decision on the application will include an email blast, website banner, newspaper notification, and social media posts. Notifications should be sent out 24 hours after the decision.

Answered: 94 Skipped: 125



	GENERALLY SUPPORT	GENERALLY OPPOSE	TOTAL	WEIGHTED AVERAGE
please rate	64.89% 61	35.11% 33	94	1.35

Q92 Please provide the Workgroup with your additional comments in the box below.

Answered: 30 Skipped: 189

Q93 This box is for you to share any other feedback about Solid Waste Management in Benton County you would like the BCTT Workgroup to consider.

Answered: 48 Skipped: 171

Q33 additional comments
Open-Ended Response

These recommendations appear to provide a framework for the development of the SMMP. As a resident of Benton County, rather than a member of the SMMP team, I find the recommendations so general that it would be hard to oppose any of the recommendations. I don't see how my input, or anybody's for that matter, on a lot of boiler plate is really of much use to anyone. I would like to know when you are going to get to the real issues like the fact that a landfill for northwest Oregon really doesn't belong in our wet environment. Or that Republic Services requires all rural customers to have weekly trash, yard waste and partial recycling pickup. We compost and have very little trash, but we do have some. Bi-weekly or monthly pickup would much better match our needs.

The County sells its residents short with this plan. If the Company backs out altogether, would the County run the landfill? Is BC hostage to a waste monopoly? Who is paying County staff time and effort for this greedy expansion request? The Company I hope, not our county taxpayers. The waste of community volunteer time also should be assessed to the Company. A few million a year is simply not worth it to the County -- the Company needs to offer much much much more to have taxpayers even think this is a good idea. If the Company tries to hold BC residents hostage to higher rates, let's call their bluff, let's sue them for the 1999 fire costs and everything else. BC has leverage and needs to use it. Finally, how to insure against the expected many externalities that our county residents will pay in the future. Instead of a sleepy beautiful county and small town (Corvallis), we will be known as the garbage dump of the Willamette Valley. How much is that worth?

Republic Services is part of BCTT, but they should NOT be involved in the RFP process. Community volunteers from BCTT would be OK. A primary role should be given to the county's long-standing council for solid waste management (SWAC), at on an equal footing with BCTT vounteers.

Opening our dump to materials from other counties, while expedient and profitable for the operators, is a mistake. Benton County is rapidly running out of room and public use if “our” dump is becoming prohibitively expensive. In addition, the effects on neighboring properties is causing justifiable resentment.

The County staff and commissioners have systematically failed the residents of Benton community by allowing Republic Services to profit at the expense of the health and well being of Benton County Residents. The county has decided to allow Republic Services to dramatically increase the amount of material is accepts in Coffin Butte, thereby leading to a unnecessary "need" for expansion. To right these wrongs the County and Republic Services has committed, the County must reject any large-scale increase in the footprint of Coffin Butte outside the plan to move into the Kniferiver Area north of the current landfill. The County must also stop Republic Services from spreading medical waste ashes as a "cover" on top of of trash. The County must also halt Republic Services from accepting trash from other portions of the state in the volumes that it currently is accepting.

Include an epidemiologist in the work plan/group to assess local rates of cancer. Include a hydrologist in the work group as well as air quality expert. Include the tribes who's land we are on. include neighbors no matter how painful it might be to hear what neighbors endure on a regular basis. Provide internship opportunities for student in secondary, under grad and post grad college students in related fields. It's their future in our hands. Include operators of water and sewer treatment both locally and from training programs.

In my experience working in environmental remediation, the more checks and balances in place the better we can ensure the long term goals of sustainability and ethics are adhered to. Having multiple contractors can help reduce the weight on the SMMP by acting as watchdogs of each other's work during the project. From my experience it is an effective way to use the competition of the private sector to double check the effectiveness of oversight.

My main concerns are that we stop expanding Coffin Butte to accommodate other peoples' trash and that we do all that is possible to reduce our waste, including requiring waste reduction processes of all communities that contribute to Coffin Butte.

Who is opening each trash bag and tallying the banana peels? This sounds like a waste of the millions it will cost to conduct what is simply put as a "waste audit."

There is a problem with #16 Recommendation 11 - both responses are labeled the same.

Sustainability should start with manufacturing practices and components. After-the-fact waste management just shifts the burden of disposal to the community. For example, why can't Mason jars be used for glass containers? And, why is Styrofoam still commonly used? Why aren't milk and water and all soft drinks provided in recyclable containers? Without front end changes, nothing will improve and the community bears the biggest burden of waste management.

I think the most important thing is that the SMMP be completed before any further decisions are made about expansion or changes to the county's solid waste contracts. That way decisions are made with a long term comprehensive view of the true costs and benefits of choices and their alternatives.

Your survey is complete RUBBISH!!! This is NOT a survey, it is a tool designed to solicit support, to sway/educate/indoctrinate people into supporting your insular, misguided approach. Surveys don't have LONG, complicated questions that frame the issues in a positive light (using words like "sustainable", "positive", and all of the other loaded words you've used). Surveys don't include loads of acronyms, which were defined much earlier in the document (duh!). You have violated so many basic principles of surveys that I'm not even willing to keep going. This survey speaks volumes about what's wrong with your process and approach!

This information is incredibly dense for the general public. This information was distributed poorly to the general public, who do not have enough time to digest the information, ask questions, and become better informed in order to make proper decisions and have their voices heard. This effort should be for the people of Benton County, and supported by the people of Benton County. Without the correct representation, this data is skewed and inaccurate, taking into account political and bureaucratic interest when it doesn't belong.

I reaching the goals of this project, ry not to get bogged down with the flexibility, fluidity and inclusion. Push on to the best potential outcomes. Consider using “must” versus “should”.

A definition of RFP would have allowed more clarity.

The SMMP is just a paperwork laden complication that reduces transparency of the problems we are facing. Having hundreds of pages of "fluffy" language and acronyms obscures the problem at hand. Please make future resources more cut and dry with tangible action items and expected results. Benton county can't support the amount of trash coming in. Someone should have said "no" long ago. Protect the environment, protect the quality of life of those living in Benton County (many of whom are here for the outdoor opportunities), and protect the home values of those living in proximity to coffin butte. The complexity of this topic is unnecessary. Let community members vote on how to proceed. Do we want to expand the size of coffin butte? Do we want to continue to allow other counties to dump their waste? How do we increase sustainability is something this committee can provide. Offer resources and ideas, complete community trials, then again, we can vote. Creating committee after committee and collaborating with county after county will slow down the process and prevent meaningful change.

A lot of these recommendations above do not point to a major concern i have about Republic Services being part of the selection process. I just want to confirm that the landfill operator would not be on the evaluation committee. Also, can somebody provide a timeline for getting a waste management plan in place. All of these efforts seem to just kick the can down the road. What is, as of today, the county's plan for dealing with the landfill when it closes? Who is in charge of managing the leachate in that scenario? What about maintenance of infrastructure in general? The methane generation facility as an example. Is Republic just planning on handing that over to the county? What happens if there is a major event like the 1999 landfill fire? Or a rain event like 1996 and leachate ends up getting into the surrounding water supply? Does the existing fund for disaster response really cover any of these scenarios? What is the vendors liability? We need an action plan, not a plan to make a plan, and especially not using Orwellian language like some of the recommendations above. Please just give the public straightforward language so they can provide straightforward feedback. If the landfill was to expand, what would be the impact of that expansion? For example, how is the landfill vendor going to deal with all of the additional leachate in that scenario? What is the cost of keeping the landfill open, versus transferring the trash to other available sites? Do we really need to do an RFP and spend what will probably be millions on another consultant, just to come up with a plan for eventually figuring this out? If the landfill truly only has 3-4 years of capacity left, is this really the approach needed to meet a time frame for an expansion decision? Steps need to be taken NOW to figure out how to handle this. Otherwise, it is likely to turn into an emergency situation before any roadmap is created.

I am opposed to increasing the size of the current landfill. It will further impact residential homes near the landfill, and I believe that health concerns of residents who live near the landfill should be prioritized and addressed.

I strongly suggest question 30 to read: The County should absolutely have a SMMP in place prior to any major materials management decisions.

Consider not expanding the landfill and phasing to other Republic sites . And absolutely NOT raising tonnage cap. Local agencies will not get increased revenue when the landfill moves but it is inevitable. Current staff should make the sustainable materials management plan and not keep draining taxpayer funds for constant consultants.

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1. Do not raise the annual cap on waste coming to the landfill. 2. Do not expand the landfill. 3. Stop wasting taxpayer dollars on outside consultants. Use county staff. Our county commissioners are highly paid. They should have been able to reach a decision by now that will benefit county residents.

Thorough and well developed proposal.

This survey is very difficult to decipher/understand.

What about mining the landfill? It must have tons of usable materials. I think in the future landfills are going to be desirable assets for recovering otherwise depleted materials.

Employees of republic Services and Knife River should not be members of any workgroup due to conflict of interest.

SMMP F6, R3 and 4: There should be no implication that SMMP in Benton County or anywhere that sends waste here will have any impact at Coffin Butte, per se, because Republic Services and not Benton County has power over how they fill their tonnage cap prior to expansion, or lack of tonnage cap if expansion is approved. Any reduction in the contribution to that tonnage by Benton County or any other entity will have no impact on the life span of Coffin Butte or any other impacts of Coffin Butte landfill to the neighboring community because Republic Services choose to sell its services to other entities to replace tonnage reduction that may result from SMMP. That needs to be very clear to the public in the SMMP process.

On the topic of waste disposal in Corvallis: Why can't the city REALLY encourage everyone to put their garbage cans OUT OF PUBLIC VIEW? Get the GT involved with photos, etc. Even million dollar houses often just leave all their cans sit by the garage!!! Our city is supposed to be #! in many areas but it sure fails in this area of general beauty; The garbage company has never done much to help. I know as I have asked them to do so through the years more than once without much effect!! Please consider my plea Thanks

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Almost impossible to clearly answer in support or opposition to recommendations that have sometimes oppositional statements. The adoption of jargon ("SMMP") that has no clear definition or link to solid waste sets up a bifurcated system to analyze both linear "waste" and cyclical "recoverable materials." Neither is being served by this split between true waste disposal and recoverable materials. The premise of adopting "new-speak" jargon hampers the entire enterprise of the BCTT, and community concern is only heightened when presented in the public arena through the truly expansive list of overlapping recommendations.

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16 SMMP Recommendation 11 — Only gives the “generally support” option twice there is not a “generally oppose” option. 27 SMMP Recommendation 22 — It would not be acceptable if members of the stakeholders group deciding on the best proposal included any Republic Services employee. 31 SMMP Recommendation 31 — The County should only use landfill revenue to support the SMMP recommendation.

This is ridiculous.

This is a wordy survey that is poorly defined and hard to understand all the lingo. If I didn’t fully understand the question I said “Don’t support”

Don't let this program fester. When RFPs are turned in, don't open the proposal time for revisions.

Please limit the amount of milestones or decision points that require public input in this process. I would much prefer that a group of experts and professionals develop and work towards achievable goals vs NIMBY neighbors that want to drag out the process and add layers of bureaucracy under the guise of stakeholder equity as a delaying tactic. Not everyone has an equally valid or meaningful opinion on the intricacies of waste management.

Question 16 has the option to support it twice and no option to oppose.

This plan feels like it will ultimately cost us more money and does not consider at all the community benefits of the CCoffin Butte landfill. Why are they being framed as the bad guys?

Please provide a focus that includes the waste stream for PLASTIC. I feel we are not doing enough to find ways other than landfill for various grades of plastic.

Recommendation 27 is very critical and it is surprising this has not been done before. Major industries with effluents have to report these data. There should also be analysis of air, water, and soil samples near and far from the waste site to determine the most which species from the site are being transported to the local environmental. I am basing this on 40 years of experience as an analytical chemist often working on environmental transport. This analytical survey should be done early in the process because the findings will affect some of the recommendations. As I read recommendation 27, it is unclear what the materials audit applies to? Is in the input from all sources?

These are all lofty goals, but good ones. One thing that I'm finding is missing is clear and honest communication to the public (via digestible and visible platforms - not just reports) regarding WHERE our recycled waste is ending up. This is a service we are paying for under the assumption we are making the world, and county better. However I've heard from numerous sources that a large majority of our recycling is just dumped due to capacity and sorting issues. The public deserves answers as to what percent of our recycled goods are actually recycled, and if this is a dire number we need solutions.

The average citizen, who are the primary stakeholders, could not understand most of the above recommendations. It seems foolish that the cost to dump sustainable materials (compost, building waste, etc.) for the average homeowners is nearly the price (sometime exceeds!) the price to dump garbage. Yard waste used to be affordable to dump and was measured by the yard - now it is weighed, and now I burn instead! Also, there are now no viable options for those that generate little trash (such as economical on-call pickup, 1x per month, etc), which actually incentivizes loading up the bin! Please don't cow-tow to Republic's gloom and doom scenarios. Benton and surrounding counties are the market - drive a deal that benefits the residents, not Republic execs. If they wish to pull out - let them! I can take my own trash and yard debris to the locations while another entity moves in to take advantage of the opportunity. And PLEASE, stop the influx of refused from out of the area and out of state - if it needs to come to Benton County, maybe have it piled in Reset Stadium.

THE COFFIN BUTTE LANDFILL SHOULD "ONLY" TAKE REFUSE FROM BENTON COUNTY !!!!

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wow, very thorough study by BCTT folks. I moved into an apartment where they do not offer 'yard waste' collection, I miss that and will ask the managers to consider. thank you for the opportunity to comment

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It would be great if the county could require trash management services to offer glass recycling throughout the county - a not-insignificant portion of my trash is glass. I just don't have the time to always take it in (I'm sorry!!!) but I live less than half a mile from folks who do have glass recycling, so this seems ridiculous.

All the recommendations in this section are so poorly worded as to render them near-useless. There is no consistency in terminology. It's very difficult to evaluate and then "generally support or oppose" these recommendations when they are largely illogical or impenetrable or contain more than one recommendation or do not contain enough information. This is truly a sad state of affairs considering the County is in desperate need of a new materials management plan! Here are some observations: Q8 - SMMP R3: This recommendation has a typo: where it is currently written, "... can better manage materials, but to also address..." there is an errant "to" in there. It should read "...but also address..." -- i.e. no "to" between "but" and "also." Yes I "generally" support this recommendation, but again, it is poorly worded. Where it says "RFP firms", for example, does that mean consultants who respond to the RFP? This could be better worded. How about something like, "It is recommended that Consultants who respond to the RFP have experience with Oregon's materials management legislation and policies." Q9 (R4): unintelligible Q10 (R5): unintelligible By unintelligible, I mean I can tell it is trying to say something meaningful, but it is so poorly worded as to make whatever message attempting to be made impossible to parse. Q11 (R6): Near-unintelligible, but I can "generally support" this one. I think it would be much clearer to say: Any cost-benefit analyses contained in the SMMP must include *indirect* costs and benefits (such as to environment and health), not just direct costs and benefits (such as garbage rates and franchise fees). Q13 (R8): unintelligible Q15 (R10): The first part of this sentence ["the SMMP subcommittee researched other jurisdiction's plans, compared and aggregated a list of subjects, and"] should be deleted, because it is not even a recommendation. It should begin with the words, "The SMMP should evaluate…" and should read: "The SMMP should address the subjects listed in the full subcommittee report, including answering the 117 questions (as RFP priorities allow) and include recommended courses of action." Further, I am only supporting this because I happen to know about the "117 questions" and they are extremely important. For the general public to be able to even attempt to respond to this particular survey question intelligently you should have provided a link to those 117 questions, just like you did to DEQ's "Materials Management in Oregon 2020 Framework for Action" document in Q6 (R1). Q16 (R11): "Qualities of a successful applicant…" again, a live link should be provided to those "qualities" that are "listed in the full subcommittee report." How are we supposed to support or not if we have no idea what those qualities are? Q17 (R12): Again, I "generally supported" this, however once more it is poorly worded — how about, "The scope of this SMMP is expected…" (not "The scope of work for this project is expected…") Q18 (R13): Here is an example of a recommendation that is not only

Q27 (R22): Based on the "above criteria?" What "above criteria" is this recommendation referring to? The prior recommendation (R21)? Or all the prior recommendations leading up to R22? Q28 (R23): Again… it's clear something is trying to be said here, but the wording is opaque and therefore the intention is ambiguous. Q29 (R24): Mostly readable, however a word appears to be missing; the second sentence should read "The sections of the workplan outline should include…"

All the recommendations in this section are so poorly worded as to render them near-useless. There is no consistency in terminology. It's very difficult to evaluate and then "generally support or oppose" these recommendations when they are largely illogical or impenetrable or contain more than one recommendation or do not contain enough information. This is truly a sad state of affairs considering the County is in desperate need of a new materials management plan! Here are some observations: Q8 - SMMP R3: This recommendation has a typo: where it is currently written, "... can better manage materials, but to also address..." there is an errant "to" in there. It should read "...but also address..." -- i.e. no "to" between "but" and "also." Yes I "generally" support this recommendation, but again, it is poorly worded. Where it says "RFP firms", for example, does that mean consultants who respond to the RFP? This could be better worded. How about something like, "It is recommended that Consultants who respond to the RFP have experience with Oregon's materials management legislation and policies." Q9 (R4): unintelligible Q10 (R5): unintelligible By unintelligible, I mean I can tell it is trying to say something meaningful, but it is so poorly worded as to make whatever message attempting to be made impossible to parse. Q11 (R6): Near-unintelligible, but I can "generally support" this one. I think it would be much clearer to say: Any cost-benefit analyses contained in the SMMP must include *indirect* costs and benefits (such as to environment and health), not just direct costs and benefits (such as garbage rates and franchise fees). Q13 (R8): unintelligible Q15 (R10): The first part of this sentence ["the SMMP subcommittee researched other jurisdiction's plans, compared and aggregated a list of subjects, and"] should be deleted, because it is not even a recommendation. It should begin with the words, "The SMMP should evaluate…" and should read: "The SMMP should address the subjects listed in the full subcommittee report, including answering the 117 questions (as RFP priorities allow) and include recommended courses of action." Further, I am only supporting this because I happen to know about the "117 questions" and they are extremely important. For the general public to be able to even attempt to respond to this particular survey question intelligently you should have provided a link to those 117 questions, just like you did to DEQ's "Materials Management in Oregon 2020 Framework for Action" document in Q6 (R1). Q16 (R11): "Qualities of a successful applicant…" again, a live link should be provided to those "qualities" that are "listed in the full subcommittee report." How are we supposed to support or not if we have no idea what those qualities are? Q17 (R12): Again, I "generally supported" this, however once more it is poorly worded — how about, "The scope of this SMMP is expected…" (not "The scope of work for this project is expected…") Q18 (R13): Here is an example of a recommendation that is not only meaningless, it contains multiple recommendations. For starters, item 1) we ABSOLUTELY should not waste peoples' time "providing details about the Workgroup process"! And items 2 and 3 are so general as to be completely meaningless. Q19 (R14): Again, poorly worded… but at least the gist is there. Q22 (R17): what does this even mean??

Q23 (R18): ditto Q25 (R20): poor wording, more than one recommendation. Q26 (R21): unintelligible Q27 (R22): Based on the "above criteria?" What "above criteria" is this recommendation referring to? The prior recommendation (R21)? Or all the prior recommendations leading up to R22? Q28 (R23): Again… it's clear something is trying to be said here, but the wording is

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This is too long?!? For some one just getting a flyer in the mail trying to learn what is going on… I'm completely lost!!!! Sorry need more uptake before a survey

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This regional landfill is key to a very large area surround it that the landfill services. It is key in terms of the feasibility of solid waste disposal. If this landfill is inactive or the regulations and requirements to dispose of solid waste become too expensive, the cost of solid waste disposal will and could go up a significant amount, making it difficult for citizens in its service area to dispose of their solid waste. This has a trickle-down effect from businesses whose disposal costs go up that then pass that increase on to their customer who is also getting charged an increase in their cost to dispose to the landfill as well. Unfortunately, illegal dumping becomes appealing. If the landfill is no longer operating or if the cost of doing business for the landfill gets too high, the next likely closest landfill is in Arlington, which is much farther away for the current customers, which will require more resources to haul solid waste from mid-western Oregon. I implore those making the decisions to be mindful of repercussions of passing regulations that increase expenses making it more difficult to dispose of solid waste. I realize the importance of long term planning, but increases to landfill costs don't happen in a vacuum.

I am not sure the purpose of this "survey". It seems a bit odd. If the overarching question is "should the County do a better job of managing waste in the County and waste delivered to Coffin Butte?" ..the clear answer is a very loud "YES". But if the dump were not in Benton County, there likely wouldn't be the urgency or interest. The point is this is a state or regional issue. I would suggest that funding for the SMMP be from a surcharge on all waste dumped at the landfill. That way, the users of the dump are funding the study. Benton County rate payers would only be on the hook for a small percentage of the cost since Benton County residents only contribute a small percent of the volume to the dump. The money from the surcharge should be in a separate fund, not in the General Fund. This is particularly important since the Commissioners have been using solid waste fees for general fund purposes while ignoring their obligations to fund a competent waste management program. I would also suggest that the County hire outside legal council to assist in this endeavor.

Coffin Butte Landfill is the largest single aspect of materials management in Benton County. These recommendations ignore the most important question about which information is needed now. What are the alternatives to continuing to have an active landfill in this location? How can a successful transition to alternative disposal locations be developed and implemented?

The workgroup should work to ensure the following: 1. That Corvallis, Albany, Salem, and other communities continue to have access to a landfill within 60 miles of where they live. 2. Minimize impacts to neighbors and environment while also recognizing there is no perfect solution. We should address and mitigate problems, not kick the can to another community. 3. Engage with community members and reach out. Understand there are hundreds of thousands of people served well by the current waste management arrangement who may not be the most vocal in their opinions and objections.

The stakeholders group should include residents of Linn County, since Coffin Butte serves the whole county.

It's disheartening to see all the waste litter on the side of road shoulders on both sides of the road and thins like metal or two by four with nails he ving me a flat tire And living in Adair we get the methan smell at times , not a fan .

This is a good idea

An audit could provide good information but likely no surprises. DEQ does waste composition studies and is in the process of doing that currently. It will be interesting to see if these yield similar results.

I believe #9 and #13 are extremely important. Re #9, regionally, we all need to be on the same page!

RFP's and Consultants add costs for planning. Having too many people on a committee usually takes more time to make effective decisions for actions to take place. OSU is a valuable partner for information on sustainable policies and procedures. San Francisco is working on reducing Trash. Corvallis should and other Coffin Butte contributors should start reducing trash NOW. Reduce the sale of plastic products that cannot be recycled. Recycle all plastic. Do a better job sorting trash to reduce garbage.

Stop accepting all trash coming from north of Salem. This would extend the lifetime of the current footprint. Charge the landfill a hefty fee for each load of toxic leachate leaving the facility and needing treatment.

The TAC should include subject matter experts from Oregon State University, other regional research institutions, and engineering firms or other geotechnical experts with experience in the field. I oppose the participation of the current community members in any further stakeholder or other advisory role. In general these items are poorly written, contain too many dependent clauses and are too long. This makes it difficult for the average Joe to comprehend the items. Further, some of the items address more than one concept; I'm required to agree with both or disagree with both. Sometimes, that's not the case.

Q46 additional comments

Open-Ended Response

I support the County's involvement in most items and commitees. I support Stakeholders who have permanent residences in Benton County also being involved. I do NOT support Stakeholders from outside Benton County as they will have COI and a NIMBY attitude (well, it's not in their backyard).

Cap the tonnage allowed at Coffin Butte

Transparency in all decision making and reports. Any decision in opposition to stakeholders' positions should be justified. Collaboration and education with all the residents of the county should be an on-going part of any program. There was a time when seat belts were mocked. It took education of the public to get them to be accepted as a norm. Same with these issues. Republic Services or any other permit holder should agree to a robust on-going education program that is not just a PR piece.

I drive by coffin butte frequently and activity along Hwy 99 is often unsettling and raises questions on how well waste is handled locally. A detailed report measurements from both ORDEQ and third party confirmations (from companies with not even vague financial ties to waste management) would go a long way in easing those concerns.

The execution of the 2020 Landfill Franchise Agreement in private, without the knowledge of affected residents of Benton County, was an egregious breach of trust of the population, and strongly influences and taints all other steps that Benton County takes regarding solid waste and related topics. It's clear that short-term monetary considerations outweighed other factors in the signing of this agreement. Residents most directly affected by negative impacts of the Landfill are effectively being thrown under the bus to support a stream of discretionary income for the County. This lack of trust and credibility will spill over to other County efforts, most notably the proposed justice center.

All of this discussion assumes no changes to the front end of product life cycles and manufacturing processes. This is the tail trying to wag the entire dog.

With each page of this survey, I get more infuriated! Most of the "questions" include a long list of things, so it's completely confusing what one is "supporting" or "opposing". This is BASIC BASIC BASIC stuff, people! Whoever designed this survey clearly doesn't have a clue about what he's doing! You also reference all kinds of info. that is not presented, people who are not identified, and entities many people don't trust (e.g. Benton County - the commissioners are "asleep at the wheel"). This entire survey is complete junk!!!

This whole survey feels like an opportunity to brag and say "look at all the good work that is going into maintaining the standards for this landfill. We consider every possible option, want to keep the public as informed as possible, and want to show how progressive and critically thinking we are in this effort. Now please help us pat ourselves on our backs and give us the participation trophy we deserve." Not once does this survey cover the ethnicity of weather or not the public of Benton County supports and approves the expansion of annual tonnage, usage and size of the Coffin Butte Landfill.

In reaching the goals of this project, try not to get bogged down with the flexibility, fluidity and inclusion. Push on to the best potential conclusions and outcomes- at this time. Consider using “must” versus “should”.

Please factor in the greenhouse gas emissions from the tailpipes of trucks, especially those coming from and going to afar.

Compost and recycling are two things I think this community value and support. There are systems available to mitigate these natural processes that ultimately can enhance the livability of the community. Having a junkyard of non biodegradable items on the edge of town is very different from composting, which ultimately creates fertile soil to help replace that lost from commercial farming, pesticides, and climate change.

Can we get a better explanation for this statement? "The County should then use this information to inform landfill-related decision-making. These negotiations were conducted privately (not in public meetings), and there are elements of these discussions that may be proprietary and/or fall under attorney-client privilege." Who is being covered by attorney client privilege here? Why? #45, what about the role that moisture plays in methane production? Shouldn't this be part of the analysis?

Question 45: Of course this element would be considered in the SWMMP

No tonnage increase allowed in any future CUP

1. The LSCL committee should clearly recommend that the annual tonnage capacity should not be raised. Frankly if the cap isn’t increased then I doubt that Republic will push to expand the landfill because of the increased costs they will incur without the increased revenue from the cap increase.

It is important that we understand why the 1983 and later prohibitions against expanding south of Coffin Butte Road were not completely accepted by the county and have formed the basis for the continuing creep of expansion efforts across the road. This aspect of the history is murky and reeks of insider collusion between the county staff and corporate owners of the landfill. We have been sold down the river over and over again by the county staff and legal advisories who do not have the best interests of Benton County residents in mind.

Recommendation 7: The SWAC membership and processes need to be evaluated and potentially improved. SWAC has not shown itself capable of rigor or impartiality in the past.

Continued comments: As examples, good and poor, just drive around new and older subdivisions in this area. The newest one in Ponderosa Ridge already has some who never put their cans out of public view!! Then drive into Oak Knoll off Western to see or NOT SEE ANY Garbage CANS ever in PUBLIC VIEW! Past Pick up time days. QUITE a DIFFERENCE!! The city/county has got to have some impact on this problem!! Create codes for all new residential areas, etc. Provide rebates for putting up a 6 foot fence panel to hide cans for existing homes, etc. Thanks for reading all this

Premises in many of the questions that I oppose are either not factually derived (34,45), assume the county has a clue about its residents' goals and values(44), or beyond the regulatory scope of the county (45). The continued restatement of the peculiarly derived "sustained materials management plan" deflects from the county acceptance of solid WASTE, and all of its derivatives, forever.

#34 LSCL Recommendation 1– Board and County staff has no control over Republic’s Coffin Butte landfill other than allowing expansions the existing tonnage cap which would go away with any expansion. This recommendation appears to allow the Board of and the County staff the consideration of continuous expansions. #37 LSCL Recommendation 4– Add a number 6) to determine which County staff members recommended closing COFFIN BUTTE Rd. prior to last landfill CUP application and why.

This is also ridiculous.

It still doesn't seem right that Benton County should be the waste repository for all of Western Oregon without some compensation, unless other counties are willing to assume that role in the future.

I understood these suggestions. Thank you to whoever wrote them.

Generally, this is an incredibly in-the-weeds and non-accessible survey. I consider myself a pretty connected/informed community member and there are many terms and concepts that are part of this survey that are confusing and difficult to understand. For any future outreach/engagement please consider a much much shorter survey with more accessible language including a glossary of terms and concepts as needed. In addition, please include an additional answer of 'unsure' or something along those lines in addition to 'generally support' and 'generally oppose'.

Recommendation 12 is critical.

Please communicate the basics of where our solid waste is going, and how Benton County itself is meeting its own greenhouse gas emission initiatives.

The generation of all of the above was a waste of time and money - recommendations need to be much more succinct and actionable.

STOP ALLOWING OTHERS COUNTIES TO DUMP THEIR TRASH IN BENTON COUNTY !!!!

To repeat myself, encourage City/County apartments to offer organic material recycling containers along with other 'garbage' pickups.

The methane emissions definitely need to be studied before the landfill can be expanded.

This section is far clearer than the SMMP subcommittee section. I can generally support all of them.

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This regional landfill is key to a very large area surround it that the landfill services. It is key in terms of the feasibility of solid waste disposal. If this landfill is inactive or the regulations and requirements to dispose of solid waste become too expensive, the cost of solid waste disposal will and could go up a significant amount, making it difficult for citizens in its service area to dispose of their solid waste. This has a trickle-down effect from businesses whose disposal costs go up that then pass that increase on to their customer who is also getting charged an increase in their cost to dispose to the landfill as well. Unfortunately, illegal dumping becomes appealing. If the landfill is no longer operating or if the cost of doing business for the landfill gets too high, the next likely closest landfill is in Arlington, which is much farther away for the current customers, which will require more resources to haul solid waste from mid-western Oregon. I implore those making the decisions to be mindful of repercussions of passing regulations that increase expenses making it more difficult to dispose of solid waste. I realize the importance of long term planning, but increases to landfill costs don’t happen in a vacuum.

I am not sure of the purpose of these survey questions. If the question is "Has the County been lax in monitoring and regulating the landfill and is the County poorly equipped to regulate a major, statewide landfill and to manage the adverse impacts"....the very loud answer is "YES, the county is poorly equipped and quite incompetent when it comes to regulating all waste matters and has done an exceedingly poor job". If the question is "Should the County get its act together and do a professional job"...the answer is YES. The County has taken in money from the landfill but has not funded adequate supervision, review, investigation, or implications of a growing environmental problem on the horizon. The County has not retained professional or legal assistance competent and informed on landfills but has used a generalists with no knowledge or experience with landfills. The County has ignored all warnings from their own advisory committees and knowledgeable citizens in the community. The County for years has bumbled along. The title of this section is LANDFILL SIZE/CAPACITY/LONGEVITY (LSCL). The County really has no clue and the numbers keep changing for reasons (manipulations) the County doesn't even understand. As a result, citizens have no trust at all in the County's ability to monitor or regulate the landfill or to insure it does not become an environmental liability for county residents. Obviously the landfill will be closed in the not too distant future. The County has no idea when or how to close the landfill and the implications of the closure...other than the chicken little strategy...the sky is falling. The County needs better leadership and management. Time for change.

More education about composting that keeps organic material out of the landfills is a positive step that I support. We need more organic material to maintain healthy soils and concentrating it in a landfill is bad for all around.

I agree with the effort .

Many of these questions demonstrate a lack of understanding of how landfills operate and changes in recycling, composting and food waste initiatives in Oregon. This group has been focused on taking the lead not understanding that much of this work is in process on a statewide level. The process seems determined to be directed by landfill neighbors with a lack of knowledge or input from experts.

LSCL #3, #7, #9 are vital actions needed to understand present and projected future states. It's very difficult to plan without metrics! Indeed, these three items, especially #9, will allow better understanding of the entire carbon footprint from start to finish. I doubt we even have a starting point for calculating that. LSCL #8 This seems to reflect upon Republic's desire to play their cards close to their chest. More power to them but I think their agendas are purposely vague, minimalistic, and secretive. Unfortunately, this builds mistrust and I wonder if that mindset played into why LSCL #4 is now necessary. LSCL #10 Absolutely. (Metrics!) LSCL #12 should be broadly coordinated...it may take other jurisdictions or private entities to actually make this concept work. I did not see an explicit statement about sharing the responsibility with community to run the landfill however, in a perfect world I would like to think that Coffin Butte could be run as though it was a public entity and not a profit center. In other words, I'm all for capitalism but the air shed, watershed, view shed, and protecting our sense of place and livability belong to the public and must be defended.

Work to reduce garbage immediately.

The landfill should finance the ability to move into the rock quarry as soon as possible

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Items continue to propose that the county contract with someone. I generally oppose those. When I consider the quality of outputs of the individual who has conducted the meetings and devised the process, I'd say the county doesn't have a good method for evaluating the quality and competence of contractors. Again, items address more than one issue - these are poorly written survey items. Example: The County should take steps to acquire better information about the methane emissions of Coffin Butte Landfill < I agree with this > because the landfill's emissions are currently not well-characterized and use this information to guide diversion programs that could limit the amount of organic waste going to the Landfill.

Q58 additional comments

Open-Ended Response

Why does LLU Recommendation 1 refer to Republic Services as the manager of the landfill and associated services? Why can't Benton County put out an RFP for new landfill service providers? Do we have to continue to let Republic Services run a monopoly based on profit rather than community well-being? I oppose it. LLU 4 Recommendation appears to hide important public comment from the county board. I oppose it.

This is very complex -- it's difficult to understand the pros and cons of each item above.

How about nationalizing Coffin Butte Landfill and kicking Republic Services back to Arizona?

Let's not have the fox guard the hen house, please. Subject matter experts need to be involved as third party evaluators of compiance.

County needs the legal right to terminate the CUP if the holder of the permit fails to stay within the CUP stated limitations.

Once again, you've provided a number of excessively long and complicated statements with numerous provisions and statements. How on earth is someone to know what they are supporting or opposing in all of these MESSES?!!! This is clearly NOT a survey, but it's not even logical and coherent! This is just Blah Blah Blah..

In reaching the goals of this project, try not to get bogged down with the flexibility, fluidity and inclusion. Push on to the best potential conclusions and outcomes- at this time. Consider using “must” versus “should”.

I skipped the mind-bending legalese. Is there a possibility of your redoing those sections so that greater clarity is likely to elicit responses?

1) These items assume that Republic Services will negotiate an acceptable contract with Benton County, which may not be the case. Other waste management corporations exist. 2) Code amendments are badly needed prior to any further CUP reviews for Coffin Butte Landfill. Both chapters 53 and 77 require reality-based updating. They are based on another era of regulation, technology, public concern, and an era of trust-based negotiating, which appears to no longer be the case. These regs were based on a much smaller corporation, not one like Republic with annual revenues exceeding $10B. 3) Any CUP conditions of approval must have clear, measurable standards, including metrics and a timetable noting monitoring periods. Failure to meet conditions would result in suspension of operations, which should be included in any contract approved.

This section is too complicated legally for fair citizen input. The scenarios leave too many questions. Simplify please. Overall, more transparency is needed for SWAC or others to evaluate CUP

The entire survey is too long. The legal section is really unnecessary because it is too complicated for the average Benton County resident!

Only two choices of approval and oppose did not feel right. There is a lot of grey areas between. I also believe SWAC is not necessarily a group of people who are experts in this field, and just go with what Republic presents to them. There is no unbiased watchdog on the landfill and what is going on. I feel these question lead us to believe only republic can run the landfill, I do not believe this is true.

I don’t think Benton County should allow Republic Garbage Services to market our garbage site to Portland and SW Washington especially dead bodies!

The legal processes ensuring compliance as listed in #57 should be rated as highly important. It seems BC has never held any of the owners of Coffin Butte to account and it appears easy for the process to point to 'some other agency… DEQ, EPA etc etc… as the ones who are responsible. Also, efforts to block public knowledge and input to the process because of 'attorney-client privilege' or other corporate privilege.

LLU Recommendation 7 etc. Planning Officials and the Planning Commission need some latitude to use judgement. Circumstances cannot always be foreseen that impact the land use decision. Decision makers should be trusted to exercise judgement when "additional criteria" or unforeseen issues arise.

PLEASE READ the previous comments. Thanks for doing this important work.

The county can not legally empower the informal BCTT to act in any formal role (49). The last sentence in (55) confuses the entire sense of all the former.

#47 LLU Recommendation 1 - needs clarification regarding public notification during renegotiations another 60 days one would like to assume. But assuming is dangerous! #48 LLU Recommendation 2 - needs clarification regarding information submitted during completeness stage? Public would assume evidence would be considered at completeness stage of the process. But assuming is dangerous! #49 LLU Recommendation 3 - Raises questions with BCC 77.310 code clarity? #55 LLU Recommendation 9 - way to vague.

These recommendations are even more ridiculous that the first two sets. As someone who has been involved in issues relating to the landfill for 30 years, I'm exceedingly disappointed that the commissioners have given this forum to what appear to be individuals who live near the landfill and are involved only to advance what they see as their own best interests and don't consider the general welfare of the community in their proposals.

It still doesn't seem right that Benton County should be the waste repository for all of Western Oregon without some compensation, unless other counties are willing to assume that role in the future.

Holy shit. This legal-ese needs to be translated into basic layman terms. WTF people.

I care deeply about this process and thinks that engaging with the public around the community's waste stream is important and I cannot understand what most of these questions are asking. This is maybe the most confusing community survey I have taken in 16 years of living in Corvallis and I hope that the Benton County Talks Trash workgroup takes whatever information they receive from this survey with a huge asterisk. I would recommend scrapping any information that you glean from this survey and starting again from scratch.

Seems like far too many recommendations for a team to effectively track. How can a team focus on this volume of verbiage? No wonder it takes so much time and effort to agree on a direction for Benton Co. The public can't be expected to read and understand the ramifications of the volume of recommendations in his survey.

Let the public vote on all of the above - that would result in much more thought put into the recommendations!

COFFIN BUTTE SHOULD BE USED "ONLY" FOR BENTON COUNTY REFUSE !!!

Too much government in an area where qualified professionals already oversee related activities.

I am not sure of the overarching theme here. I checked "generally agree" because I think the work group is trying to find a fix for the County's lack of transparency and openness. However, it is clear that when it has come to land use or permitting issues related to the landfill, the process has been controversial and unclear. There has also been a feeling that the voice of the public was intentionally muted, discouraged, ignored or rejected. At times, the County has proceeded without public notice and without public input. The County has devoted too few resources to waste management which in turn has led to confusion and distrust. It has not helped that the County has relied on County Council that, in instances, seems to have provided more of an advocacy role than legal consultation role.

Lot of read .

DEQ has experts in this area that the Benton County Planning Department does not. DEQ's evaluations and permitting process should be approved.

Landfills are among the most regulated industries in the nation. Benton County should rely on regulatory agencies rather than adding more regulations.

This section is quite revealing on how much ambiguity is actually in the current code. Although ambiguity can be a very good thing it still needs bounds...still, moving goal posts during the game is not at all fair. It was not that long ago that we didn't worry much about the landfill or the debris on the side of the road from uncovered loads or even what materials were dumped. But things seem to be changing far more rapidly now. I believe we need to amend the code, and I believe we need to shorten the franchise agreement term to allow the community and vendors to be more responsive to needed change. I don't think "business as usual" should apply to our current situation. It comes down to a trade...what would we do if Coffin Butte became too expensive? We can't have our cake and eat it too.

Q77 additional comments

Open-Ended Response

CUP recommendation 8. Why does it refer specifically to Republic Services rather than the Landfill operator? Hopefully sometime in the future Republic Services will no longer be the service provider. I oppose it. CUP recommendation 14. The landfill buffer for groundwater contamination seems to be an insufficient solution to such a catastrophic problem. I oppose it. The CUP subcommittee has done a good job of identifying many of necessary components of a completely broken system. Well done!

"Actively monitor and enforce prior land-use decision Conditions of Approval for the landfill or any other land use decision." Would like more detail on this question, is it referencing only prior to 2020 decisions? How to insure against the expected many and serious externalities (costs, envir degradation, etc) that our county residents will pay in the future? Who pays for the costs of fire, disaster, groundwater contamination, lack of road access, or even noxious smells on a wedding day ruined in your backyard? Certainly the couple million a year from the Company won't cover this. It is the Benton county taxpayers and residents who pay. Thus, a fire plan, a GW contamination pan, an anything plan must include a way to assess Republic now. When these disasters happen, companies have a way of going bankrupt and avoiding costs. Certainly avoiding paying them in real time when the funds are needed.

Make it easier for the public to file complaints of noise, odor, etc. by providing a user friendly link that includes a copy sent to DEQ.

Regarding question # 75, it is not only odor. It should also concern the health effects of vaporous gasses on the of residents of Benton, Linn and Polk Counties.

It's shocking and unacceptable that conditions for approval of a CUP are not monitored nor enforced. Also, odor is one of the biggest quality of life issue for the landfill and needs to be better addressed.

Are these written to apply to all land use applications or just specific to landfill applications? Unclear and not needed.

The most surprising thing I've learned through this process was the number of important things that the county didn't monitor and enforce from their agreements with the landfill operators. Steps like the ones listed here would help ensure this doesn't happen any longer.

In reaching the goals of this project, try not to get bogged down with the flexibility, fluidity and inclusion. Push on to the best potential conclusions and outcomes- at this time. Consider using “must” versus “should”.

Regarding #70, Recommendation 12, the phrase "for compliance confirmation" sounds slippery to me. Replace that phrase with "to determine compliance".

#62, is particularly important - a system for tracking complaints. I know for a fact that this has never been done in an organized, transparent, and well advertised manner. #72, "purchase buffers" should be closely analyzed and scrutinized to be sure they are not de facto expansions. Purchase of land does not override land use regulations and contamination, as of groundwater, should not be allowed. Groundwater and air quality are "the commons" and do not belong to an individual or corporation. Generally, this entire survey assumes Republic Services as the slam dunk operator of the landfill, which may not be the case going forward. When coordinating with DEQ, it's good to keep in mind that large agencies (state and federal) are subject to the whims of politics, and as our political environment becomes more extreme we may want to keep that in mind. Recall the reversal of decades of environmental regulation under the last president.

Avoid costly redundancies. Provide a way for concerns and complaints to be easily recorded and saved but no need to actively seek out.

The length of the questionnaire is absurdly long!

Not being attorney many of these questions are difficult to understand.

I want clear and transparent process! It seem to me that Republic Garbage Services has had an inside track with the county and the board of commissioners. I don’t want any 1group of people make such a big decision like the expansion that Republic wants to get away with.

Most of the recommendations seem very appropriate. I am concerned that so many of the previous accounts of interactions point only to ‘Soap Creek Valley’ residents. I live in the Lewisburg/Crescent Valley area and also frequently am affected by odors, am offended by the trash and traffic, and remain concerned about the region wide effects of groundwater contamination in the north county area. Also, I am very concerned about the ash deposits from the Covanta furnace and dispersal of the ash within all of our region by winds.

Who will be paid to do all of this? Will I pay a lot more in Taxes? Will garbage rates rise out of sight? The solution is to find somewhere else to start a new mountain of waste. Our pile is way beyond too high now.

(61) states what has long been a nagging concern of mine--at least. CUP non-compliance reported by others has long been ignored, and worst in cases where county code enforcement officials make retributory threats against the reporter. Being "nice" in Benton County seems to be all the more important than being fair, and the whole county suffers for it. (72) serves only as a cover-up of unacceptable conditions and is blatantly unfair to the county. (65,67) Recommendations should be to "determine that..." and not "determine if..." THis is all too much for an individual to carefully advise!!!

When is this survey going to end?

It’s insane to ask for public input on such legalese!

YOU WON'T GET MUCH "COMMUNITY" INPUT IN A SURVEY LIKE THIS !!! Or do you really want any?

Wow, the Land Use Subcommittee's recommendations are clear and concise! Why can't the SMMP subcommittee's be clear like this?

Wow, the Land Use Subcommittee's recommendations are clear and concise! Why can't the SMMP subcommittee's be clear like this?

These recommendations imply that certain regulatory parameters don't already exist.

If the County wants to "host" a landfill, then they need to do their job. That likely includes establishing a fully funded work unit to do the tasks necessary and as outlined above. Since the waste comes from all over the state, the cost of the work unit could be born by a surcharge on waste dumped or diversion of the host fee to a separate fund established for supervising, reporting , advising and other tasks. If an City or County wanted to "host" a major industrial site known to cause or result in environmental and land use issues, they would establish means of monitoring, regulating and enforcing standards. The County needs to do so. I would like to see an annual "landfill status report" each year similar to the annual water quality report. It would be detailed and thorough and mailed or emailed to all county addresses. The annual report could also include progress made on the SMMP.

Decisions should be made on facts no opinions

Requirements for CUP approval should be based on quantifiable and factual information.

All good. Re CUP #16: would need to determine level of risk prior to paying for establishing a response program.

Limit infill from outlying counties

To address public concerns about odor, engage in a dialogue with the community to promptly develop and implement an odor reporting and mitigation plan that is consistent with the community’s needs and DEQ requirements and County health and nuisance regulations. I'd love to know the reading level of these items. If I couldn't understand it, I opposed it, generally.

Q92 additional comments

Open-Ended Response

CEO Recommendations 3 , 4, 5, 7 &13. Why is the notification radius 10 miles? Why not the entire county? CEO Recommendation 6. Why does it refer specifically to Republic Services rather than the Landfill operator? Hopefully sometime in the future Republic Services will no longer be the service provider.

"Notifications for the Benton County Talks Trash (BCTT) Survey for public input on the Workgroup Report should include an email blast..." PLEASE ADD mailers to each address as many residents are older and the GT has priced itself out of circulation. Also, assess the cost of the mailers and outreach (effort and S/H) to the Company, not to the County taxpayers. This way all will start getting a realistic picture of how much the Company is costing our County over their greedy requests.

Is there a way to modify the county's emergency alert system to include info on up-coming meetings.

Regarding question #80. Should include all residents of the affected counties. Benton County residents will be financially responsible for the landfill's lasting effect for an extremely long period, perhaps hundreds of years.

Will every single land use application will have to go through these steps of notification? Just landfill applications? I am concerned about the amount of time and money we are suggested be put behind these things.

There was a huge deficit of communication during the last CUP process, the steps here seem like a good start to improving that communication for any future CUP.

The public doesn't want to be blasted with useless, dense emails. We want to be informed in a non-biased way, that is easy to understand, easy to digest, and shows the pros and cons of every decision. Why is there so much talk about a 10 or 15 mile radius of Coffin Butte? This is supposed to represent the public of Benton County, not those in Salem who have no ties to this action, other than their own political agenda.

In reaching the goals of this project, try not to get bogged down with the flexibility, fluidity and inclusion. Push on to the best potential conclusions and outcomes- at this time. Consider using “must” versus “should”.

Please consider postcards to notify the public of surveys, public meetings, and major decision making events are open to the public as not everyone is on the email blast list. Public buildings like the library are not frequented by everyone, nor is the city webpage.

Suggestion - First, find out how people regularly get their news about county government processes. Don't waste time on the modes nobody uses. Consider email, mail, newspaper, social media, texts, radio, local television, etc. Most importantly - Revive the Citizen Advisory Committees! (BCC 51.305) The absence of these committees is a missed opportunity to meet, educate, and engage with citizens. I believe Community Development should revitalize the CACs, staff them, and engage over important issues. In a large and contentious land use like the landfill, pre-application community meetings with the applicant should be required, listening to the citizens' concerns BEFORE an application is submitted and deemed complete. Planning in a vacuum, as we've seen, doesn't work. Planning on the ground, IN the affected community, is messy at times, but it's far better than being slammed in a Planning Commission hearing by people who resent the fact that they don't feel heard, and the planners have never even been where they live. This is how trust is built.

Too many postcards. 2 weeks ahead seems like too long and 24 hours post meetings/decisions seems too tight, maybe not for emails or social media

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This section is actually worthwhile unlike some of the preceding sections

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24- 72 hours is not enough time for notifications. All of Benton County should be notified not just not up to 10 miles of the landfill. All of Benton county will deal with theses decisions to expand the landfill for future generations. The landfill is visible past 10 miles now, you can smell it past 10 miles, this was not suppose to occur. Semi- trucks bringing out of county trash move all over Benton county. I oppose many of these questions more notice should be given. People have jobs, travel, events, childcare to be dealing with and many of these notices are on too short time frame. I also oppose many of above questions, the questions should include all of Benton county to be notified by at least notice in the paper and website.

More notifications would be good however we also need to have well written narratives available to the public in outlets such as the local newspapers such as the Gazette Times and the Corvallis Advocate, also perhaps the Eugene Register Guard. I have been dismayed at the Iowa based corporately owned Gazette Times (really the Albany Democrat Herald in disguise) promoting the viewpoints of Republic Services and name calling Benton County residents as NIMBYs. Hard to be a NIMBY when this dump has been in our backyard since World War 2. I am waiting for other counties to step up to the plate! There are lots of other buttes in western Oregon that are likely more suitable for landfill development than Coffin Butte, right on the edge of major streams draining into the Willamette River.

Recommendation 7: This should be strengthened by stating that the referenced CUP is related to the landfill. Presumably this is not intended to include all CUP applications.

This is too complicated .

Hunh? (78)The County Commissioners are responsible, they should not be allowed to fob off their obligation to communicate with their constituents!!!!! (80) This report is still in draft form, will there be another such survey? The structure of this survey requires many scrollings back and forth, unclear and even dimorphic couplings of recommendations, yet only accepts a + or - answer. Nothing like opening a firehose of information to quell an informed response, and choose whatever response fits the required need. I feel I've wasted yet more time trying to tell county leadership to grow some spine.

#80 CEO Recommendation 3 — “and should go out ideally a month before the survey closes”! This didn’t happen!!! #85 CEO Recommendation 8 — add CUP to first sentence in front of the word application.

I'm losing my patients. WOW 92 and still going!!!!

Waste of time in generating all these recommendations. If this is how county funds are spent, good luck with the Justice system bond measure!

GET RID OF REPUBLIC !!!

I received the mailer the day the public comment period closed so this isn't enough advance notice. This is the first time I became aware of this process and appreciate the time the work group has put into the process. Thanks!

Q79 (R2): which “these” notification recommendations are being referred to? And does it mean to say “based on their potential impact on other CUP applications?” This is not clear. Q82 (R5): Be clear about which report you are referring to. Be consistent in your language. If the report is the BCTT report, say so. Q83 (R6): I wonder if this shouldn’t be worded more clearly — Republic Services has already notified the County that they plan to file a CUP application. Don’t you mean, specifically, “when they are about to”? We’ve known since the withdrawal of the last application that they “plan” to file a new one. Make this clearer, so that Republic Services can’t weasel out of this particular recommendation based on what I just wrote. Q84 (R7): The second paragraph is informative and useful… but is not a recommendation. Perhaps it should be changed from a “recommendation” into a “finding”? Perhaps under the purview of the Legal subcommittee? Q89 (R12): Be clear about what “application” you are referring to. You just say “Planning Commission’s decision on the application…” Which application? Any CUP application? Any land use application? I don’t know what all different types of applications come before the Planning Commission, so please find that information out and then update this recommendation accordingly. Q90 (R13): There are two issues here. One: if by “the Board” you mean the Board of Commissioners (BOC), say so. Two: the BOC does not hold hearings on applications, they hold hearings on appeals. If a decision made by the Planning Commission (PC) is acceptable by all parties, then nothing comes before the BOC. It is only when one party dislikes the decision made by the PC and appeals it to the next level — the BOC — that they then hold hearings. But then, yes — notification of these hearings should be made as

described. Q91 (R14): Same basic message as in my response to Q90, above.

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This section is called "COMMUNITY EDUCATION & OUTREACH (CEO)". While these are all excellent suggestions, it is difficult to predict precisely how to communicate with constituents on all issues going forward. therefore, these suggestions should only be starting points. One of the problems here is the willingness or interest that the County Commissioners or the staff has in informing and/or including the public. There has been (or is?) a distinct behaviour on the part of the County Commissioners or staff (including County Council) in excluding the public from information or providing input. This could change if the Commissioners adopted more open and transparent processes. The Commissioners should take these recommendations seriously.

The decisions being made affect the entire region, you should be gathering information outside of Benton County

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At some point, individuals are responsible for being informed. If information is publicly available, and proper notification has been made about an issue, it is incumbent on interested parties to follow the process in the way they get information.

All good but not sure if postcards are really needed. Do we know how effective they actually are? Also, how was the 15 mile radius selected? Perhaps it should be greater...

Re-examine outflow of leachate and hold the landfill liable for toxic waste ending up in the Willamette River. Test for these toxins prior to treatment at the Corvallis facility and fine the responsible parties.

Notifications for the BCTT Report completion should include an email blast to the interested parties list, organic subscribers, those who spoke at the meetings, the Soap Creek Neighbors Group, and other landfill neighbors. Notifications for Board hearings on the report should include a postcard, an email blast, a newspaper notification, and social media posts and advertisements. The postcards should be sent to everyone in a 10- or 15-mile radius of the landfill, and notifications should be sent 24 hours after the Board hearing is scheduled.

Q93 other feedback about Solid Waste Management in Benton County you would like the BCTT Workgroup to consider.

Open-Ended Response

I would like to know when you are going to get to the real issues like the fact that a landfill for northwest Oregon really doesn't belong in our wet environment. Or that Republic Services requires all rural customers to have weekly trash, yard waste and partial recycling pickup. We compost and have very little trash, but we do have some. Bi-weekly or monthly pickup would much better match our needs.

Thank you for involving Benton County residents. In sum, I support the County's involvement in most items and committees. I support a bigger collaboration across many subcommittees (the turnover of the SWAC shows why, plus holding so few accountable for so much doesn't work). I support Stakeholders who have permanent residences in Benton County also being involved. I support true Benton County community participation (not outside hired guns). I do NOT support Stakeholders from outside Benton County. The only other party at the table should be the Company. I worry about costs to Benton County now, and the unequal and unfair costs county residents will pay in the future. I have no reason to trust that Republic will behave differently than any other company when it is held to account. There will be lawsuits, much time and effort expended by BC taxpayers and residents, and in the end the damages from the Landfill will still be done; in the time frame residents need to be made whole, instead they will suffer.

Contamination of the Willamette River by leachate from the landfill needs to be studied. Risks due to taking ash from the Covanta incinerator needs to be study. Possibility of leakage into groundwater around the landfill needs to be more actively monitored, not just on Republic/VLI property but on neighboring state and private properties.

Whole thing seems like a lot of wasted time and money to me.

This seems like a poorly hidden attack on an important community partner. I don't get it.

An illustration of this work in progress - flow chart - maybe helpful in getting folks to understand where and how all the complexities fit together for a coherent whole. Maybe a simple animated explanation would help.

Coffin Butte landfill will be a liability to all Oregon residents for many, many years. Short term financial gains for Benton County will never be sufficiently cover this liability. Republic Services will not be responsible for cleanup when it ultimately dissolves or declares bankruptcy, essentially taking the money and running. Republic Services, with all of its financial assets, should now be required to invest, explore and develop alternatives to accepting potentially recyclable materials especially plastics. I implore Benton County to refuse the CUP and any expansion of Coffin Butte Landfill and close it when it's currently stated capacity has been reached. DMB

Key points: This survey is poorly designed (e.g., no way to save work and return later), and reviewers should not interpret aggregate responses as accurately reflecting overall public sentiment on the issues. It's too much for most people to both read the entire TT document, and then work through 80 questions. Benton County has lost its credibility and the trust of residents through it's secretive backroom process for negotiating the 2020 landfill franchise agreement. This smacks of a simple "follow the money" scenario, with local residents being thrown under the bus and their lives being negatively compromised in the interest of short-term economic gain for both the County and Republic. The last nail in the coffin of public trust was the removal of the two neighborhood representatives from the Trash Talk working groups, both exceedingly knowledgeable and professional individuals whose contributions will be sorely missed. The lack of processes for monitoring and addressing compliance with conditions of approval for CUPs is shocking and needs to be addressed. Landfill odors are a huge problem and need to be grappled with somehow.

Are vendors other than republic being considered?

Many people have complained about how complicated this survey is. In addition, many of us have experienced the survey "timing out", causing us to lose all of our data. That should tell you something! This is ABSOLUTELY NOT a survey. It is a complicated, confusing mess of recommendations, persuasions, bias, proceduralism, acronyms, vague references, and other extraneous info. How can any of you look at this so-called survey and feel good about it?! This is so obviously flawed, I would be ashamed to even be associated with it. You clearly needed to hire a communications firm (or someone with some common sense) to assist you, if you really intended to make a survey. I find this so symbolic of your entire Trash Talks process - which is completely out of touch with the average citizen. the process has clearly had a strong agenda right from the start. I find this whole thing APPALLING! Shame on the commissioners for supporting this (or rather using as an excuse to get them off the hook and further their agenda)! Shame on the Darren Nichols for proposing this process and pushing it! Shame on Oregon Consensus for supporting this biased and ineffective consultant (who is making loads of money off this process)! This is ALL COMPLETE RUBBISH!!!

I do not support the expansion of the Coffin Butte Landfill. This survey is a waste of time to the public that does not support this action.

In reaching the goals of this project, try not to get bogged down with the flexibility, fluidity and inclusion. Push on to the best potential conclusions and outcomes- at this time. Consider using “must” versus “should”.

Waste from only Benton and Polk counties should be going into our landfill. Linn and the other counties should take care of their own problems. Leachates need to be rendered harmless/non-toxic before going into streams and rivers. Medical waste incineration-produced ash needs to be rendered harmless as well. If the ash and leachates are not so treated, then Benton County Commissioners and Corvallis officials should be required to sign their names on letters to all residents downstream who draw water for drinking from the Willamette River stating the number of gallons carrying those toxins being discharged into the river every day.

Please do not expand the landfill. Please do not allow other counties far and wide to dump their trash here. It is too easy to "pass the buck" in these situations. If each small community is responsible for their waste, they have ownership in keeping their community clean, safe, healthy, and environmentally friendly. It also reduces the environmental impact of driving garbage from county to county. The larger this landfill gets in size and in area it serves (number of cities/counties), the harder it gets to regulate and the harder it is to make sure all parties are being responsible. We do not want Corvallis known for our landfill; we want it known for our university, our community, our beautiful green space, our clean air, and our property value that holds up through thick and thin. Please make transparency and simplicity a focus of the landfill discussion.

This was a really long survey. re: recycling I wish it was clearer what plastic was accepted and what wasn't -- seems like it keeps changing re: composting -- encourage more people to do it and property mgmt companies & Apt owners to support it for their renters

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Thank you for the opportunity to comment. This issue is one tentacle of a huge octopus, with arms into so many other hard-to-answer questions: Why do we produce so much trash in the first place? Who benefits from our addiction to disposables? Who is responsible? Who pays, and how? What are the solutions? Whose solutions are they? The intensity of concern over our landfill is a measure of the public's frustration over the lack of answers to these complex questions. You've tackled a giant issue that is, at base, a question about how we are to live on a finite planet. Thanks to everyone who has contributed to the effort; it's just the beginning.

Past decisions with previous landfill owners or operators seem irrelevant. County Commissioners, please don't approve a CUP that raises the tonnage cap. Note that no matter how much factual information is provided, folks often already have made up their minds. If the city is considering not accepting leachate at the local water treatment plant, perhaps the phaseout of our local landfill needs to begin.

Unfortunately most of our neighbors don't recycle properly. I think a stiffer penalty for contamination of mixed recycling is appropriate!

I fail to understand why this is all about procedural recommendations, ignoring the issues. The issues are that Coffin Butte is possibly already damaging the water, ground and error and further expansion only makes this worse. I do not see recommendations that will lead to an honest assessment of the damage being created.

We have followed this process closely from our earliest awareness of the renewal of the permit. This Workgroup, the process and the recommendations are a great contribution to this Permit process and future similar process for county and regional government agencies. Thank you.

This survey was incredibly difficult to understand. I would recommend a survey that takes less time and is more easily understood by the general population would be helpful in getting community participation and feedback.

Benton County is one of the smallest counties in the state but we are taking the majority of the trash from other counties in the state and sometimes outside the state. It is time for this to stop. I do not believe Republic has been upfront from the start for their vision of our local landfill. They have purchased property which was to be used for a cell, now they do not want to use it, it's a money maker. Let's close a road instead and fill a space to be viewed for miles. Due diligence was not done on the last proposal. So many questions, and so little time to understand the larger implications to our county's citizens welfare. Air, water, evacuation routes, fire, noise pollution to just name a few. Also historical archeological significance along the ridge where they propose fill with garbage and build a road. This ridge was once used by indigenous peoples to travel to Kings valley and on to the coast. Our County needs to take a step back and realize we should be the ones to decided what our future landscape will look like not out of state multi billion dollar company who will disappear once the resource is used up. If we can now see this mountain of trash, well beyond its intended size. What will it look like if the CUP is expanded and coffin butte road is closed, they did not supply accurate pictures I wonder why? The smell now makes it to north Corvallis. Once expanded how much further, maybe to your house? I then imagine residents who are out enjoying beautiful Corvallis will have some choice words as the smell moves them inside their houses. The landfill has been on fire in last years. If Coffin Butte road was not there, this fire could have jumped through the dry grass and moved along the ridge towards residential areas. Republic has their agenda, make money for their stock holders and CEO. I am sure they will not be interested to help pay for the clean up of ground water including local wells for contaminated chemicals. Look at past and present contamination sites through this country. The owners all vanish once it's time to fix a problem they helped create. This could create more money out than what we take in for filling a once large hole in north Corvallis currently.

I live less than 1/2 mile from Coffin Butte and strongly oppose the expansion south of the road due to potential ground water contamination, smell, and visual site, reduced property values, just to name a few issues. I am also opposed to Republic Services recruiting other landfills to use Benton Co. as the state landfill. There was a time when more things were recycled but now they keep reducing what they will take. Obviously it is cheaper to throw it in the landfill.

A plan for going forward to manage and decrease overall solid waste in our county and ALL the contributing counties would be a great contribution to the current situation and that of our offspring. However the current situation needs to be dealt with and the first step is to allow only the currently approved landfill cells to be used, then to plan for an orderly shutdown of Coffin Butte. The amount of leachate being dumped into the Willamette River is astounding. Of course, in past declaration, the landfill owners said no fluids would be dumped in the waterways, but clearly that is not the case. Importantly, even if the corporate owners fulfill their obligations and tend to a closed landfill for 30 years, it is a certainty that western Oregon will still be a rainy place and WE the residents of Benton County will be dealing with massive amounts of poisonous effluents from the landfill for perhaps centuries. The time to stop digging ourselves into a worse hole of trouble is now. Use the existing landfill cells conservatively and wisely, then close down CB in a safe and sane manner. Also, Republic Services 'contractual obligations' are not Benton County residents' concern. Let RSI deal with their unwise decisions which seem to be based on steam rolling over Benton County residents through quiet (possible illegal) deals with the current Board of Supervisors. I think the removal of the garbage limits as aligned with a CUP expansion, in light of Zero public comments sought by the Board, is a serious issue that needs to be further explained and if necessary remanded to the appropriate court or state board governing violations of

open meetings and public notification laws.

Republic Services is not transparent (they pretend to not have a business plan nor to have developed options for their future business at Coffin Butte), and apparently the Benton County Board of Commissioners franchise agreement with them was developed without transparency. This action ties the hands of other county actions and the public's right to impact future decisions. The BOC agreement (in the franchise agreement) to lift the tonnage cap based on approval of the expansion raises serious concerns and limit options. The SWAC apparently fell asleep somewhere along the way. If this happens again, their involvement in decisions cannot be taken for granted.

Thanks again for being part of all this

This entire process/controversy hinges on the question: "Do all of the residents Benton County generate waste and where do they want it to go?" Coffin Butte or Central Oregon? Dreams of zero waste are just that...dreams. Protests of the loudly under-informed are mostly self-serving and do not recognize/accept the needs of greater Benton County. I live within the 10 mile radius of Coffin Butte and accept that the necessity of the landfill far outweighs the inconveniences resulting from its operation. Stop screwing around and accept that human nature (ie: personal benefit) will always triumph over altruism.

And here to once again confuse things "solid waste management" and "sustainable materials management" planning are used interchangeably. No one knows what you all are really talking about, and county leadership claims no stake in the matter. I never expected to have such pathetic leadership in Benton County, nor witness such contrived legal counsel given here, or on a number of matters beside the landfill issue. Don't pretend to be developing sustainable materials management planning, it is the solid waste disposal delivered into our county, without suitable environmental controls or limitations that is polluting our water, our air, threatening our wildlife, our soils, and the habitability of an increasingly large portion of our county--all allowed because we have yet to hammer out a solid waste management plan leadership has not stressed. Pushing nearly a million dollars, and BCTT doesn't know even now what to do or clearly say about it. Maybe that is partly due to BCTT members, so-called stakeholders, who aren't representing Benton County citizens, but rather their corporate interests. No solid waste management plan after all this. Meantime legally sanctioned advisory bodies don't meet regularly, and members of one of those and the Planning Commission are removed because divergent voices are not to be heard. I hope to be proved wrong, but this BCTT process has provided the most grease I've ever seen laid down on very carefully laid skids. The end result will be county commissioners saying once again "our hands are tied and we can't act in the interests of our citizens and residents."

Seems to me that there has been little discussion of the local and global impacts of maximizing the use of Coffin Butte as a landfill as compared to the alternatives which I assume are taking it somewhere far away and dumping it. This seems like the real issue and it’s barely noted. These recommendations read like the cathartic rants of a few individuals who have an axe to grind because they feel they’ve been ignored for years. I hope the commissioners remember that those of us who live in other parts of the county and greater landfill “waste shed” have an interest in how the coffin butte resource is used that goes beyond being told a day in advance that it’s going to smell bad tomorrow.

It still doesn't seem right that Benton County should be the waste repository for all of Western Oregon without some compensation, unless other counties are willing to assume that role in the future.

I have already written this in a couple of other comments but I will write it again here: - This is an incredibly confusing and poorly designed survey and I imagine there is a very small percentage of Benton County residents who will be able to effectively communicate how they feel about this process in this manner. - I recommend completely scrapping whatever results you get from this surveymonkey and starting over again - Community outreach and engagement is vital to this project and this is not the way to to reach community members I care deeply about this process and have ideas to share but this doesn't feel like the right outlet to collect that information. I'm hopeful that there are more ways to connect in the future that are more accessible to the community.

This was so long and comprehensive that I wasn't able to finish it. It would have been more user friendly to have a more condensed survey. I also didn't even know about the survey until it was forwarded to me by a friend yesterday. Better publicity would have been helpful.

I respect the time and energy that has been put into this workgroup, but I do not believe it has been used productively.

I know not everyone likes the landfill but unless we stop creating trash, and everyone else in the country does too, wwe need landfills. They are better than burning the trash and an existing landfill here is better than a new landfill being opened somewhere else.

Coffine Butte Landfill is agood community partner. Not everybody lives in Corvalis and not everybody think that there is a problem. They are not the bad guy.

Expand what types of solid waste can go into black bins. More hazardous waste days, reduction of cost at landfill to users

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Again, please give us clear and transparent answers about where our recycled waste is going and how that can be improved. The County itself needs to step up on its own carbon emission goals before shifting the focus to things like Coffin Butte, etc. Where is Benton County at in meeting its own upcoming deadline for carbon emission reductions?

Stop the influx of trash from ousted Benton and immediate adjacent counties. Tell Republic NO on the expansion. Drive a better deal with more economical options for residential trash/recycling/yard debris. If Republic won't pay, recruit a provider that wants the job.

Please consider stopping trash from counties other than Benton to be dumped at Coffin Butte

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This survey is too long!

> Use the 15 years remaining of landfill life to transition to modern post-landfill waste management. <> Benton County should stop being the 'sin eater' for the region, taking all the region's garbage and its associated long-term problems in exchange for inadequate short-term cash. <> Benton County should collaborate with other waste generators in the region to devise a strategy for sustainable waste management. <> It's apparent that Benton County has not been dealing with the issues being engendered by the landfill, and has instead devoted its energy to denying those issues exist and suppressing evidence to the contrary. Benton County needs to begin facing the ramifications of hosting a regional landfill, which first of all means to begin collecting data not spoon-fed to them from Republic Services. <> Benton County has values to operate from, such as those enshrined in its 2040 Thriving Communities Initiative, but those values seem to vanish whenever solid waste management issues come up. It's counter to those values, for example, to uplift some residents at the expense of others. <> Benton County needs to realize that Republic Services will never work with them to create significant reductions in waste generation, especially as part of a regional initiative. Benton County needs to begin its own program to do that regionally, and to invest a share of the money it's currently making from the landfill to liberate itself from dependence on the landfill.

> Use the 15 years remaining of landfill life to transition to modern post-landfill waste management. <> Benton County should stop being the 'sin eater' for the region, taking all the region's garbage and its associated long-term problems in exchange for inadequate short-term cash. <> Benton County should collaborate with other waste generators in the region to devise a strategy for sustainable waste management. <> It's apparent that Benton County has not been dealing with the issues being engendered by the landfill, and has instead devoted its energy to denying those issues exist and suppressing evidence to the contrary. Benton County needs to begin facing the ramifications of hosting a regional landfill, which first of all means to begin collecting data not spoon-fed to them from Republic Services. <> Benton County has values to operate from, such as those enshrined in its 2040 Thriving Communities Initiative, but those values seem to vanish whenever solid waste management issues come up. It's counter to those values, for example, to uplift some residents at the expense of others. <> Benton County needs to realize that Republic Services will never work with them to create significant reductions in waste generation, especially as part of a regional initiative. Benton County needs to begin its own program to do that regionally, and to invest a share of the money it's currently making from the landfill to liberate itself from dependence on the landfill.

This open table process was overthrown by a small number of community members that do not represent the broader opinions of the county. Decisions at this scale, like the ones suggested in the recommendations, are left to qualified professionals for a reason.

It is pretty clear that "Solid Waste Management in Benton County" is broken and needs to be fixed. The BCTT was / is a hopeful first step in getting on track. However, it is only a first step and much more needs to be done. The recommendations provide some "next steps" and I am hopeful that the County will follow through.

The development of a responsible SMMP will be a difficult task. In my opinion, the BCTT process has been weighed down by information that is subjective in many cases. Determining the future of Coffin Butte has impacts outside Benton County which should be considered. The environment does not see the imaginary lines drawn by counties. We should be considering what is really best for our future, not just inside those lines.

So many things to think about! Benton County seems to be shouldering most?all? of the responsibility for hosting a regional landfill. In that sense is BC justly compensated? How does our landfill compare to other regions, states, vendors, providers? I imagine we are above average in terms of having a viable and responsibly run landfill in the first place but I feel as though there are many intangible and long-term effects that we may eventually come to regret. I apologize for sounding idealistic but the major problem is not due to the operations but is due to the fact that we don't have a circular economy along with a host of other positive recycling processes. We have too much packaging and too many plastic containers. It's just way too easy to toss stuff...how can we change that mindset? Thank you for asking!!

If inflow is limited to the abutting counties the current facilities will have a longer useful life, with less toxins present to develop future issues. The facility should not be allowed to transport toxins that are dumped into the Corvallis water treatment facility and then diluted, end up in the river. I am concerned that the city will be held liable at some point for the discharge. At the very least, the landfill needs to fund extensive treatment facilities at the Corvallis waste water plant to deal with their "contributions".

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the landfill was no secret when those folks bought their homes. we live in a republic not a democracy - most of these recommendations seem inspired by the latter, which is not our reality.

Appendix F. Member Survey Results – Review of the Project Process

Member Survey Results – Review the Project Process

NOTE: Nine Workgroup Members completed the survey, and all were polling members.

1. Please select the term that best describes your satisfaction with the **process pacing** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
2	0	1	4	2

2. Please select the term that best describes your satisfaction with the **group dynamics** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
0	0	1	4	4

3. Please select the term that best describes your satisfaction with the **materials** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
0	0	0	3	5

One Abstained

4. Please select the term that best describes your satisfaction with the **subcommittee process** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
0	1	0	4	4

5. Please select the term that best describes your satisfaction with the **facilitator** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
0	2	0	0	7

6. Please select the term that best describes your satisfaction with **County Staff** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
1	1	0	1	6

7. Please select the term that best describes your satisfaction with **public involvement** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied

0	2	0	3	3

One Abstained

8. Please select the term that best describes your satisfaction with the **project website** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
1	1	0	2	5

9. Please select the term that best describes your satisfaction with the **quality of the findings** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
0	0	0	5	3

One Abstained

10. Please select the term that best describes your satisfaction with the **quality of the recommendations** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
0	0	0	6	2

One Abstained

11. Were the **overall results** better, worse, or the same as you expected?

Much Worse	Worse	Neutral	Better	Much Better
1	1	1	3	3

12. In what way?

- I think we were able to go deep with most of the topics. I think it is what the Commissioners wanted.
- I thought this process would lead to common understandings regarding the landfill between the community, county staff and leadership, and Republic Services. In my opinion, it has failed in this crucial matter.
- I thought we would discuss the expansion of the landfill more and I am disappointed at the lack of neighbors on the final Workgroup.
- I wasn't sure we were going to be able to deliver on the charter requirements and I believe the group did.
- Once the sub-committees reports were generated, the data and information in the reports finally cleared the air to envision the final report being completed.
- Results were based on common understandings with the exception of the one sided County Legal positioning. I expected the County's input to be based on facts. Some important County positions (Cell 6 already approved, interpretation of 2002 MOU) seem

to be speculative at best. Presumably, the County has additional information that was not shared with BCTT to support the claims they made.

13. Please select the term that best describes this process's **overall impact on relationships** with those you did not know well before the start.

Worsened	SMWHT Worsened	Neutral	SMWHT Improved	Improved
0	0	1	0	7

One Abstained

14. Please select the term that best describes your satisfaction with the **BCTT process** overall.

Dissatisfied	SMWHT Dissatisfied	Neutral	SMWHT Satisfied	Satisfied
1	1	0	0	7

15. What were the significant process challenges?

- Overcoming vocal public opposition to the process. 2) Getting information to workgroup members in a timely manner. 3) Insufficient administrative support for the facilitator. (A dedicated administrative staff was needed to execute the work process on a schedule the facilitator needs to meet the project schedule.) 4) Balancing the positive, productive effects of employing subcommittees to prepare information for the group with the negative effects of the resultant information "silos" which made it harder to come to complete consensus. 5) The sheer volume of information to be read, understood, discussed, and communicated in the final report.
- I observed a tendency for a few BCCT members, when evaluating a finding or recommendation from a subcommittee that they were not on, to not trust the information. The challenge is how to better foster a sense of shared trust in others performing due diligence in their work. 2. I observed a perception by some in the public and perhaps within the BCCT to over emphasize the BCCT's ability to influence the next decision about the expansion of the Coffin Butte Landfill. The challenge is to channel the public's energies toward more constructive topics. 3. I observed the most frequent and strongest opinions came from some of the same people, often with vested interests in the outcomes of the next CUP. The challenge is to enlist/secure more diverse voices within the citizens, organizations and businesses in the county to provide feedback.
- I found that most on the work group were there to do the job, however some came with their agenda that did not fit the work groups task.
- Learning more about the Landfill franchise Agreements, the Collection Franchise Agreement, then the dynamics of the Landfill Site in regards to demand-supply equilibrium of available supply cell sites headspace for annual waste tonnage placement in the available cells for calculation of remaining headspace, as well as the CUP and Legal clarification issues.
- Massive volume of complicated materials to sort through

- Project was mis-sized. Deadlines were imposed on volunteers which required them to work hundreds of unpaid hours under great duress. There were numerous budget overruns which benefited the facilitation team, had little effect on county staff, but disadvantaged Benton County taxpayers.
- Scope and size of project required an extension into months that were unexpected...this led to schedule conflicts for some members. The Subcommittee process allowed for greater evaluation of topics, but the timeline prevented collective review and understanding by the full work group complicating the final process of seeking consensus
- The pacing was too fast and there were too many changes in the schedule. As a volunteer, it was hard to find time to go to the various meetings when there was short notice of the meetings.
- There was too much information about the problem to read and process. A presentation or summary of all the details about the history and situation would have been extremely helpful rather than being given a whole bunch of documents to read and sort through without background.

16. What were the significant process achievements?

- Enlisting a group of dedicated volunteers from a fairly broad cross section of County citizens to work on this effort for an extended time. 2. Keeping the BCCT on task amidst some strong competing interests and time constraints. 3. Providing a sounding board for many in the County to share their concerns in a transparent process.
- The discovery and documentation of findings such as these: That there is no emergency need to expand the landfill now because the franchise agreement stipulates landfill availability for Benton County until 2039. Benton County contributes less than 10% of annual landfill trash and the profit motivation of the landfill operator has resulted in the doubling of annual tonnage since 2016. County staff appeared strongly biased in favor of the landfill operator which may contribute to the fact that Benton County doesn't monitor or enforce conditions of approval imposed by land use decisions. And finally, there is a $1 million incentive in franchise fees built into the 2020 franchise agreement to generate revenue for the County if landfill expansion is approved.
- Finishing. :) I am leaving this process with a very sound understanding of the CUP process and its strengths and weakness.
- Bringing together a common understanding
- Being able to form connects with people in the Workgroup and I thought the subcommittees in general did a very good job.
- Getting people to speak openly about their concerns, providing facts to help them develop and express their perceptions of what would make the County better in the future.
- Making it over the bridge process with the wealth of information that can be used by a professional team to further the SMMP.
- More organized knowledge and understanding of the problem and possible solutions. A much more holistic look at the problem and how it affects the stakeholders and

community. A very neglected community issue was revitalized and there is now hope that improvement will be made. The community was given an opportunity to have input and make change.

- The completed BCTT Work Group record is THE achievement The recommendations to Benton County should provide helpful guidance for next steps.

17. What advice do you have for Benton County when sponsoring future processes?

- Allocate plenty of calendar time for the work to occur
- Based on my experience with this process, it is difficult for me to imagine Benton County staff having much more success in the future without a complete rethinking of Benton County administrative structure and process.
- I would suggest setting a more concrete schedule and being more clear on the time commitment needed.
- More comfortable chairs and more chocolate :)
- More time for the project and more information given at the beginning of the project would save time and more direction for what members need to do.
- Spend more time vetting members of the workgroup. It only takes one or two to really mess with the process.
- The interoperability of the existing landfill with a proposed sustainable material management plan working shoulder to shoulder with a solid waste management plan and a SMMP/SWAP's transportation plan for a intermodal transfer station that enhances the economical freight mobility of waste and recyclables to sustainable markets, including also any final disposal of waste.
- Use the ICM or ICM-like collaborative approach again. 2) If the County is providing support staff, find a way to make implementing the process part of their everyday responsibilities. Do not overload County staff. 3) Learn and become facile with the processes learned from organizations such as ICM to continuously improve the County work processes - especially for interacting with the community.
- With much distrust still demonstrated by some in the County, it is critical for most decisions around selection and retention of members to be clear and transparent. I recommend delineating better the role of various process stakeholders including polling members, and what the expectations are for conduct. If a member will be dismissed during the process, it should be communicated what that decision was based on.

18. Please provide any other comments you would like to share.

- Appreciate Sam et al, and the entire staff resources that supported this work, many visible, certainly others that were not. Your task was not easy, and you did it with a smile and delivered a final product that you should be proud of, and that will serve Benton County for many years to come...Thank you!
- I believe this process was subtly intended to restore trust of some citizens in the County to take the lead and begin to chart a better path for materials management in Benton County. I think while

- I wish there would have been more transparency about members being taken off the committee. What happened and why. I didn't necessarily disagree (one of the people was borderline abusive at times) I just would have liked to know more about what was going on.
- It was good to experience the good-humored, positive, and professional interactions among the parties involved with the Benton County Talks Trash endeavor. 2) Maintain and add to the records collected during the BCCT process. Make the County, DEQ records, complaint records, etc. readily available (24/7/365) to the Benton County community.
- See my member statement.
- The wealth of information that was shared by the BTTC members, Benton County staff, and members of the community as well as neighboring municipalities and counties to make the process successful.

Appendix G. County Counsel Email Exchange

From: CRONEY Vance M
To: "Jackson, Julie"
Subject: RE: landfill life
Date: Wednesday, October 14, 2020 11:51:33 AM
Attachments: image001.png

Hmm. Republic has a chunk of land south of Coffin Butte that is already zoned Landfill which only requires conditional use approval to begin use as a landfill cell. It also has many acres of EFU-zoned land that certainly can be used for additional cells, but would require rezoning.
Are we both talking about the Landfill zoned acreage as creating an additional 15-20 years of life? Sorry for the questions but I want to be sure I'm correct when I discuss with the BOC ramifications of lifting a tonnage cap. Thanks. Vance.

From: Jackson, Julie <JJackson6@republicservices.com>
Sent: Wednesday, October 14, 2020 11:47 AM
To: CRONEY Vance M <Vance.M.CRONEY@Co.Benton.OR.US>
Subject: RE: landfill life

Vance,
This is just the estimate for the cell area we are asking to rezone. We have many acres that could hold waste and that will likely be a future discussion with the County.
Julie

Julie Jackson | Municipal Manager | BU 401, Western Oregon
110 NE Walnut Blvd. Corvallis, OR 97330
Work 541-286-3313, ext. 204 **Cell** 541-936-1334 **Email** jjackson6@republicservices.com

4

From: CRONEY Vance M <Vance.M.CRONEY@Co.Benton.OR.US>
Sent: Wednesday, October 14, 2020 11:44 AM
To: Jackson, Julie <JJackson6@republicservices.com>
Subject: RE: landfill life

Note that (Vance.M.CRONEY@Co.Benton.OR.US) is an external email. Report suspicious emails by clicking on "Report Phishing"

Ok, thanks Julie. I was way off; I thought the additional landfill-zoned acreage would get you 40-60 years of additional landfill life. Thanks. Vance.

From: Jackson, Julie <JJackson6@republicservices.com>
Sent: Wednesday, October 14, 2020 11:43 AM
To: CRONEY Vance M <Vance.M.CRONEY@Co.Benton.OR.US>
Subject: RE: landfill life

Vance,
This is a very rough estimate, but we expect about 15-20 years of additional life with the new cell.
Julie

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4

From: CRONEY Vance M <Vance.M.CRONEY@Co.Benton.OR.US>
Sent: Wednesday, October 14, 2020 11:23 AM
To: Jackson, Julie <JJackson6@republicservices.com>
Subject: landfill life

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Julie:
How many years of landfill life – roughly – does Republic expect expansion to the landfill-zoned area south of Coffin Butte Road to create? In other words, how many years to you expect to use that new land for landfill purposes? Thanks. Vance.

From:	Joel Geier
To:	Marge Popp; Louisa and Craig Shelby; Mary Parmigiani; Rough, Ginger; Mark Henkels; GROGAN Cory; Amelia Webb; Sam Imperati
Cc:	Benton County Talks Trash
Subject:	BCTT: Subcommittee E meeting on landfill franchise agreement negotiations as context for eventual landfill expansion CUP
Date:	Friday, March 31, 2023 10:26:22 AM
Attachments:	WeHaveManyAcres.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Subcommittee E members,

I understand that my public comment at the last BCTT, along with my separate request to County Counsel for further information, led the BCTT facilitator to request a special meeting of your group, sometime today. If that meeting hasn't already place, then hopefully my further information here will be helpful for your discussion.

I have three main comments, as enumerated below.

1. Question of expansions south of Coffin Butte Road

I do believe that the negotiations for the landfill franchise agreement are a very important part of the recent historical context for what transpired in 2021. I'm surprised that this suggested paragraph [with my suggested edits as in square braces] is controversial:

It has recently come to light through a [public records] request to Benton County that as early as [October] 2020, our county attorney, Vance Croney, was discussing possibilities for large-scale expansions of the Coffin Butte Landfill south of Coffin Butte Road with Republic Services local representative, Julie Jackson.

Mr. Croney has acknowledged that, in the e-mails referenced, he was aware that Republic Services had in mind at least one major expansion of the landfill, onto the parcel south of Coffin Butte Road. That parcel is currently zoned as "Landfill Site" meaning that it can be used for ancillary purposes (such as leachate management) but expansion of the landfill itself (i.e. waste deposition) onto that parcel is expressly forbidden, without a Conditional Use Permit.

I guess that the sensitivity is in relation to the mention of "expansions" in the plural form. I've attached the full e-mail transcript as I shared with Mr. Croney when I asked for further information, so you can judge for yourselves. But it's quite clear from Ms. Jackson's message at 11:47 AM on Oct 14 2020 that Republic had in mind additional expansions "that will likely be a future discussion with the county."

From the speed of Mr. Croney's reply just 4 minutes later, it also seems quite clear that he understood immediately that any such additional expansions, besides the parcel being discussed for the first expansion, would necessarily extend onto Exclusive Farm Use (EFU) land that would require rezoning.

If Republic wants to use this opportunity to make a clear disavowal of any future expansions onto EFU-zoned land, that would be one way to clear this up. Otherwise the public record seems clear, that such expansions were being contemplated, and County Counsel was not unaware.

2. Departmental transition in the county's management of solid-waste issues

As a separate but related topic also important for understanding the context of the events of 2021, I notice that your document makes no mention of the very recent transfer of responsibility for solid waste management planning from the Benton County Health Department to the Community Development Department, starting on July 1, 2019. The transition process is discussed in the SWAC meeting minutes from 2019 which you can find at this link:

https://www.co.benton.or.us/sites/default/files/fileattachments/solid_waste_advisory_council/page/2147/2019_swac_minutes.pdf

The outcome was that the Environmental Health specialists who had worked on landfill-related issues for many years were no longer directly involved (though one was retained as an outside consultant at least for part of the negotiation period). Instead, responsibility for SWAC and DSAC passed initially to Greg Verret, then Daniel Redick who was hired on for this job near the end of the year. In other words, during this critical period of negotiations with Republic, the county had an entirely "new crew" in charge of SWAC and solid waste issues, approaching the issue more from a land-use/zoning perspective than an environmental health perspective.

I suggest that this should be mentioned in your document, perhaps on p. 16 in the paragraph that begins with, "A communication breakdown between some residents and county officials regarding landfill issues became very apparent ...." Please consider adding this as the second sentence of that paragraph:

The negotiations for the landfill franchise agreement took place during a period of transition, when responsibility for solid waste management in Benton County had recently been transferred from the Health Department to the Community Development Department (effective on July 1, 2019).

You could cite the SWAC minutes as in the link given above.

3. Confusion about Helms well

There seems to have been some confused last-minute editing of the sentence that formerly read:

A household well in sediments west of the landfill, on the former Helms home site, received sufficient contamination from the landfill site that the well had to be decommissioned under DEQ supervision.

As now edited, this says:

The sediments from one household well west of the landfill, on the former Helms home site, contained sufficient contamination from the landfill site that the well had to be decommissioned under DEQ supervision.

which has an entirely different meaning and frankly is nonsensical from a geological perspective. It appears that the person who edited this got confused by the phrase "well in sediments" which means, "a well that has been drilled in sediments" (meaning silt, clay, sand etc. rather than bedrock). The word "contained" is also inaccurate and deflects from the conclusion reached by DEQ, that contaminants had travelled from the landfill to this household well.

A simpler edit, that still preserves the primary meaning of this sentence, would be just to remove "in sediments" so this becomes:

A household well west of the landfill, on the former Helms home site, received sufficient contamination from the landfill site that the well had to be decommissioned under DEQ supervision.

Thank you for considering these comments. Please feel free to contact me if you have any questions.

Joel Geier

From: CRONEY Vance M <Vance.M.CRONEY@Co.Benton.OR.US>
Sent: Wed Oct 14 11:51:33 PDT 2020
To: 'Jackson, Julie'
Subject: RE: landfill life

Hmm. Republic has a chunk of land south of Coffin Butte that is already zoned Landfill which only requires conditional use approval to begin use as a landfill cell. It also has many acres of EFU-zoned land that certainly can be used for additional cells, but would require rezoning.

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Julie Jackson | Municipal Manager | BU 401, Western Oregon
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[cid:image001.png@01D6A220.5C97BE30]

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[cid:image001.png@01D6A220.5C97BE30]

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Sent: Wednesday, October 14, 2020 11:23 AM
To: Jackson, Julie <JJackson6@republicservices.com<mailto:JJackson6@republicservices.com>>
Subject: landfill life

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How many years of landfill life - roughly - does Republic expect expansion to the landfill-zoned area south of Coffin Butte Road to create? In other words, how many years to you expect to use that new land for landfill purposes? Thanks. Vance.

From:	CRONEY Vance M
To:	Sam Imperati
Cc:	NICHOLS Darren; Amelia Webb
Subject:	RE: History Doc. Last Call
Date:	Tuesday, March 28, 2023 1:25:05 PM
Attachments:	image002.png image003.png image004.png Re How many more expansions do you envision for Coffin Butte Landfill.msg

Good afternoon Sam.

I am attaching an email exchange I had with Joel Geier yesterday about that 2020 email exchange with Julie Jackson.

It looks like the innocuous exchange between Julie and I has sparked some misperceptions. Let me provide some context and, hopefully, some clarity.

This exchange followed negotiations around the concept of a tonnage cap and under what circumstances that cap would be lifted. One of Benton County's primary goals in the franchise negotiations was to ensure the longevity of the landfill. At the time, and throughout the negotiations, Benton County had been unable to confirm a time estimate for how long the landfill could accept waste.

In order to analyze the impact of annual waste volume limits it was important to know how long Republic expected the current cells to be active. Additionally, it was just as important to know how long the Landfill-zoned parcel south of Coffin Butte Road would be expected to accept waste. We were trying to figure out how much life the landfill would have if a tonnage cap were imposed for the active site and then removed if/when the south landfill-zoned parcel was approved for landfill activities.

That perspective is the backdrop for the email exchange. The back-and-forth questions from me were an attempt to understand which tracts of land Republic was using to generate its life span estimates. It wasn't a conversation about expanding the landfill south of Coffin Butte Road, although that factor was understood to be a prerequisite to Republic's estimated life span forecasts.

There was also another misperception presented to BCTT. The implication that the 2020 email exchange portends future expansions onto EFU land owned by Republic is inaccurate. If you look at my last email to Julie Jackson, I note Republic also owns EFU-zoned land, but they would require rezoning to allow landfill activities. That observation was made within the context of seeking clarification for which parcel of land Julie was referring to when she provided a 15-20-year life span estimate.

Somehow that observation was mischaracterized as "indications that by 2020 an expansion onto land currently zoned as Exclusive Farm Use (EFU) was being contemplated." I cannot speak for Republic Services, but speaking for Benton County, that statement is incorrect and inaccurate.

So, it is untrue and a misrepresentation of that conversation to state Julie and I were "discussing

possibilities for large-scale expansions of the Coffin Butte Landfill south of Coffin Butte Road."

I hope this is helpful in putting the 2020 email exchange into context.

Thanks. Vance.

From: Sam Imperati <samimperati@icmresolutions.com>
Sent: Monday, March 27, 2023 5:28 PM
To: CRONEY Vance M <Vance.M.Croney@bentoncountyor.gov>
Cc: NICHOLS Darren <darren.nichols@bentoncountyor.gov>; Amelia Webb <AmeliaWebb@icmresolutions.com>
Subject: RE: History Doc. Last Call
Importance: High

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Vance,

Over the weekend, I received a request to add the following sentence to the History section of the BCTT Report. "It has recently come to light through a Freedom of Information Act request to Benton County that as early as 2020, our county attorney, Vance Croney, was discussing possibilities for large-scale expansions of the Coffin Butte Landfill south of Coffin Butte Road with Republic Services local representative, Julie Jackson." I have not yet heard from Mark Henkels, Mary Parmigiani, and Ginger Richardson on this suggestion.

Since the emails involve you, I want to get your perspective on the cited exchanges. Please provide any comments, context, or additional information as soon as you can. I will probably need to set up a 30 to 45-minute subcommittee meeting on Friday or Monday morning to tee this up for the last workgroup meeting on Monday afternoon.

For background, I have attached Joel Geier's Saturday email and I am providing the meeting comments from Becky Merja and Joel Geier on this topic.

.

Becky Merja

BECKY MERJA - BENTON CO RESIDENT

I want to start by thanking all the volunteers for your time and efforts in seeing this process through to this extent and I want to share some of my concerns.

In an Email dated February 24, 2023, I contacted Nichols, and CC'ed Imperati and all 3 commissioners.

Mr. Nichols,

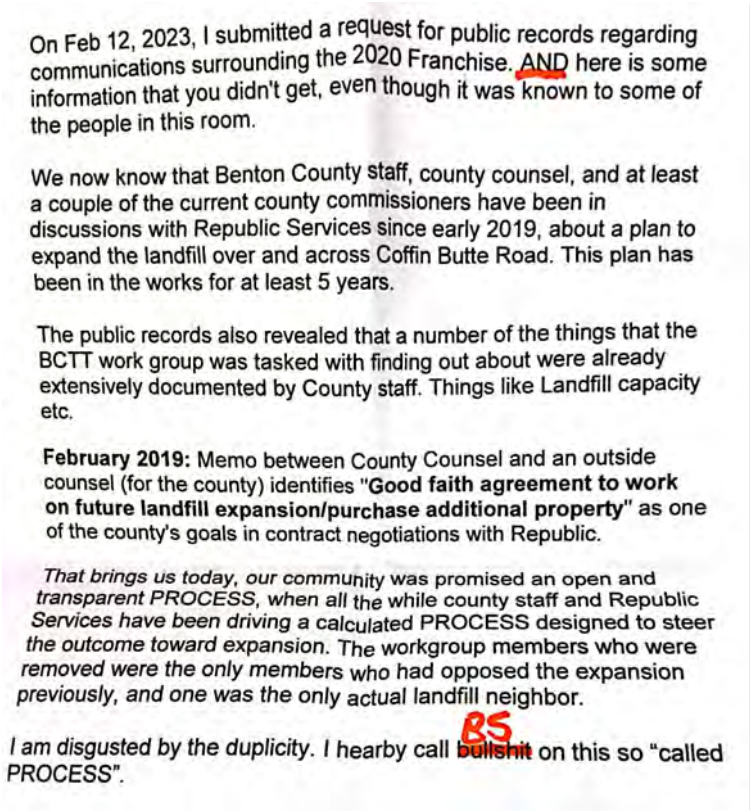
I have serious concerns about the integrity and transparency of the BCTT process. These concerns have been increasing with each citizen volunteer that is removed or resigns from the work group leaving intact Republic Services representation.

My concerns were elevated another notch during your staff report at the Board of Commissioners meeting Tuesday, February 21st, when you stated that some really good conversations have been happening, " ...many of those behind the scenes". I would like to know what you meant by that, because it appears to deviate from the promise of an open, public process, and "one table rule".
At the BCTT workgroup meeting February 23, near the end of the meeting, Mr. Imperati also mentioned the possibility of "quick phone calls" to resolve any remaining conflict.

The "polling" process is suspect. How many of these "behind the scenes conversations" are to influence a "consensus" on an issue that has, and will forever, impact this county and any community downstream.

The future of Benton County is in the crosshairs, and Republic Services has their finger on the trigger.
Sign me a "Very Concerned Tax Paying Citizen".

I did not receive a response to that email.



On Feb 12, 2023, I submitted a request for public records regarding communications surrounding the 2020 Franchise. AND here is some information that you didn't get, even though it was known to some of the people in this room.

We now know that Benton County staff, county counsel, and at least a couple of the current county commissioners have been in discussions with Republic Services since early 2019, about a plan to expand the landfill over and across Coffin Butte Road. This plan has been in the works for at least 5 years.

The public records also revealed that a number of the things that the BCTT work group was tasked with finding out about were already extensively documented by County staff. Things like Landfill capacity etc.

February 2019: Memo between County Counsel and an outside counsel (for the county) identifies "**Good faith agreement to work on future landfill expansion/purchase additional property**" as one of the county's goals in contract negotiations with Republic.

That brings us today, our community was promised an open and transparent PROCESS, when all the while county staff and Republic Services have been driving a calculated PROCESS designed to steer the outcome toward expansion. The workgroup members who were removed were the only members who had opposed the expansion previously, and one was the only actual landfill neighbor.

I am disgusted by the duplicity. I hearby call ~~bullshit~~ BS *on this so "called PROCESS".*

Joel Geier

Yeah, hi. Hello, work group members. My name's Joel Geier, resident of North Benton County and landfill neighbor. First of all, I'd like to thank all of you who volunteered to be part of this process for your sincere efforts. And I especially want to thank those of you who took the time to join the neighborhood tourer and picnics. You could find out what's going on and understand our neighborhood and hopefully you enjoyed the pie.

I do hope to have a chance to work with you in the near future when our community will, I hope finally get to work on an update of the county's sustainable materials management plan. I remember there was a whole lot of enthusiasm in this group for really exploring our options on how to reduce waste and reliance on landfills. But this process has been not much more narrowly focused on landfills [inaudible 00:09:35] more worrisome.

It appears to be setting the stage for not just one but multiple expansions. Did you notice in one of the last recommendations that you voted on just before dinner, you referred to expansions in the plural. How did that get in there and in whose interest is that? Thanks to a recent public records request by a community member who spoke earlier, we now know that some important information that is missing from the history section of the report that you really should have heard about at the start of this process, but you were informed of. She referred to a February 2019 memo between

county council and an outside attorney, which mentions purchase of additional property as one of the county's goals in upcoming negotiations with Republic. Following up on that in October 2020, Republic mentioned to county council they have many more acres that will hold waste, not just local south of Coffin Butte Road.

So they have still more expansions in mind beyond the one we've all been expecting and the county knows that. This is about setting the stage for landfill expansions on top of landfill expansions. During the neighborhood tour, a couple of us tried to point out how the current landfill is already creating blight. We've talked about how this has led to being properties being bought out and added to allow further sprawl of this massive operation. We like to talk about sustainability here in Benton County, but this is about as far from sustainable as you can get. I can't blame Republic, this is their business model, but our county shouldn't be complicit and neither should you. So as you continue to vote on these topics, please bear in mind that you're not just being asked to set the table for a single expansion. This is about multiple continued expansions. Thank you.

Thanks, Sam



From: Marge <marge@jyo.com>
Sent: Saturday, March 25, 2023 3:26 PM
To: Louisa and Craig Shelby <louisa@peak.org>
Cc: Amelia Webb <AmeliaWebb@icmresolutions.com>; BentonCountyTalksTrash@Co.Benton.OR.US; GROGAN Cory <cory.grogan@co.benton.or.us>; Mark Henkels <henkelm@wou.edu>; Rough, Ginger <GRough@republicservices.com>; Sam Imperati <samimperati@icmresolutions.com>; maryparmigiani534 <maryparmigiani534@gmail.com>
Subject: Re: History Doc. Last Call

Thank you Louisa, for raising this issue and thank you Sam for providing the transcripts of Debbie Palmer and Joel Geier's public comments.

I propose that we add this paragraph after the current last paragraph on page 18 of the history document:

It has recently come to light through a Freedom of Information Act request to Benton County that as early as 2020, our county attorney, Vance Croney, was discussing possibilities for large-scale expansions of the Coffin Butte Landfill south of Coffin Butte Road with Republic Services local representative, Julie Jackson.

The gist of this email exchange that took place between 11:23 and 11:51 AM on October 14,

2020 is presented below. The full transcript was submitted for the record to the BentonCountyTalksTrash email address this afternoon at 1:44 PM.

October 14, 2020 11:23 AM

Julie:

How many years of landfill life - roughly - does Republic expect expansion to the landfill-zoned area south of Coffin Butte Road to create? In other words, how many years to you expect to use that new land for landfill purposes? Thanks. Vance.

Vance,

This is a very rough estimate, but we expect about 15-20 years of additional life with the new cell.

Julie

Ok, thanks Julie. I was way off; I thought the additional landfill-zoned acreage would get you 40-60 years of additional landfill life. Thanks.

Vance.

Vance,

This is just the estimate for the cell area we are asking to rezone[*]. We have many acres that could hold waste and that will likely be a future discussion with the County.

Julie

11:51 AM

Hmm. Republic has a chunk of land south of Coffin Butte that is already zoned Landfill which only requires conditional use approval to begin use as a landfill cell. It also has many acres of EFU-zoned land that certainly can be used for additional cells, but would require rezoning**.**

Are we both talking about the Landfill zoned acreage as creating an additional 15-20 years of life?

Sorry for the questions but I want to be sure I'm correct when I discuss with the BOC ramifications of lifting a tonnage cap. Thanks. Vance.

[*] Julie's mistake in terminology asking to "rezone" the parcel south of Coffin Butte Road is corrected by Vance who points out it only needs a CUP.

On Fri, Mar 24, 2023 at 11:15 PM Louisa and Craig Shelby <louisa@peak.org> wrote:

> Hi all,
> I was wondering about the missing piece of the history document that Debbie and Joel were talking about in the public comments. Is it something that needs to be looked into or was it already resolved?
> Thanks!
> Louisa

From: "Marge" <marge@jyo.com>
To: "Amelia Webb" <AmeliaWebb@icmresolutions.com>
Cc: "BentonCountyTalksTrash@Co.Benton.OR.US" <BentonCountyTalksTrash@co.benton.or.us>, "GROGAN Cory" <cory.grogan@co.benton.or.us>, "Mark Henkels" <henkelm@wou.edu>, "Rough, Ginger" <GRough@republicservices.com>, "Sam Imperati" <samimperati@icmresolutions.com>, "louisa" <louisa@peak.org>, "maryparmigiani534" <maryparmigiani534@gmail.com>
Sent: Friday, March 24, 2023 9:42:16 PM
Subject: Re: History Doc. Last Call

Hi Amelia,
I think my tone was a bit harsh in my emails this afternoon. It's pretty clear that none of the the things that I found frustrating were your fault at all. I apologize for not realizing that sooner.
You have been very pleasant, efficient and professional and have done a great job under a lot of pressure and in difficult circumstances.
My apologies,
Marge

On Fri, Mar 24, 2023 at 3:32 PM Marge <marge@jyo.com> wrote:

> Hi Amelia,
>
> It appears from your email that you did not incorporate any of the changes that are reflected in our subcommittee E email exchanges over the past few days. I will try to summarize below, however, I note Mary's comment regarding a citation anomaly. I am not prepared to do the level of editing required to attend to that.
>
> It was my recommendation months ago that we hire expert editing assistance to incorporate the writing styles of many disparate authors into a single coherent final document. This has not been done and I cannot, as an unpaid volunteer who is also burned out, be relied upon to verify that this document, heavily edited at the very last moment, has any semblance to the work we provided the BCCT workgroup with.
>
> So, I am hoping you will do the best you can to ensure that our work is reflected accurately in the final product. The notes below document the email exchanges that took place on March 20 with regard to Darren's belated edits.
>
> Sincerely,
>
> Marge Popp
>
> Main Themes:
>
> 1. There is a strange page break between the fourth and fifth bullet points in Main Themes. This is new.
>
> 2. We asked for this item to be removed on March 20th and our subcommittee

agreed. See documentation below. So can you please remove it.

There is presently no Solid Waste Management Plan active in Benton County. The BCTT Subcommittee C is charged with preparing for the creation of a Sustainable Materials Management Plan (SMMP).

Document Body:

We note that the section: **The Historical and Geographical Context of the Coffin Butte Landfill** has been moved to the Main Points section and bullets have been added. The following indicate responses to some of Darren's edits.

3. Alternate citation: An alternate citation for the Lititia Carson is Dianne Lugo, "Resilience, opportunity and struggle: Preserving and sharing the history of Letitia Carson" *Salem Statesman-Journal* (June 20, 2022)

4. In the paragraph beginning 'By 1997, the landfill property had grown to 790 acres'... I suggest that the last sentence be changed to read 'held to approve the extension of services to each of the seven counties then served.'

5. See the notes below that indicate issues with citations after Darren's edits. Please attend to those.

Thank you,
Marge Popp

Email from Mark Henkels March 20, 2023 and agreed to by Mary and Louisa:
So I propose we cut the final bullet point in the Main Themes: "**There is presently no Solid Waste Management Plan active in Benton County. The BCTT**

Subcommittee C is charged with preparing for the creation of a Sustainable Materials Management Plan (SMMP)." We do not know what will happen here and this is not very useful.

Also: March 20 at 5:23 from Mark H

An alternate citation for the Lititia Carson is Dianne Lugo, "Resilience, opportunity and struggle: Preserving and sharing the history of Letitia Carson" *Salem Statesman-Journal* (June 20, 2022)
Wish all well, Mark

Also: March 20 at 5:22 from Marge:

I only read through the 'most substantive' document that Sam re-edited.
I have one comment:
In the paragraph beginning 'By 1997, the landfill property had grown to 790 acres'... I suggest that the last sentence be changed to read 'held to approve the extension of services to each of the seven counties then served.'

An earlier sentence that clarified that we were talking about the seven counties that used the landfill at that time had been deleted which caused the imprecision that Darren caught.
Marge

March 20, 2023 4:42 from Louisa:

I read through Darren's comments. The only comment I have is for the first paragraph of page 6 citation comment about "The Black Oregon Land Trust has expressed interest in establishing a model farm on the Letitia Carson homesite. https://www.blackoregonlandtrust.org/". There is a citation for that and it is in footnote 16. The 16 needs to be placed at the end of the paragraph. I agree also with what Mark said about removing the recommendation that isn't addressed in the history document.
Louisa

March 20, 2023 8:40 PM from Mary

I skimmed through Darren's comments, I agree with Louisa, they don't seem to be content editing. However, there seems to be some weird citation editing.

On Fri, Mar 24, 2023 at 12:10 PM Amelia Webb <AmeliaWebb@icmresolutions.com> wrote:

Greetings Sub E!

First of all, a big thank you to everyone for working so hard yesterday. I know we are feeling ready to be done with this process, but I'm looking forward to seeing you one last time! Second, I'm reaching out to give you all a "last call" on the history section.

Given that the vast majority of Darren's edits were grammar or sentence flow adjustments, my impression of last week's email traffic was that everyone felt comfortable accepting his changes. However, because there was not much time to look at these changes before yesterday's meeting, this email serves as the "last call" for any comments on the History piece. If I don't hear from you by 5:00 PM on Monday (3/27/23), Darren's edits will be accepted, and the History section will be permanently complete. The history document with Darren's track changes is attached above for your convenience.

As always, please don't hesitate to reach out if you have any questions.

Best Wishes,
Amelia

Amelia Webb | ADR Associate
11524 SW Vacuna Ct. **|** Portland, OR 97219-8901
(P) 503.244.1174

AmeliaWebb@ICMresolutions.com
www.ICMresolutions.com

From: Joel Geier
To: CRONEY Vance M
Subject: Re: How many more expansions do you envision for Coffin Butte Landfill?
Date: Monday, March 27, 2023 8:25:05 AM

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Thank you, Mr. Croney, for your timely reply.

Joel Geier

From: "CRONEY Vance M" <Vance.M.Croney@bentoncountyor.gov>
To: "Joel Geier" <clearwater@peak.org>
Sent: Monday, March 27, 2023 8:07:24 AM
Subject: RE: How many more expansions do you envision for Coffin Butte Landfill?

Mr. Geier:

The documents provided pursuant to the earlier public records request are all of those the county has. There are no additional communications relative to the attached string of emails. It is entirely likely Ms. Jackson and I continued the conversation verbally, or at one of our negotiation sessions. That was a common practice.

Thank you.

Vance M. Croney
Benton County Counsel

From: Joel Geier <clearwater@peak.org>
Sent: Friday, March 24, 2023 7:20 PM
To: CRONEY Vance M <Vance.M.Croney@bentoncountyor.gov>
Cc: AUGEROT Xanthippe <Xanthippe.Augerot@bentoncountyor.gov>; WYSE Nancy <nancy.wyse@bentoncountyor.gov>; MALONE Patrick <Pat.Malone@bentoncountyor.gov>
Subject: How many more expansions do you envision for Coffin Butte Landfill?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Croney:

We've communicated previously by e-mail but I'm not sure if we've ever met in person, aside from me speaking into a microphone while sharing my concerns about apparent illegalities with the Board of Commissioners.

A neighbor who obtained your e-mails through a request for public records shared an

exchange between you and Julie Jackson (Republic Services), as in the attached PDF.

I found it notable that the response to this request for public records did not include the response that you must have received from Julie Jackson, since you identified this as a key issue for your communications with the Board of Commissioners (copied here). Could you please supply Ms. Jackson's response?

It requires no speculation to understand, from this exchange, that you were fully aware of Republic Services' intention to expand their landfill operation onto EFU-zoned lands even after Benton County (presumedly) would accede to their plan to expand the landfill south of Coffin Butte Road, onto a parcel previously designated for landfill use, but explicitly not for solid waste disposal.

Please explain.

Yours cordially,

Joel Geier
North Benton County resident and landfill neighbor


Meidase
11 °C / 51 °F
12/25/2021 08:56:12 AM
1111


Meidase
5 °C / 41 °F
01/28/2022 05:05:19 PM
1111


Meidase
3 °C / 37 °F
01/15/2022 09:05:19 AM
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01/21/2022 05:05:19 PM
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Meidase
3 °C / 37 °F
12/17/2021 04:56:12 PM
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9 °C / 48 °F
12/24/2021 03:56:12 PM
1111


Meidase
7 °C / 44 °F
01/31/2022 10:44:58 AM
1111


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10 °C / 50 °F
01/31/2022 01:08:58 PM
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5 °C / 41 °F
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01/31/2022 10:24:58 AM
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6 °C / 42 °F
01/31/2022 10:34:58 AM
1111

From: ROBERT KIPPER
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 2:30:24 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Planning Commission:
My name is Robert Kipper. I am currently a member of the Benton County Disposal Site Advisory Committee (DSAC). I am not representing the committee, but rather I am a private citizen speaking on behalf of my family's third generation 80 acre woodlot north of Corvallis. Our Douglas fir timber stand is directly adjacent to the Republic Services' southern Coffin Butte Landfill buffer zone. I am sending this letter to the Benton County Planning Commission in opposition to the Conditional Use Permit (CUP) LU-24-027 application submitted by Republic Services to expand Coffin Butte Landfill. I believe climate change enhanced summer temperatures and corresponding wind events are putting our property at risk, specifically wildfire risk. This new proposed southern expansion of the landfill would cross the fire break that is Coffin Butte Road. If new landfill operations are created across Coffin Butte Road there is the very real possibility of a fire running up the north slope of the ridge (spontaneous combustion on landfill slopes are a known fire risk) into our family property and beyond. In a wind event, embers could easily rain down on Adair Village and McDonald Research Forest with devastating consequences.
My concern is based on personal experience. Our house in Santa Rosa, CA was evacuated during the October 2017 Tubbs Fire. In less than 3 hours the fire raced from Calistoga to our Santa Rosa neighborhood (12 miles – Coffin Butte Landfill is 11 miles from our current residence on Witham Hill in Corvallis), propelled by 30 mile an hour wind gusts. Here in the Willamette Valley, dry season heat domes with accompanying winds out of the north seem to be occurring more frequently. The Coffin Butte Landfill has had concerning multiple fires this year and documented methane leaks at explosive levels (50,000 - 70,000 PPM).
According to The Oregon Climate Change Research Institute "The most recent generation of downscaled global climate models indicate that from 1981-2020, maximum daily temperature in the area around the landfill was equal to or greater than 90˚F on a mean of about 12 days per year (standard deviation [SD] 1 day). From 2025-2034, the mean number of days per year is projected to be 21 (SD 4). From 2035-2044, 24 days (SD 4), and from 20245-2055, 28 days (SD 5)."
Salem Airport historical data from the Weather Underground includes hourly snapshots of Temperature, Wind Speed / Direction, Wind Gust and Humidity (the closest representative hourly data I was able to acquire). Following are a few examples of heat dome characteristics. During last summer's heat dome, winds were out of the N, NE with wind gusts above 20 mph at peak temperatures. On 7/5/2024 between 4 pm and 6 pm: 102 degrees, 15% humidity, sustained wind at 15 mph with gusts over 20 mph. During the Labor Day fires of 2020, a 12 hour period saw sustained winds form the NNE as high as 22 mph, gusting to 31 mph with humidity ranging from between15% to 18%. On 7/11/2018 there was a 6 hour period of sustained N winds from 12 to 17 mph, gusting to 24 mph with a 26% to 33% humidity

range. During these heat events the wind is always from the N or NNE, directly into our woodlot and toward McDonald Research Forest.
Known ignition sources emanating from the Coffin Butte Landfill:

- Working Face Fires \ Hot Load Dumping
- Vehicle \ Heaving Equipment \ Welding
- Gas Flare \ Burning Ember Emission
- Gas Well Fires
- Spontaneous Combustion on Slopes

From the September 11, 2024 DSAC minutes:
SES Engineering Risk Assessment (paid for by Republic Services), noted that operators believed the flare may have caused a fire by igniting nearby grass. As a precaution, Republic Services created a gravel-covered buffer between the flare and grassy areas, which was believed to prevent further fire incidents. However, a fire in the summer of 2024 proved otherwise. Republic Services has provided multiple assurances that their fire prevention systems were adequate, but real-world incidents like the above and the fact that motorists on Highway 99 are the first to notice fires, demonstrate that these systems are failing. Republic Services disagreed with the assertion that fire risks are increasing.
Benton County cannot move forward on a long term, landfill expansion decision based on promises of future fire mitigation efforts by Republic Services. Systems must be in place and fully functioning for a number of years before they can be deemed reliable and adequate. Moving the landfill operations across the Coffin Butte Road fire break, into an upsloping Douglas fir forest will place my family's woodlot and therefore northern Benton County at unnecessary and potential devastating fire risk.
Thank you for your consideration in this matter.
Best Regards,
Robert J. Kipper
2133 NW Beechwood PL
Corvallis, OR 97330-1001
415-412-8934

From: Wendy Krislen-Adams
To: Benton Public Comment
Subject: Oppose LU-24-027
Date: Monday, April 21, 2025 3:17:42 PM

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April 19, 2025

Benton County Planning Commission:

Ref: Oppose LU-24-027

My husband bought our home off Tampico Road close to 50 years ago. I joined him a few years later. Over those years, we have seen the little Corvallis dump turn into a major commercial landfill, serving not just Corvallis or Oregon, but multi states.

In addition to the noise, the smell, the garbage, the litter, and the constant truck traffic, we are deeply concerned about the environmental impact this huge operation has on the area, specifically the quality of the air and groundwater. We are concerned about the safety of the our well which we rely on for drinking, cooking and watering our garden. We are concerned about the ongoing methane leaks and the effect it has on the air we breathe.

For many years I have complained endlessly about the unusual, fine particles of dust that permeates our home. A few years ago, we were stunned to learn that Coffin Butte has been spreading incinerator ash as ground cover for many years. I fear what other things we might learn about Coffin Butte Landfill.

I am convinced all these things are factors contributing to my recent diagnosis of lymphocytic lymphoma and the lasting effects it will have on my health and treatment. My husband and I are saddened by the degradation of our lovely neighborhood area and fear for the long-term health of our family and neighbors.

We are adamantly opposed to the expansion of Coffin Butte Landfill and hope the entire operation can be closed in the not-too-distant future. We hope the county will devote its efforts towards seeking alternative methods of eliminating waste and join us in the opposition of the expansion.

Sincerely, Wendy Krislen-Adams
38077 Tenax Pl
Corvallis, OR 97330

From:	Mason Leavitt
To:	Benton Public Comment
Subject:	LU-24-027
Date:	Monday, April 21, 2025 4:28:28 PM
Attachments:	LU-24-027 Questions from Community Members.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please find the attached letter with questions for the Benton County Planning Commission.

Best regards,
Mason Leavitt

--



Mason Leavitt
GIS Analyst and Programs Coordinator
Beyond Toxics
mleavitt@beyondtoxics.org
(541) 645-5972

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Emily Matlock
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ematlock@beyondtoxics.org

Eric Richardson
Environmental and Climate Justice Organizer
erichardson@beyondtoxics.org

Raevyn Thompson
Environmental and Climate Justice Organizer
rthompson@beyondtoxics.org

Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139
4/21/25

Chair Fowler, Vice Chair Hamann, and Members of the Committee,

Beyond Toxics is an environmental justice advocacy organization working to build community driven leadership across the state of Oregon, where we envision a just society where everyone has access to clean air, water, and healthy food.

We have had the pleasure of extended engagement with the communities of Adair Village, Soap Creek Valley, and Corvallis regarding waste management concerns over the past three years. We have held a dozen community events, tabled at the Farmers Market, and conducted a survey of 500 homes in Adair Village. Through that time, we have fielded hundreds of inquiries about Coffin Butte landfill and waste management broadly.

We humbly request that the planning commission ask the following questions to Benton County staff and the applicant of LU-24-027. These questions reflect the concerns and inquiries we often hear from members of the community, and we believe their answers will help illuminate key characteristics and impacts of the CUP that concern the public. Please see the questions below.

Sincerely,
Beyond Toxics

1. Outdated Benton County Guidance

To: STAFF
About: OUTDATED BENTON COUNTY DOCUMENTS

- Regional plan (**Sustainable Materials** Management Plan)
- Local **Solid Waste** Management Plan (adopted plan is from 1977)
- Comprehensive Plan (last revised in 2007, Landfill Findings are outdated)
- Chapter 77 – LS Zone (criticized by Planning Commission in LU-21-047)
- Community Wildfire Protection Plan (does not address landfill fire events)
- 2040 Vision

On the Benton County website, it says "Land use planning is key to shaping the future of our communities." But a lot of Benton County's land use planning is nonexistent or incomplete or out-of-date as regards the landfill. **Are the documents listed above slated for completion or revision in the near- or medium-term?**

2. Eventual Coffin Butte Road vacation

To: STAFF
About: PROCESS TO VACATE COFFIN BUTTE ROAD IN THE FUTURE

There is an assumption on the part of many that the Applicant has not abandoned its eventual goal of vacating Coffin Butte Road. That is not currently possible because the south parcel requires a Conditional Use Permit for disposal, but **if both sides of Coffin Butte Road are permitted for disposal, could road vacation be accomplished in the future with no public hearing, public process, or Planning Commission deliberation and decision?**

3. Future expansions

To: APPLICANT
About: FUTURE EXPANSIONS
If this expansion is permitted, would the Applicant commit to final closure of the landfill after it is full, i.e. no future requests for additional expansion? If Applicant does intend to apply for expansions after this, could the Applicant identify which parcels are candidates for future expansion(s)?
To: STAFF
If the Applicant would so commit, how could this commitment be enforced?

4. Community Health

To: STAFF
About: HEALTH CONCERNS/CANCER CLUSTERS
Testimony in 2021 included several comments from community members regarding cancer clusters near the landfill. Since that time, researchers have established definitive connections between PFAS exposure and certain health effects (including kidney cancer) and have recommended tests to determine blood PFAS levels for populations exposed to landfills. **Has the County examined, or asked OHA to examine whether there are, in fact, cancer clusters in the vicinity of the landfill? Has the County offered blood testing for PFAS? Has the County offered to pay for domestic well water testing for PFAS and other hazardous substances (arsenic, heavy metals, etc.)? What is the recommendation of the Benton County Environmental Health Division on the application (required by BCC 77.305)?**

5. Burden on public services

To: STAFF & APPLICANT
About: CERTAINTY OF WASTE HAULING WITH/WITHOUT EXPANSION
Is the Applicant obligated to collect, haul, and transport to an intermediate or final destination (waste transfer facility or landfill) Benton County residents' trash through 2040 whether or not the application for disposal south of Coffin Butte Road is granted? How do Benton County waste hauling rates compare with those in counties without landfills?

6. Annual volume projections if the expansion is approved

To: STAFF
About: ANNUAL VOLUMES WITH AND WITHOUT APPLICATION APPROVEL
If the application is approved for disposal on the parcel south of Coffin Butte Road, **is the annual volume cap (currently 1,100,000 tons/year) removed? Has the County or the County's consultants done any projections about how long it would take for current volumes to double, as they did in the past eight years?** Alternately, **is it possible that if the application is denied, volumes might decrease, as they have at the Riverbend landfill after that expansion was denied, because the Applicant increases tipping fees to maximize the revenue provided by a finite airspace?**

7. Leachate is "non-hazardous"

To: STAFF
About: "NON-HAZARDOUS" LEACHATE
The Applicant claims that because no hazardous materials are allowed in the landfill, the leachate that is produced is non-hazardous (even though there was testimony in presented in LU-21-047 that hazardous materials, including wildfire debris are, in fact, routinely disposed of in the landfill). **Has the County's consultant reviewed the Applicant's assertion that landfill leachate is not hazardous?**

8. Number of inhabitants in the "area" defined by the Applicant

To: STAFF
About: NUMBER OF INHABITANTS IN THE AREA
The Applicant defines the "area" of potential adverse landfill impacts as a 90-square mile rectangle that roughly surrounds the landfill. **How many residents are there in the area defined by the Applicant? Have they been notified of the pending application?**

9. Prior Conditions of Development (of the LS Zone) and Conditions of Approval

To: STAFF

About: ENFORCEMENT OF LAND USE REQUIREMENTS

BCTT concluded that many prior land-use requirements imposed by Benton County in prior land use decisions had not been enforced. **If compliance is not enforced, how can decision makers be assured that the adverse impacts that Conditions of Approval that may be imposed as a condition of approving this application will be mitigated?**

10. Expansion? Or is it a new landfill?

To: STAFF

About: ENFORCEMENT OF LAND USE REQUIREMENTS

There are different regulatory requirements for new landfills versus expanded landfills. If it is separated from the existing landfill by a road, **is this a new landfill, or is it an expansion of an existing landfill? What are the regulatory differences as to whether a landfill is new or an expansion?**

11. Cost of road maintenance

To: APPLICANT

About: ENFORCEMENT OF LAND USE REQUIREMENTS

How many of the roughly 130,000 vehicles logged at the landfill each year are five-or-more-axle heavy semi-trucks? What is the maximum weight of a semi-truck that is fully loaded with compacted waste? A loaded tractor-trailer does as much damage to an interstate highway as 9,600 passenger automobiles. How much of the landfill franchise fee the Applicant pays to the County goes to the public works budget for road repair? Does the County have sufficient revenue to pay for all needed road repair? Much landfill traffic comes most of the way on State Highways. Does ODOT have sufficient revenue to pay for all needed road repair?

12. Potential cost of environmental disaster remediation

To: APPLICANT

About: ENFORCEMENT OF LAND USE REQUIREMENTS

What is the current estimate of the cost to remediate the fire (termed by the Applicant an "exothermic event") burning in Bridgeton, Missouri? How long has that landfill been burning ("exothermic")?

13. Leachate

To: APPLICANT

About: LEACHATE

How much leachate that leaks through the primary liner is currently being collected in the secondary leachate collection system below the primary liner? Is there a tertiary leachate collection system?

14. County landfill monitoring

To: STAFF

About: DISCOVERING AND PURSUING PROBLEMS AT THE LANDFILL

The Planning Commission has been provided a large number of documents about conditions at the landfill and a large amount of analysis about what these problems signify about landfill operations current and future. Many of these documents and analyses seem to have been procured and developed by the public and the press – i.e., not by County Staff. Is there a process by which County Staff obtains and analyzes landfill information to monitor environmental safety? Can you describe that process for us in detail? Can you show us recent results of that process?

15. How many Conditional Use Permit applications is this?

To: STAFF

About: HOW MANY CUPS?

Is this a single CUP for different use exceptions on four different parcels, or is it two CUPS for one use exception on one parcel (the LS parcel) and one CUP for three use exceptions on three FC parcels, or is it four CUPs with the different type of use exceptions on each of the three FC parcels (with each of the three FC parcels having different characteristics) plus the CUP for the use exception on the LS property?

From: Lee, Janet
To: Benton Public Comment
Cc: Lee, Janet
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 1:09:57 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commission,

I am writing in opposition to Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I strongly urge the Planning Commission to deny this application.

I'm sure from the outpouring of public opposition to this application you are very well aware of the many hazards associated with a landfill expansion: the ways it violates Benton County codes (BCC 53.215 [1] and [2]) by interfering with uses on adjacent property and the character of the area, as well as the ways it imposes undue burdens on the multiple community and services. I am VERY concerned about all these issues but would like to focus my opposition here on the environmental consequences of an expansion of the Coffin Butte landfill.

First I am concerned about air quality and methane production produced by this facility. Second, my family lives within 5 miles of Coffin Butte landfill and we are concerned about the effects of toxic leachate on our well and water supply. This is also an issue for Corvallis residents on city water because the leachate from the landfill is processed at the city's water treatment centre and then released into the Willamette River. How could Benton County allow this kind of risk for its residents? Third, there

is long term liability associated with community health and safety if Benton County allows this expansion. I'm sure you recognise how Republic Services have a record of ignoring and/or violating environmental regulations. Fourth, the Coffin Butte area contains diverse and vulnerable ecosystems. There is an elk herd that migrates here, including herons, bald eagles, and other wildlife that will be affected. Surely there is concern about these vulnerable populations as well respect for this outstandingly beautiful area that will be covered in trash.

Please vote against this proposal -- and thank you for your service on the commission.

Janet Lee

27612 S Boundary Road, Corvallis

OR 97330

From: Mark Lee
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 1:01:44 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,
My name is Mark Lee and I live at 2038 NW Lance Way in Corvallis Oregon.

I am writing because I oppose LU-24-027, the application to expand the landfill.

The more I learn about it, the more incredulous I become that the landfill expansion would even be considered. What I have learned is that Republic is not fulfilling its role as a good manager of the landfill currently. So why should we entrust them with an even larger site to manage? This lack of proper management is borne out by a January enforcement action taken by the EPA, which implies that Republic has been misrepresenting their environmental compliance. This includes improper methane and leachate release into the environment. As a water boater and lover of the Willamette River and hiker in the EE Wilson area, I find this very disturbing. But of course my concerns are not nearly as important as the residents that live in the surrounding area around the landfill. I have seen a diagram of the Methane plume contaminating the homes and farms along Soap Creek Rd and can only feel relief that I do not live in that area though I have some very good friends that do. These are real people, families with children, not to mention wildlife and farm animals that are currently being affected by the mismanagement of the landfill by Republic. All these concerns about the current problems with the landfill obviously need to be addressed and resolved before entrusting more waste into the hands of Republic. I see no reason to believe that Republic would somehow do a better job of managing an enlarged footprint of their facility.

What really bothers me most is the fact that less than 7% of the waste being sent to the landfill is from Benton County! What?!! Why should we, and why would we, expand the problems mentioned above in our county while other counties' solution to their waste problem is to ship it to our county. This may sound like a NIMBY issue but it is way more than that. We already have the problem in our backyard, which apparently is too big for us to handle as is. So now we have this problem, we have to deal with it, but not by adding to it by literally creating another mountain of waste from other counties. Frankly, this makes no sense to me, not even close! By not allowing the expansion, solutions to the issue of what to do with all the waste humans generate is broadened to include the rest of the State of Oregon. There is no lack of creativity in Oregon but sometimes action is only taken when a problem has become untenable. I believe that time is now!

It may seem counterintuitive, but truly, the solution to mountains of waste may be not expanding the places where it can be put. At the very least in this case, not allowing more waste disposal in Benton County could lead to other solutions, in other places, more well suited to a landfill of this type. To this point, it is my understanding that this landfill site was a relic from Camp Adair during WWII and was only meant to be temporary since it was not the proper climate, soil and subsurface geology for a landfill of this type.

Please stand shoulder to shoulder with the residents of Benton County who see so clearly that this expansion should not be allowed. This is their lives at stake, their children's lives: the land, the wildlife, the water, the air are all at stake. Benton County has put together a Comprehensive Plan that states very clearly that we, as stewards of this land, "should maintain and improve the quality of the air, the land and natural resources." Let us not shirk our duty and allow profit-driven pressures to sway our vision away from this very important and lofty goal. Make Republic bear the burden of proof, as is mandated, that this expansion will not impact our quality of life as residents and stewards of Benton County. They must meet the criteria laid out clearly in BCC 53.215 (1) and (2). What is clear is that they have not met those criteria in their application for this expansion. So I state emphatically once again that I oppose any expansion now or in the future, and ask that you therefore deny their application to expand the landfill in Benton County. We have entrusted you, the Planning Commissioners, to make this decision and trust that you will make the correct decision based on your love and concern for this small corner of Oregon we all call home.

Thank you very much for your time and consideration of this very important issue.

Sincerely,

Mark Lee

2038 NW Lance Way

Corvallis, OR 97330

From:	Lembke Keith
To:	Benton Public Comment
Subject:	Benton"s Republican Resolution against expansion
Date:	Monday, April 21, 2025 6:33:37 AM
Attachments:	SignedBCRCBRES.pdf

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Four times in the last sixty years people in this county recognized the Landfill as an environmental threat ot their health and safety; three times the county commissioners said told them to accept a short term solution while the would find a long term solution. Three times no long term solutions were found, probably because the state government doesn't want a change. So now we are at te point if it is not stopped, then trash will be dumped in our county from 36 other counties for the next century. Adair will become the trash capital of the West Coast…maybe we can sell toruists packages to see it. Time to stop it and froce the state tofind a "real" environmentally sound solution.

Keith Lembe

From: Keith Lembke
To: Benton Public Comment
Subject: Benton County Republicans Resolution - Coffin Butte
Date: Monday, April 21, 2025 6:41:11 AM
Attachments: SignedBCRCBRES.pdf

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Enclosed is the Benton County Republicans resolution to not approve an extension for Coffin Butte. Four times in the last forty years the landfill has been officially designated an environmental threat to the citizens in the county - four times the local county government promised to find a better long term solution - four times the people have been ultimately ignored. It is time to honor promises.

Keith Lembke
Central Committee Chair
Benton County Republicans
chair@bentongop.org
bentongop.org
541-740-8315

"Success is not final, failure is not fatal: It is the courage to continue that counts." – **Winston Churchill**

Benton County Republicans
Chair@BentonGOP.org
BentonGOP.org
(541) 497-7191

The Central Committee of the Benton County Republican Party formally opposes any further expansion of the Benton County Coffin Butte Landfill as of April 19, 2025.

WHEREAS the Republican Party is deeply committed to the health and welfare of all residents and visitors in Benton County, regardless of race, gender, age, or economic standing;

WHEREAS the Republican Party holds a strong appreciation for the natural beauty of the Willamette Valley and is dedicated to maintaining a healthy environment characterized by clean air and water;

WHEREAS the Republican Party advocates for sustainable and well-managed agricultural and forestry practices that support our vital farmlands and forestlands;

WHEREAS the landfill presents significant risks to the quality of air, water, and land in our valley, thereby jeopardizing the health and well-being of all living beings;

WHEREAS the Environmental Protection Agency (EPA) identified 41 methane leaks at the landfill in 2024, with numerous instances exceeding the legal limit of 500 parts per million (ppm);

WHEREAS more than 31 million tons of leachate are discharged into the Willamette River annually through wastewater facilities in Salem and Corvallis;

WHEREAS the Coffin Butte Landfill releases thirty different hazardous air pollutants;

WHEREAS the landfill has expanded considerably establishing itself as a dominant feature in the county and continues to grow at a rate of over 1.1 million tons per year;

WHEREAS the county and state governments have shown an inadequate capacity or willingness to appropriately monitor, inspect, and enforce the operational regulations and statutes pertaining to the landfill as required by Oregon Revised Statutes (ORS) 459;

WHEREAS there are other viable alternatives.

NOW, THEREFORE, BE IT RESOLVED that to safeguard our air, water, and land, to preserve the natural beauty of our valley, to enhance the productivity of our farmlands and forests, and to protect the health of our residents, the Benton County Republican Party strongly endorses the rejection of any expansion requests for the existing landfill or any new landfill within the county. The Benton County Republican Party requests the County Commissioners create a new and inclusive planning process to accommodate equal and fair consideration of all other options.

19 APRIL, 2025

R Keith Lembke
Chairman, Benton County Republican Party

PO Box 808
Corvallis, OR 97339

Benton County Republicans
Chair@BentonGOP.org
BentonGOP.org
(541) 497-7191

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19 APRIL, 2025

R Keith Lembke
Chairman, Benton County Republican Party

PO Box 808
Corvallis, OR 97339

From: LARRY MCBRIDE
To: Benton Public Comment
Subject: Testimony on landfill expansion LU-24-027
Date: Monday, April 21, 2025 4:43:28 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Testimony from Kathleen McBride, 3375 NW Firefern Pl, Corvallis, OR:
I am opposed to the landfill expansion being requested by Republic Services. My major concerns are for the water quality affected by the increase of toxic leachate being processed through our water treament facility and then dumped in the Willamette River, and the air quality in the area from toxic gases. The smell goes for miles now, how much worse after an expansion.
Thank you for this opportunity to give my input.
Kathleen

From: lynne.mcallister2012@gmail.com
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 12:26:56 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

April 20, 2025
TO: Nick Fowler, Chair of the Benton County Planning Commission
SUBJECT: **Opposition to Benton County Landfill Expansion, LU-24-027**

Dear Mr. Fowler,

My name is Lynne McAllister, and I live at 2590 SE Ryan Street, Corvallis, OR 97333. This is the second of two testimony emails I am sending. **I strongly oppose Republic Services' Conditional Use Permit application LU-24-027** which would expand Coffin Butte Landfill. In addition, because the County does not have staff or resources to monitor or mitigate impacts or enforce conditions and has not effectively done these things in the past, and because there are reasonable and feasible alternatives to the expansion, **I oppose the landfill expansion, even with conditions**. Looking at the whole picture, it is simply an indefensible proposition.

The bullets below summarize my concerns about how the landfill expansion would **violate Benton County Code 53.215 (Criterion #2):**

- The proposed expansion puts an undue burden on wastewater and sludge treatment facilities in the area where the leachate is trucked (violates BCC 53.215(2). These facilities already are not equipped to process leachate, and this practice cannot be allowed to continue without major overhauls to treatment facilities or building new ones that are compliant. Leachate presents a serious water quality problem, as much of it passes through the plants, untreated, into the Willamette River. The amount of leachate is expected to increase with the proposed expansion. Dissolved toxic substances such as heavy metals, carcinogenic industrial solvents, and PFAS (forever chemicals) pose water pollution risks to humans, fish, and wildlife. This water pollution makes me want to avoid using the river for canoeing because my health may be at risk. The leachate also violates Benton County's Comprehensive plan (5.1.2, 5.2.1, 5.7.4, and 6.5.5).
- The landfill expansion will put undue burden on roads from increased large truck

traffic hauling garbage and leachate (violates BCC 53.215(2)). With projected growth and development in the area over the coming decades, has there been any forecasting of how all the truck traffic will co-exist with increased car, bicycle, pedestrian, and wildlife usage, what safety measures to anticipate, what road and other infrastructure improvements will be needed, what it will cost, and who will be responsible for it as changes occur throughout the life of the landfill?

- There is no assurance that leachate and contamination of ground water and surface water will be monitored and mitigated during the life of the landfill or afterward. Landfill operators are only legally responsible for maintenance 30 years after closure, but I am concerned about lingering contamination from leaching and methane leaks that may never be addressed. Furthermore, conditions of approval have never been enforced in the past, which was a finding in the Benton County Talks Trash final report. I don't feel at all assured that any new conditions imposed on the applicant will be complied with or enforced, which puts an undue burden on everybody and violates BCC 53.215(2—and also 1).

In addition, the proposed expansion directly contradicts Benton County's 2040 Thriving Communities Initiative by undermining established goals for environmental stewardship, public health, and sustainable waste management.

The landfill is only 60% full, and the west side quarry area can still accept fill for 14-16 years without the need for the proposed expansion. During that time, it would be more prudent to look at alternatives to expansion, such as alternative sites and implementing sustainable waste management. Prolonging these measures is unwise and may put major economic and environmental burdens on Oregonians in the future, not only from societal costs of a growing and unchecked garbage heap, but also because we weren't pro-active about solving our garbage dilemma at a critical moment.

This is a crucial juncture for Corvallis and surrounding towns, and there are other options to consider. If the expansion is approved, I feel like we're on a crash course that could be disastrous for our community, our waterways, and the region. **I urge you to consider this decision with the gravity it commands and deny the landfill expansion.**

Thank you.
Sincerely,
Lynne McAllister

lynne.mcallister2012@gmail.com

From: lynne.mcallister2012@gmail.com
Sent: Sunday, April 20, 2025 6:00 PM
To: publiccomment@bentoncountyor.gov
Subject: Oppose/Deny LU-24-027



April 20, 2025
TO: Nick Fowler, Chair of the Benton County Planning Commission
SUBJECT: **Opposition to Benton County Landfill Expansion, LU-24-027**

Dear Mr. Fowler,

My name is Lynne McAllister, and I live at 2590 SE Ryan Street, Corvallis, OR 97333. **I strongly oppose Republic Services' Conditional Use Permit application LU-24-027** which would expand Coffin Butte Landfill. In addition, because the County does not have staff or resources for monitoring or mitigation of impacts or enforcement of conditions and has not effectively done these things in the past, and because there are reasonable and feasible alternatives to the expansion, **I oppose the landfill expansion, even with conditions.**

I am a longtime resident of Corvallis and have watched Coffin Butte grow to an astonishing size, with serious negative impacts on the character of Corvallis and the surrounding area. The following bullets illustrate how the landfill expansion will personally affect me and how it **violates Benton County Code 53.215 (Criterion #1):**

- If approved, the expansion will allow an unchecked volume of trash to enter the landfill, much of which is already coming from areas far beyond Benton County, increasing the unsightliness of the trash mountain, truck traffic, litter along the highway, and stench, while decreasing the appeal and livability in the community. I frequently travel along Highway 99 to points north, which, with the exception of the landfill, is a lovely alternative to I-5. The mountain of garbage affects my experience of traveling this route, as well as my satisfaction of living in an otherwise beautiful part of Oregon. Encroaching closer to Highway 99, while looming taller every year, it presents a terrible image for our town. It has become an absolute eyesore of an operation, positioned directly on the north entrance to our community. Expanding south to the hillside facing north would compound things by creating a direct visual confrontation of trash for motorists traveling south into town (violates BCC 53.215(1)).
- I live in south Corvallis, and I can frequently smell the landfill from my home and from Willamette Park where I walk. I am 100% positive this is odor wafting down from the landfill because I have been on top of the landfill enough times to know exactly what is smells like. The odor is offensive and negatively affects livability at my property and in nearby places where I recreate outside (violates BCC 53.215(1)). Corvallis residents shouldn't have to live with this level of offensiveness, and the odor will certainly get worse with an expansion.
- Along with the odor, I am concerned about chemicals such as PFAS (forever chemicals, which have been documented emitting from the landfill), methane, and carcinogens that also waft through the air and threaten my health. Beyond its toxicity, the climate effects from methane are

undisputed, but Benton County does not have control of methane. Most of the recovered methane is burned, which puts greenhouse gasses into the air and creates a fire danger. Numerous methane leaks have been identified, but methane leakage for the facility as a whole has not been adequately measured or addressed and presents additional fire danger. An increase in trash coming to the landfill will worsen the odor and the prevalence of toxic chemicals, which diminishes quality of life and livability in Corvallis (violates BCC 53.215(1)). Simply the knowledge of inadequate monitoring and compliance at such an enormous operation right in my community and the potential effect on my health and on the planet is very distressing for me.

- Increased truck traffic surrounding the intersection of Coffin Butte Road is a hazard to wildlife and poses a safety risk to other motorists, especially when wildlife crosses the road amongst the trucks. When driving through this area, I frequently must slow down for deer crossing the road and am therefore always on the lookout for them, as this is a major travel route that connects to E.E. Wilson. The safety risk of even more truck traffic on humans and wildlife violates BCC 533.215(1).

In addition to these items, the proposed expansion directly contradicts Benton County's 2040 Thriving Communities Initiative by undermining established goals for environmental stewardship, public health, and sustainable waste management.

Benton County and Republic do not have a good track record of addressing the public's concerns about pollution and impacts on the character of the area; therefore, my conclusion is that these matters will only get worse. Approval of an expansion lifts restrictions on volumes and where the trash is coming from, so additions to the landfill will be massive. The burden of garbage from locations throughout the state (and possibly outside the state) cannot be shouldered by only one community.

This is a decision that will impact our region for many years into the future. Compounding current risks and problems stemming from the landfill could negatively impact our community economically. I urge you to carefully use your discretion when making this very consequential decision by considering alternatives, including alternative sites where water pollution is a lower risk (drier climate of eastern Oregon, for example) and investment in more pro-active, sustainable solutions to waste management. The quarry area on the west side of the butte offers an area to expand in without approval of LU-24-027. The time it would take to fill it, per my understanding, is 14-16 years. This period would allow development of sustainable alternatives. There is no good reason to approve the landfill expansion, and I strongly oppose it.

Thank you.
Sincerely,
Lynne McAllister

lynne.mcallister2012@gmail.com

From: lynne.mcallister2012@gmail.com
Sent: Monday, April 21, 2025 12:27 AM
To: publiccomment@bentoncountyor.gov
Subject: Oppose/Deny LU-24-027



April 20, 2025
TO: Nick Fowler, Chair of the Benton County Planning Commission
SUBJECT: **Opposition to Benton County Landfill Expansion, LU-24-027**

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The bullets below summarize my concerns about how the landfill expansion would **violate Benton County Code 53.215 (Criterion #2):**

- The proposed expansion puts an undue burden on wastewater and sludge treatment facilities in the area where the leachate is trucked (violates BCC 53.215(2). These facilities already are not equipped to process leachate, and this practice cannot be allowed to continue without major overhauls to treatment facilities or building new ones that are compliant. Leachate presents a serious water quality problem, as much of it passes through the plants, untreated, into the Willamette River. The amount of leachate is expected to increase with the proposed expansion. Dissolved toxic substances such as heavy metals, carcinogenic industrial solvents, and PFAS (forever chemicals) pose water pollution risks to humans, fish, and wildlife. This water pollution makes me want to avoid using the river for canoeing because my health may be at risk. The leachate also violates Benton County's Comprehensive plan (5.1.2, 5.2.1, 5.7.4, and 6.5.5).
- The landfill expansion will put undue burden on roads from increased large truck traffic hauling garbage and leachate (violates BCC 53.215(2)). With projected growth and development in the area over the coming decades, has there been any forecasting of how all the truck traffic will co-exist with increased car, bicycle, pedestrian, and wildlife usage, what safety measures to anticipate, what road and other infrastructure improvements will be needed, what it will cost, and who will be responsible for it as changes occur throughout the life of the landfill?
- There is no assurance that leachate and contamination of ground water and surface water will be monitored and mitigated during the life of the landfill or afterward. Landfill operators are only legally responsible for maintenance 30 years after closure, but I am concerned about lingering contamination from leaching and methane leaks that may never be addressed. Furthermore,

conditions of approval have never been enforced in the past, which was a finding in the Benton County Talks Trash final report. I don't feel at all assured that any new conditions imposed on the applicant will be complied with or enforced, which puts an undue burden on everybody and violates BCC 53.215(2—and also 1).

In addition, the proposed expansion directly contradicts Benton County's 2040 Thriving Communities Initiative by undermining established goals for environmental stewardship, public health, and sustainable waste management.

The landfill is only 60% full, and the west side quarry area can still accept fill for 14-16 years without the need for the proposed expansion. During that time, it would be more prudent to look at alternatives to expansion, such as alternative sites and implementing sustainable waste management. Prolonging these measures is unwise and may put major economic and environmental burdens on Oregonians in the future, not only from societal costs of a growing and unchecked garbage heap, but also because we weren't pro-active about solving our garbage dilemma at a critical moment.

This is a crucial juncture for Corvallis and surrounding towns, and there are other options to consider. If the expansion is approved, I feel like we're on a crash course that could be disastrous for our community, our waterways, and the region. **I urge you to consider this decision with the gravity it commands and deny the landfill expansion.**

Thank you.
Sincerely,
Lynne McAllister

From: asher@ashermiller.com
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 9:40:07 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please deny Republic Service's request to expand Coffin Butte.

Thank you,

Asher Miller
Corvallis

From: Jan Napack
To: Benton Public Comment
Subject: Testimony: Coffin Butte Expansion
Date: Monday, April 21, 2025 12:12:10 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings!

Note that I am submitting this commentary as a private citizen and not as a member of Corvallis City Council. Also, if your time is short, just skip to the bottom and read the last paragraph headed "Final thought".

Task #1:
In my view the highest priority is to take care of the landfill methane leaks; they are illegal. It seems Title V conditions need much more monitoring and enforcement. What, and how many, entities are responsible for that?

Disincentives:
Do costs outweigh the benefits? Certainly, the revenue is a benefit, but does it truly cover the total, long-term impacts?

I think if all users realized the entire, often hidden, costs that a landfill exacts (emissions, leachate, transportation, regulations, testing, real estate values, materials, livability, and others TBD) versus the benefits, then fair and workable solutions would (hopefully) follow.

Without knowing any better I'm going to guess that our adjoining counties (Marion, Polk, Linn, Lincoln) and possibly others, don't have to worry where their trash ends up. If true, I see that as a major disincentive; they are removed from having to help solve the local situation. How much of this gigantic problem rests solely on Benton's shoulders?

Incentives:
Could greater incentives be helpful?

Having lived downwind (Lewisburg) from Coffin Butte for 20 years (1983-2003) I empathize with my old friends who continue to deal with the outfall of expanding this regional landfill. Their contribution to the landfill is likely miniscule. They are being forced to sacrifice their comfort and livability for the sake of others. Could they be compensated?

Having lived in Corvallis proper before and after this time for 42 years I empathize with my many friends who religiously recycle, reuse, compost, compact, conserve and live sustainably in order to lessen impacts on our shared environment. Their contribution to the landfill is likely miniscule. Not everyone exercises this level of care. Could they be rewarded?

Final thought:
Perhaps you might consider thinking things through as though developing a carbon tax. I'm guessing rates are already variable but *when was the last time rates were fully examined in light of offsetting any portion of the total carbon footprint?*

Thank you for all you do and best of luck in this very important struggle!

Jan Napack
4998 SW Hollyhock Circle
Corvallis, OR 97333
541-745-5335

From: Suzanne Ortiz
To: Benton Public Comment
Subject: Testimony for LU-24-027
Date: Monday, April 21, 2025 3:39:05 PM
Attachments: 20250420_BCPC_TESTIMONY_LU-24_027.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Date: April 20, 2025

Reference: LU-24-027

To: Benton County Planning Commission

Benton County Community Development

4500 SW Research Way

Corvallis, OR 97333-1139

From: Suzanne Ortiz

ortizsv@gmail.com

Regarding LU-24-027, I am writing to STRONGLY OPPOSE approval of the Conditional Use Permit (CUP) submitted by Republic Services.

I'm a resident of Corvallis, Benton County, Oregon & have lived here for 14.5 years. I have closely followed the process related to Republic Services submittal asking for approval of the latest CUP.

E.E. Wilson Natural Area is an area that I have enjoyed visiting for the past 14 years to see the wildlife. I have also volunteered at events that introduced E.E. Wilson NA to community members. I am concerned about the following issues related to the CUP:

QUALITY OF LIFE & HEALTH: Our community values quality of life issues that protect the environment and promote the health & well-being of all of our citizens, whether they reside in town or in rural areas. These values are stated in the Benton County **2040 Thriving Communities Initiative.** If the CUP is approved there is a clause in the CUP that will remove the cap of 1.1 million tons of waste that is currently being deposited in the Coffin Butte Landfill (CBL). Expansion of the CBL will create a second landfill mass that will fill up even faster when the cap is removed. That means more waste, more methane & other hazardous emissions, more leachate, more trucks & traffic, and more days when the residents in Airlie, Adair Village, Albany & Corvallis have to endure rank odors that compel them to stay indoors. Expansion of the Landfill violates **BCC 53.215(1)** by interfering with the character of the area that is across the highway from a beautiful natural area that is home to wildlife and nesting herons and where community members enjoy the serenity and peace of nature. These

types of experiences have been shown to enhance good health.

The presence of the Landfill is already a source of emissions that enter the air & or combine with rainwater to form leachates. Gas plumes from the Landfill include methane, PFAS, heavy metals, dioxins and particulate matter. Leachates can include heavy metals, carcinogenic industrial solvents, PFAS, dioxins, organic matter & rainwater. Close to 30 million gallons of leachate were generated by Coffin Butte in 2023 (2023 Annual Report on the Coffin Butte Landfill). The leachate is currently being trucked to the Waste Water Treatment Plants in Corvallis & Salem where it is diluted and released into the Willamette River.

Breathing the materials that are emitted in the gas plumes is not conducive to good health & the levels will only increase when the Landfill area expands. In the Republic Services 2023 Annual Report on the Coffin Butte Landfill, a timeline has been added in the updated report concerning "Methane and the EPA." The last two entries in the timeline, as quoted from the report are as follows: 8/8/2024 – Sens. Ron Wyden and Merkley, along with U.S. Rep. Val Hoyle issue a press release urging the EPA to "thoroughly and expeditiously complete its investigation." and 8/28/2024 – Coffin Butte resubmits its 2023 annual report. The Landfill is still awaiting the official report from the June 2024 EPA inspection." I'm one of many community members who await the official EPA report.

Republic Services is responsible to self-monitor and self-report on emissions at the Coffin Butte Landfill. According to the number of methane emissions found during the EPA investigation in 2024, there clearly hasn't been diligent self-monitoring or self-reporting. This is a matter of high concern and impacts the health & safety of all residents & visitors, as well as the wildlife in the area.

THE LONG-TERM COST WILL FALL ON BENTON COUNTY CITIZENS: The estimated date for the closure of the Coffin Butte Landfill is 2038 if expansion is not granted. (Info from: https://cd.bentoncountyor.gov/wp-content/uploads/2023/12/history_doc_-_updated_3-27-23.pdf). Benton County, which contributes around 6-7% of the waste material, and the surrounding Oregon & Washington counties who contribute approximately 93% of the waste, need to use that time to come up with a long-term solution for waste management. Approval of the landfill expansion IS NOT A SOLUTION. Republic Services is responsible for the Landfill for 30 years following closure. After that, it is Benton County tax payers who will have to maintain & mitigate the site. Expansion will only increase the amount of waste, PFAs, leachate & emissions. This potential "forever cost" for "forever chemicals" will be borne by the citizens of Benton County.

It is critically important that we recognize our responsibilities to take care of the environment, including our air, our water, and our land. We are the stewards who have responsibility for protecting habitat for wildlife. Our choices represent our values. I respectfully request that the Planning Commission members DENY the expansion of the Coffin Butte Landfill.

OTHER SUPPORT THAT OPPOSES THE COFFIN BUTTE LANDFILL EXPANSION:

ENRAC RECOMMENDS THAT CUP BE DENIED: The Benton County Environment and Natural Resources Advisory Committee (ENRAC) voted 5-1 on April 9, 2025 to recommend to the Benton County Planning Commission to DENY the CUP to expand the Coffin Butte Landfill.

ENRAC-CUPDeliberations-Report-04-15-25-Faux-Final.pdf

LEAGUE OF WOMEN VOTERS OF CORVALLIS:

https://lwvcorvallis.org/wp-content/uploads/2025/04/2025-04-Testimony_Coffin-Butte_Benton-County-Planning-Commission.docx.pdf

MID-WILLAMETTE BIRD ALLIANCE (testimony submitted 4/14/2025, signed by co-Presidents and Conservation Committee chair & member) - link to letter not attached

Suzanne V. Ortiz

ortizsv@gmail.com

email to: publiccomment@bentoncountyor.gov

Date: April 20, 2025
Reference: LU-24-027
To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

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LEAGUE OF WOMEN VOTERS OF CORVALLIS
https://lwvcorvallis.org/wp-content/uploads/2025/04/2025-04-Testimony_Coffin-Butte_Benton-County-Planning-Commission.docx.pdf

MID-WILLAMETTE BIRD ALLIANCE (testimony submitted 4/14/2025)

Suzanne V. Ortiz
ortizsv@gmail.com

From:	Debbie P
To:	Benton Public Comment
Subject:	Testimony regarding LU-24-027
Date:	Monday, April 21, 2025 11:31:23 AM
Attachments:	Benton County Dems Approved-Resolution-2024-03.pdf Benton County Republicans Signed Resolution.pdf LBG_LandfillResolution.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

Attached please find three remarkable documents, demonstrating unequivocably that stopping this (and any future) landfill expansion is a non-partisan issue: Resolutions by the *Benton County Democrats*, by the *Benton County Republicans*, and by the *Linn-Benton Pacific Green Party*. All three detail their reasons for why this landfill should not be allowed to expand, and further that no new landfill should ever be allowed in Benton County.

Please - read what they have to say, and then on behalf of EVERYONE - deny this expansion application.

Respectfully submitted,
Debbie Palmer
37340 Moss Rock Dr
Corvallis, OR 97330

From: Debbie P
To: Benton Public Comment
Subject: LU-24-027, Republic Service's application to "expand" (build a new landfill) south of Coffin Butte Road
Date: Monday, April 21, 2025 4:13:08 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners,

You are likely under a lot of pressure from the County to approve this application. And also under overwhelming pressure from the community to deny it. So you may feel yourselves between a rock and a hard place and think the solution to this dilemma would be to hold your nose and "approve [it] *with conditions…*"

Seems reasonable on the surface but PLEASE DO NOT DO THIS. Do not be lulled into thinking this is a solution. Why? Because members of the "Past Land Use Application Conditions" subcommittee of the Benton County Talks Trash (BCTT) workgroup [I am going to assume I do not need to explain what BCTT is], who were tasked with researching and documenting 'Conditions of past land use approvals' and 'Compliance with prior land use approvals,' found — after spending literally hundreds of hours of volunteer time (like yours, on this commission) pouring over historical records at the County — that effectively **never before in the history of the Coffin Butte Landfill have conditions of approval *ever been enforced***. And since there is no enforcement, there is no compliance.

• Finding CUP F-2 (of the BCTT report), agreed upon unanimously by all participants, states that "Benton County has not and does not actively monitor compliance with many Conditions of Approval, nor does it proactively act to enforce compliance."

• Finding CUP F-3, ditto, states "Benton County relies on complaints to initiate action to enforce Conditions of Approval."

Then there is this from the Legal Land Use Subcommittee:

• Finding LLU F-20 (Is compliance/noncompliance with conditions of past land use approvals a
topic that can be considered in any way during a new land use application?): "… the decision-maker could potentially look at the fact of existing noncompliance in evaluating whether that noncompliance is causing the existing land use to "seriously interfere" with uses on surrounding properties. That fact can then be used as evidence in evaluating whether the proposed land use complies with the review criteria because the same land use in a similar location was seriously interfering with surrounding uses even though it was subject to conditions of approval. …"

To our knowledge, the County has never "initiated action to enforce Conditions of Approval." This is probably because, as pointed out in a transcript on pg 967 of said BCTT report: "… Benton County has stated that they did not and do not have the resources necessary to monitor and enforce compliance with conditions of approval. That is the responsibility of the applicant. And unless there are any complaints filed by [inaudible 01:10:52 (likely "the public")], the

county will not and they do not monitor or enforce any conditions of approval."

Republic Services is always very careful to claim that they comply with all DEQ permit requirements, but never make the same claim for Benton County CUP conditions of approval… *because they know there is no enforcement and therefore no consequences to their bottom line.* If they are caught not meeting DEQ permitting requirements, there ARE consequences - such as DEQ's ability to revoke their operating permit, for example. No similar consequences exist for failing to comply with County conditions of approval, hence they ignore them with impunity.

So no matter how seemingly rigorous or specific you make any "Conditions of Approval" - there is NO mechanism in place for enforcement and therefore an "approval with conditions" will be the equivalent of an "approval" outright. Conditioning this application will make not a whit of difference.

Do you not find it the least bit presumptuous that Republic Services actually included in their application *their own suggestions for conditions of approval?* This to me is a perfect example of their disingenuousness. This is the second largest waste management company in the United States, and landfilling garbage is hands down their most profitable enterprise — by their own claim: they make ninety cents on the dollar doing this. Well that profit is made by *externalizing their costs* in the form of damage to the environment and human health, or in other words, <u>at our expense</u>.

<u>Please</u> deny this application. DO NOT approve it "with conditions." If this expansion is approved, the consequences will be felt by Benton County for generations.

Respectfully Submitted,
Debbie Palmer
37340 Moss Rock Dr
Corvallis, OR 97330

From: Debbie P
To: Benton Public Comment
Subject: LU-24-027 testimony
Date: Monday, April 21, 2025 4:28:10 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners,

Due to last-minute personal circumstances, my neighbor Nancy Whitcombe was unable to submit the following testimony she wrote by deadline today, so I offered to do so for her.

From the both of us: please use any and/or all of the facts presented below to DENY LU-24-027, Republic Services' application to expand the Coffin Butte Landfill.

Sincerely,
Debbie Palmer
37340 Moss Rock Dr, Corvallis, OR 97330

(submitted on behalf of Nancy Whitcombe, 37049 Moss Rock Dr, Corvallis OR 97330)

_____

Conditional Use Criterion:
1: "the proposed use must NOT "seriously interfere" with uses on adjacent property. Dictionary definition of "adjacent" (Merriam Webster), **Definition 1a: not distant: NEARBY – "***the city and '**adjacent** suburbs'"*

LANDFILLING on the subject parcel DOES SERIOUSLY INTERFERE with ALL non-landfill uses on abutting, nearby, and regional parcels of ALL ZONES because it SERIOUSLY INTERFERES with parcel-owner rights to sell their property. It in some cases PREVENTS sales of parcels, in other cases causes property sales to FALL THROUGH, in other cases DELAYS and/or CHILLS sales of parcels.

Expanding the landfill **will seriously interfere** with the **ability of property owners to sell their property** for fair market value on the open market -- a foundational principle of the free market economic system.

Properties unsaleable, properties that abut the landfill perimeter:
For the nearest property owners, whose properties abut the landfill, and in the worst case, it may render their properties unsaleable to any buyer other than the landfill operator itself. THIS HAS ALREADY HAPPENED, AND CAN BE PROJECTED TO HAPPEN FOR 5-7 ADDITIONAL YEARS IF AN EXPANSION IS APPROVED.

Property sales fall through when buyers learn about the existence of the landfill:
For nearby (adjacent) property owners, buyers may back out of a sale. THIS HAS ALREADY HAPPENED, AND CAN BE PROJECTED TO HAPPEN FOR 5-7 ADDITIONAL YEARS IF AN EXPANSION IS APPROVED.

Property sales chilled, properties in the region surrounding the landfill:
Properties up to six miles distant from the landfill may find that sales are chilled as the result of expanding the landfill. Regional property owners, will see a reduction in the pool of potential buyers, an increase in DOM (days on market) or other significant burdens of property sales. THIS HAS ALREADY HAPPENED, AND CAN BE PROJECTED TO HAPPEN FOR 5-7 ADDITIONAL YEARS IF AN EXPANSION IS APPROVED.

FIRST EVIDENTIARY ITEM -- 500 ACRES ACQUIRED BY THE LANDFILL OPERATOR FROM INDIVIDUAL PROPERTY OWNERS SINCE 1983:
Since 1983, parcels directly abutting the perimeter of the active landfill have found no buyers whatsoever on the open market aside from the landfill itself. That is how the property owned by the landfill has approximately tripled in size from the mid-1980's to the present day. In 1983, the property owned by or under purchase option to the landfill comprised 244 acres. Today the total acreage owned by the landfill is 766-plus acres. If the landfill did not have a serious impact on surrounding uses, those uses would have continued to this day. Instead, when the landfill acquires property, it decommissions the use of the property as to its zoned use -- i.e. forest, farm, residence; and recommissions it with a new use not allowed by zoning – i.e. “landfill buffer”. “Landfill buffer” is not a by-right use in FC, EFU, or Residential zones in Benton County.

SECOND EVIDENTIARY ITEM -- HOME SALE CANCELLED AFTER 1994 EXPANSION APPROVAL:
In 1994, the Planning Commission approved an expansion of the landfill onto this 59-acre parcel. When appealed to the Board of Commissioners, Commissioners reversed the Planning Commission decision, and denied the expansion. AFTER the Planning Commission approved the expansion, but BEFORE the Commissioners REVERSED, a property that WAS UNDER CONTRACT on Tampico Road fell through, with the buyer citing the expansion as the reason for not going through with the sale. This was in turn cited by the Commissioners as one reason for their decision to overturn the Planning Commission and deny the expansion.

THIRD EVIDENTIARY ITEM -- SOCIAL MEDIA WEIGHS IN
Please find appended a small sample of many discussions about buying property near a landfill. Note that discussions on what constitutes "near" range up to six miles away.

Subreddit: **FirstTimeHomeBuyer**, Post Title: **Offer accepted but near landfill**

> Post: "Ugh it’s been such a stressful day. We put an offer on a house in HCOL [High Cost of Living] area we could afford. Remodeled 2006 house with one owner. I realized after the offer that the backyard looked out to a landfill."
> "We want a house, but I kind of think we should move on."
> "Edit: I think it’s still like a Mile-ish away but the back porch is up high and you can see a HUGE hill/mound in the distance."

Comments on “**Offer accepted but near landfill”**:

> *Comment 3: "Get out from it immediately. You’ll never get that smell out of your clothes and personal belongings, especially during summer."*
> *Comment 6: "NOPE. Get out asap. not a good idea."*
> *Comment 7: "Run from this deal as fast as you can and get a new realtor!!! This one missed a landfill?!?!?"*
> *Comment 8: "You never get used to the smell."*

Comment 10: "I moved into a townhome that was next to a landfill. I can't tell you how bad of an idea this is. The amount of trash all over the place after any moderate winds. The terrible summer smell. After experiencing this, any time considering moving we search for landfills."

https://www.reddit.com/r/FirstTimeHomeBuyer/comments/10phbuu/offer_accepted_but_near_landfill/

Subreddit: **RealEstate**, Post Title: **Buying house near future landfill**

Post: "...everything finally seemed to align when we got our bid accepted for a newly constructed house about 30 minutes away from where we are renting...
"This week, I found out that there is a massive landfill that will be built within a mile down the road (they will be accepting tons of trash from around the state…).
"We paid an earnest deposit (nonrefundable) of 10,000, and we have been fairly strapped for cash, so this is quite a lot to us…"

Comments on "**Buying house near future landfill"**:

Comment 1: " Nope. Can you imagine the trash trucks dropping off at all hours of the night?! And the smell?"
Comment 2: "no , landfill smells, especially during summer seasons"
Comment 3: "Get a lawyer to review to get your earnest back."
Comment 8: " We were looking at a house on landfill lane and it was a hard pass"
https://www.reddit.com/r/RealEstate/comments/v54w7m/buying_house_near_future_landfill/

BC Dems
Benton County Oregon

BC DEMS RESOLUTION 2024-03

WHEREAS, climate change is the pre-eminent Democratic Party issue; and

WHEREAS, the Democratic Party 2024 platform asserts "there is nothing more important than addressing the climate crisis;" and

WHEREAS, the Democratic Party platform asserts "We have no time to waste in taking action to protect Americans' lives and futures;" and

WHEREAS, methane is the most potent greenhouse gas, trapping 86 times more heat in the atmosphere than carbon dioxide over 20 years; and

WHEREAS, the time to reduce carbon emissions is time-limited to 10-20 years if catastrophic temperature rise is to be prevented; and

WHEREAS, Republic Services' Coffin Butte Landfill in Benton County is a methane super emitter because of numerous irremediable factors, including precipitation, waste intake volume type and quantity, and inadequate regulation, it is in the best interest of Benton County, and the planet, that the landfill reduce methane-producing waste-in-place; and

WHEREAS, by definition expanding the landfill will increase volumes of waste-in-place, not reduce those volumes; and

WHEREAS, Benton County has ceded control over waste intake volumes if the landfill is expanded; and

WHEREAS, any landfill expansion will increase methane output even without a removal of the existing waste intake volume cap; and

WHEREAS, methane-monitoring regulatory agencies such as the EPA are likely to be constrained in their abilities to effectively regulate emissions for the next near-, medium-, and long-term;

NOW, THEREFORE, BE IT RESOLVED, that the Central Committee of the Benton County Democrats, in order to protect the earth's climate, endorses the denial of any expansion request of the existing landfill, and any new landfill in Benton County.

A RESOLUTION SUBMITTED BY: VIRGINIA SCOTT (PCP, pct. 16), NANCY WHITCOMBE (PCP, pct. 16), and CATHERINE STEARNS (PCP, pct. 16)

APPROVED BY THE BENTON COUNTY DEMOCRATIC CENTRAL COMMITTEE NOVEMBER 21, 2024

Holly Shutta

2nd Vice Chair Holly Shutta

11/21/2024

Date

Benton County Republicans
Chair@BentonGOP.org
BentonGOP.org
(541) 497-7191

The Central Committee of the Benton County Republican Party formally opposes any further expansion of the Benton County Coffin Butte Landfill as of April 19, 2025.

WHEREAS the Republican Party is deeply committed to the health and welfare of all residents and visitors in Benton County, regardless of race, gender, age, or economic standing;

WHEREAS the Republican Party holds a strong appreciation for the natural beauty of the Willamette Valley and is dedicated to maintaining a healthy environment characterized by clean air and water;

WHEREAS the Republican Party advocates for sustainable and well-managed agricultural and forestry practices that support our vital farmlands and forestlands;

WHEREAS the landfill presents significant risks to the quality of air, water, and land in our valley, thereby jeopardizing the health and well-being of all living beings;

WHEREAS the Environmental Protection Agency (EPA) identified 41 methane leaks at the landfill in 2024, with numerous instances exceeding the legal limit of 500 parts per million (ppm);

WHEREAS more than 31 million tons of leachate are discharged into the Willamette River annually through wastewater facilities in Salem and Corvallis;

WHEREAS the Coffin Butte Landfill releases thirty different hazardous air pollutants;

WHEREAS the landfill has expanded considerably establishing itself as a dominant feature in the county and continues to grow at a rate of over 1.1 million tons per year;

WHEREAS the county and state governments have shown an inadequate capacity or willingness to appropriately monitor, inspect, and enforce the operational regulations and statutes pertaining to the landfill as required by Oregon Revised Statutes (ORS) 459;

WHEREAS there are other viable alternatives.

NOW, THEREFORE, BE IT RESOLVED that to safeguard our air, water, and land, to preserve the natural beauty of our valley, to enhance the productivity of our farmlands and forests, and to protect the health of our residents, the Benton County Republican Party strongly endorses the rejection of any expansion requests for the existing landfill or any new landfill within the county. The Benton County Republican Party requests the County Commissioners create a new and inclusive planning process to accommodate equal and fair consideration of all other options.

19 APRIL, 2025

R Keith Lembke
Chairman, Benton County Republican Party

PO Box 808
Corvallis, OR 97339

Linn-Benton Pacific Green Party
33221 SE Peoria Rd., Corvallis OR 97333

RE: Republic Services Coffin Butte Landfill Expansion Proposal - LU-24-027

RESOLUTION Passed by Linn-Benton Pacific Green Party on 12/10/2024:

WHEREAS, climate change is a pre-eminent issue facing the planet, the United States, and Benton County; and

WHEREAS,there is nothing more important than addressing the climate crisis; and

WHEREAS, we have no time to waste in taking action to protect Americans' lives and futures; and

WHEREAS, methane is the most potent greenhouse gas, trapping 86 times more heat in the atmosphere than carbon dioxide over 20 years; and

WHEREAS, the time to reduce carbon emissions is time-limited to 10-20 years if catastrophic temperature rise is to be prevented; and

WHEREAS, Republic Services' Coffin Butte Landfill in Benton County is a methane superemitter because of numerous irremediable factors, including precipitation, waste intake volume type and quantity, and inadequate regulation, it is in the best interest of Benton County, and the planet, that the landfill reduce methane-producing waste-in-place; and

WHEREAS, by definition expanding the landfill will increase volumes of waste-in-place, not reduce those volumes; and

WHEREAS, Benton County has ceded control over waste intake volumes if the landfill is expanded; and

WHEREAS, any landfill expansion will increase methane output even without a removal of the existing waste intake volume cap; and

WHEREAS, methane-monitoring regulatory agencies such as the EPA are likely to be

constrained in their abilities to effectively regulate emissions for the next near-, medium-, and long-term;

NOW, THEREFORE, BE IT RESOLVED, that in order to protect the earth's climate, the Linn-Benton Pacific Green Party endorses the denial of any expansion request of the existing landfill, and any new landfill in Benton County.

From: David Patte
To: Benton Public Comment
Subject: Testimony and Requests re: Coffin Butte Landfill, file # LU-24-027.
Date: Monday, April 21, 2025 10:40:57 AM

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Following are my comments, requests and testimony on the proposal to expand the Coffin Butte Landfill, file # LU-24-027.

First and foremost, the County should make a determination that the proposal by Republic Services should be reclassified as a new landfill proposal, not an expansion to the current landfill. It is a separate and distinct project, separated by a public road, requiring new leachate and other methane and waste management requirements and processes. A new landfill should require the State to become involved and the applicant should undertake a full environmental impact review to propose to the State for compliance with State and Federal laws and regulations.

Other comments include:

Groundwater contamination and leachate management are not adequately addressed in the Republic Services proposal. The County has a duty to ensure that the landfill and any expansion request meets state and federal pollution laws and regulations. All leachate from new (and current for that matter) the expansion proposal should be tested for contaminants to determine where it can be sent for treatment, or the potential requirement for the landfill operator to treat it on site. Currently leachate is sent to the City's waste treatment facility which is not able to treat for environmental contaminants. This is a violation of Benton County Comprehensive Plan policy 6.5.5 (Benton County shall strive for the safe storage, collection, reduction, reuse, recovery, and appropriate disposal of hazardous waste materials.) and BCC 53.215 (2) (undue burden on public facilities). The leachate is very highly likely to contain high concentrations of forever chemicals (PFAS), PCBs, lead, and many more highly toxic compounds that the City cannot properly treat before this effluent is dumped into the Willamette River. To comply with BC 6.5.5, the County needs to require lab testing of existing leachate to determine how the expansion request (and current operations) should manage leachate.

Eventually when landfill operations close, and after the temporary closure management by Republic Services ends, the County will need to manage leachate, methane, fire risk, and other long term, generational issues. The determination on the landfill expansion request should assess the County's long term financial costs and whether the County can manage a new landfill site. The County has a fiduciary responsibility to its citizens and future generations and should ensure adequate funding from Republic Services or other revenue streams, but failing to adequately plan for the long term pollution from the expansion (and the current facility) is also a violation of BC 6.5.5.

I frequently drive along Hwy 99W, Camp Adair Road, Independence Hwy and plastic litter in particular is continually flying out of in-coming and outgoing trucks (violation of BCC 55.215(1)). Current operations and any expansion should address frequent, at least weekly,

trash pick up. But it Benton County is windy, and cleanup would need to occur daily to keep plastic trash off of private property. A landowner compensation fund should be established as part of the expansion conditions (and the County should explore such a Fund for current operations when new operating agreements are negotiated).

I have spoken to employees at the landfill and they tell me that large amounts of organic fish and slaughterhouse waste are delivered to the landfill every week causing huge methane and odor issues. The County should insist on a comprehensive plan and solution to divert these waste streams from the currently approved landfill cells, and certainly as a condition to expansion and creation of a second landfill. The odor issues caused by large amounts of rotting animals and their waste is a violation of BCC 55.215(1).

David Patte
37655 Zeolite Hills Rd, Corvallis, Oregon 97330
Dpatte62@gmail.com
541 745-3016

From: David/Elizabeth Patte
To: Benton Public Comment
Subject: CUP application LU-24-027, Republic Services
Date: Monday, April 21, 2025 4:21:03 PM

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To Benton County Planning Commissioners:

My name is Elizabeth Patte and I live at 37655 Zeolite Hills Rd., Corvallis 97330.

I oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill, and ask that the Planning Commission deny the application.

ODOR - Throughout the 11 years we have lived on our rural residential Zeolite Hills Road property, we have endured many, many episodes of Coffin Butte landfill garbage stench, often so terrible that we must go indoors. An expansion would only exacerbate this interference with the use of our property - we grow much of our food and have animals, so spend a great deal of time outdoors. This odor issue clearly violates (BCC 53.215(1)).

I would like to point out the refusal of Coffin Butte's Environmental Manager to take the issue seriously. In a February 25, 2025 letter to DEQ, he suggested that those of us reporting these odors likely smell something else, saying:

"It's important to note that several of the submitted complaints indicate odors as far as five miles away from the Landfill. Given wind speed and direction, we believe that it's possible – even likely – that residents are attributing odors from other sources to Coffin Butte."
-Paul Koster, Coffin Butte Environmental Manager, in a Feb. 25 2025 letter to DEQ's Laura McWhorter

We happen to live 5.1 miles from the landfill. Believe me, we know landfill stink when we smell it. It is absurd to say we get these smells from another source. Depending on weather patterns, our property can smell as bad as the landfill itself. On some days, we can literally watch the cloud of smelly haze roll down the valley from the landfill and then engulf us. But we know this cloud is more than just odors - it is also a toxic stew of gases. VOCs, heavy metals, particulates, and methane are just some of the gases typically emitted from landfills.

METHANE - We learned in 2022, and again in 2024, that Coffin Butte is riddled with methane leaks. According to the EPA, the landfill emits "explosive amounts of methane." The landfill has a terrible history of emissions control, with multiple violations, and I do not believe they can or try to comply with regulations. In the age of accelerating climate change, these emissions are disastrous, and are antithetical to Benton County's Thriving Communities Initiative.

As there seems to be no oversight or enforcement by Benton County of its own land use requirements, I have little confidence that this expansion would do anything but make the issue worse. However stringent "conditions of approval" are in a Conditional Use Permit, it appears that Republic Services ignores them because there are no consequences for not complying (as found in the Benton County Talks Trash final report). This is a violation of

BCC 53.215(1).

I could go on and on with threats this expansion would pose to our County's sustainable future, all of which violate Benton County Code or endanger communities, near and far:
- The potential for a catastrophic landfill fire
- Never ending plastic trash along all roads leading to Coffin Butte
- Potential contamination of drinking water
- Disturbance and danger to the amazing diversity of wildlife in the area
- Leachate and PFAs in our communities and sent into the Willamette River
- Diminished property values
- The long term costs and liability to Benton County

Finally, the worst detail of this terrible expansion proposal is the fact that the cap on the amount of garbage that Coffin Butte is allowed to accept would be completely eliminated if it is approved…exacerbating everything about the landfill that is already onerous enough.

For our County to have a vibrant future, we need to invest in innovative solutions, waste reduction and recycling, not expand a landfill that pollutes our environment and ends up putting long-term financial burdens on our community…and we need you to LEAD on this issue.

Please reject LU-24-027. We rely on you to wisely lead us toward a healthy and sustainable future in Benton County.

Sincerely,
Elizabeth Patte
37655 Zeolite Hills Rd.
Corvallis, OR 97330

From:	commercial twinfern.net
To:	Benton Public Comment
Cc:	commercial twinfern.net
Subject:	Public Comments on LU-24-027, Coffin Butte Landfill CUP
Date:	Monday, April 21, 2025 12:50:15 PM
Attachments:	Pease Coffin Butte Testimony.pdf

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Dear Benton County Development Department,

My name is Grant Pease and I live at 3505 NW Marshall Dr., Corvallis, OR 97330. My return e-mail is commercial@twinfern.net.

Please find attached my public comments and testimony with respect to the proposed Coffin Butte Landfill CUP, LU-24-027.

Please confirm receipt of this message and the single pdf attachment for inclusion as Public Testimony for the above application and let me know if you need additional information.

Thank you very much.

With warm regards,
Grant Pease

Grant Pease
3505 NW Marshall Dr.
Corvallis, OR 97330

April 21, 2025

Subject: Deny Conditional Use Permit for Coffin Butte Landfill Expansion, LU-24-027

Dear Benton County Planning Commissioners,

About 30 years ago I interviewed for a job at HP, considering returning to the area where both my father and grandfather attended college. After the interview, I drove out of town to see what the area was like, taking a backcountry route North on Independence Hwy, over to 99W North, then to Airlie Rd and eventually back on Tampico Rd. That spectacular drive cemented my desire to move to Corvallis, and specifically to the Lewisburg area where I now live.

Now, 30 years later I enjoy taking in the natural wonders of our County close to my home. I like to visit EE Wilson Natural Area, an open space area adjacent to Coffin Butte Landfill for bird watching, berry picking, and biking. I, like many Benton County residents, also often bike in the area surrounding the landfill including Tampico Rd, Coffin Butte Rd, Camp Adair Rd, and Independence Hwy.

If the application is approved, and the Coffin Butte Landfill expands, the character of the surrounding areas will change for the worse and it will create a burden to public improvements in the area. Therefore, I strongly urge you to reject the application.

Specifically, the application fails to meet the County development code in at least the following ways:

Proposed CUP would violate BCC 53.215(1) by changing the character of EE Wilson Wildlife Area and Surrounding Areas.

The proposed landfill expansion will negatively impact Benton County citizens' enjoyment of the Open Space zoned area of EE Wilson Area which serves the public with recreational opportunities including archery, shot gun shooting, fishing, bike riding, wildlife viewing, and education as an "outdoor classroom". The expansion will negatively impact the natural character of this Open Space area as the expansion will increase the well documented stench coming from Coffin Butte on some days. It will also degrade the visual character of the EE Wilson resource and increase noise– making a trip to EE Wilson much less attractive. Thus, the expansion would be a clear violation of BCC 53.215(1) because the additional increase in smell, visual blight, and noise from the landfill expansion will seriously interfere with the character of the EE Wilson Wildlife area as it relates to recreational and educational use.

Below, I will focus specifically on the odor issue, though the others are important as well. In essence, Applicant makes the following logical arguments in their Burden of Proof document and subsequent Frist Addendum.

1. There is no existing odor problem.

2. The proposed landfill expansion will increase nuisance odor chemicals by approximately a factor of 2X.

3. Because the 2X odor chemical increase is still below what they believe to be detectable, the expansion will not cause any change of character to the area.

The argument falls apart because there is an ongoing odor problem, and Applicant's own models show that that it will get worse by approximately 2X if this application is approved.

There is an existing odor problem, as anyone who lives, works, or recreates in the area knows. This has been documented, for example, by DEQ and the Coffin Butte Landfill Community Concerns Annual Staff Report, 2023. The fact that Applicant does not replicate the problem through modeling does not prove that there is not a problem.

It's possible that Applicant's odor analysis is faulty for two reasons:

Use of complaint data is not a valid approach to gauging citizen's olfactory experience; the actual experience is likely to be much worse than detected through complaints. There are many reasons why each person who experiences an odor is a nuisance does not complain, including not knowing where or how to complain, believing that complaining would have no impact, and being too busy with other things.

As one example, Applicant states that the following complaint was a "likely" valid complaint:

> "*As I was driving past the Coffin Butte dump on Coffin Butte Road in Benton County, OR on Sunday morning the stench was so strong that I has (sic) to put the car's air on recirculate until I was well north of the dump. It was equally as terrible on my return trip past the dump at about 6:30 PM on 12/29/24 and was smelly even on recirculate well past the Tampico/Soap Creek*" [First Addendum, March 15, 2025, Appendix 1, Pg 5].

This complaint, that Applicant views as "likely" valid, represents the experience of many people -- that is, most everyone driving on 99W near that time -- and yet it is recorded only once. We have no way of knowing how many people smelled the same nuisance odor during that day.

A better way to gauge citizens' experience would be to conduct a scientifically valid survey, including control groups. To my knowledge this has not been done.

In addition, Applicant notes that thermal inversions can be a contributing factor to odor complaints, but that they did not take thermal inversions into account when evaluating odor complaints because they lacked the meteorological data to do so. One reason that Applicant does

not find some odor complaints to be valid may be that they could not take into account thermal inversion impacts.

Therefore, because the complaint sampling does not represent our population's olfactory experience and because thermal inversion meteorological data was not taken into account during modeling of the complaints, Applicant's conclusion that the existing landfill does not have significant odor issues is not supported.

Rather, our community knows and has documented that there is an existing odor problem.

Next, Applicant's modeling shows that the most important chemical odor contributors will increase by approximately a factor of 2X if the expansion is approved. [Page 19 of CBLF 2024 Expansion Application Odor Dispersion Modeling Study.] Applicant focuses on the fact that the absolute value of nuisance chemicals in their model is currently, and will be continue to be, under detectable limits in the proposed expansion [Pg 25 of CBLF 2024 Expansion Application Odor Dispersion Modeling Study]. However, we see from above that their model of the existing issue, at least with respect to residents being able to smell the landfill gases, is very likely incorrect.

The important takeaway from the 2024 CBLF Odor Dispersion Modeling Study is that whatever odor problem exists today will be about twice as bad if the expansion is approved.

The odor problem is already bad and with the expansion would get worse, degrading the character of the area.

Proposed Odor Mitigation Is Not Sufficient

As one proposed mitigation step, applicant proposes Odor Mitigation and Monitoring [OA-10 of Exhibit 21]. There are two problems with the proposed mitigation:

First, Benton County has no way of enforcing the proposed Mitigation and Monitoring. Applicant does not propose any enforcement mechanism and, as Commissioners know, Oregon DEQ has the sole statutory authority to regulate in the area.

Second, the proposed odor mitigation makes very little mention of the monitoring process, or proposed mitigation steps. They propose to make summary monitoring results public annually. As a minimum, if this application is approved with conditions, VLI should be required to (1) to meet a detailed County-mandated monitoring program designed by a mutually agreeable external group with County input, (2) mitigate issues quickly with financial penalties if the mitigation is not successful as shown by subsequent monitoring, and (3) make all monitoring raw data immediately publicly available.

Proposed CUP will likely violate BCC 53.215(1) and BCC 53.215(2) because of the impact to local roads.

As a bike rider, the proposed expansion will have dramatic negative impacts on the character of the area and my use and enjoyment of the surrounding public roads. Because the daily intake of trash is likely to increase, there will be traffic from hauling trash and leachate, smell, and dust on the public roads – even if one stipulates that VLI fulfil their obligations to meet relevant state and federal environmental regulations. These negative impacts are made more certain with the likely elimination of any annual cap on landfill intake tonnage with the approval of this CUP. The number of trucks per day, noise, and smells will go up with daily volume. These changes would be in violation of BCC 53.215 (1) and 53.215 (2), interfering with Benton County bike riders' use and enjoyment of the adjacent roadways and will create a burden on the public improvements and the services available to bike riders in the area.

Conclusion

Like my grandfather and my father, I have enjoyed the country feel of the North Corvallis area in the 30 years since I moved here. I hope that together our community will keep this area as a place for living, recreation, and wildlife.

Because the expansion would violate BCC 53.215(1) and BCC 53.215(2) in several ways, I urge you to reject this Conditional Use Permit to expand operations.

Respectfully,

Grant Pease
3505 NW Marshall Dr.
Corvallis, OR 97330

From:	Doug Pollock
To:	Benton Public Comment
Subject:	Testimony in OPPOSITION - LU-24-027: Roadside Refuse
Date:	Monday, April 21, 2025 1:03:49 PM
Attachments:	LU-24-027 Testimony in OPPOSITION - Roadside Refuse.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Staff,

Please accept my attached testimony (PDF format) below, regarding LU-24-027.

Thank you!

Sincerely,

Doug Pollock

From:	Doug Pollock
To:	Benton Public Comment
Subject:	Fwd: Input for DSAC & SWAC re: Coffin Butte Landfill Operations in 2022
Date:	Monday, April 21, 2025 3:22:43 PM
Attachments:	Benton County - 2040 Thriving Communities Initiatives Core Values.pdf

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Dear Benton County Planning Staff,

Please include this forwarded email (as well as the attached photos and document) as part of the public testimony in OPPOSITION to LU-24-027.

Subject: Testimony in OPPOSITION - LU-24-027: Long History of Waste Violations is Grounds to Deny Landfill Expansion

Dear Benton County Planning Commission,

I am forwarding my email summary (sent to Benton County's DSAC and SWAC on October 5th, 2022), as public testimony concerning the current application (LU-24-027) for expansion of the Coffin Butte Regional Landfill. I am also attaching a sample of photos documenting numerous waste violations in dumpsters throughout our community. I present this history and documentation because it is vital that you understand that our current waste management processes absolutely do NOT comply with state regulations (laws) regarding the disposal of both hazardous materials and (prohibited) electronic waste. This includes the institutions that generate waste (such as the Corvallis School District, Samaritan Orthopedics, and Oregon State University), the Oregon Department of Environmental Quality (that has refused to undertake enforcement actions in response to my complaints), and Republic Services (which lacks any substantive ability to audit or ensure that they are complying with their operating permit for the landfill).

The violations I've documented include the frequent disposal of hazardous materials (such as containers of paint, fluorescent light bulbs, epoxies, industrial solvents, etc.), the improper disposal of refrigerant systems, and numerous violations of Oregon's E-Waste law. The disposal of considerable volumes of inkjet cartridges from Hewlett-Packard's inkjet manufacturing operations is another example which I witnessed (and ultimately changed) firsthand. Prior to my development of their inkjet recycling system in the early 1990's, HP dumped all of the waste cartridges with ink from their Corvallis manufacturing operation into Coffin Butte. HP made the disingenuous claim that the plastic cartridges "contained" the ink, preventing it from leaking into the landfill. 200 TONS of cartridges with ink PER YEAR were being dumped at the time my recycling system came online in the early 90's.

When considering the current application for expansion, you must consider this long history of waste violations that is a hidden legacy of operating a large dump. All of this hazardous material remains in the dump, contributing to the toxic leachate that is dumped in the Willamette River (after minimal "treatment" = dilution by Corvallis Public Works). **Expanding the landfill will only increase the mass of toxic refuse contributing heavy metals, PFAS, and other dangerous chemicals to the leachate. Neither this leachate nor the county's liability for it will not cease to exist when the landfill is closed.**

My email below presents a brief overview of the systemic challenges I've encountered in pursuing these issues over the past two decades. In my experience, there is not just a profound lack of will to address these problems, but also a deep-seated, bureaucratic opposition to fixing them. The principal at my son's school once told me, "*We just can't have folks looking in dumpsters!*" in response to the glaring violations I'd uncovered. Another assured me that the item in question (a large TV) could not have come from her school - though a subsequent investigation showed this to be the case. After roughly a dozen years of trying to ignore my reports of violations, the Corvallis School District's final response was to put locks on all of their dumpsters!

Benton County's "**2040 Thriving Communities Initiative's Core Values**" (also submitted as testimony, attached) refers to such commendable things as:

> "Vibrant, Safe, & Livable Communities that Promote Creativity, Forward-Thinking, a Sense of Place, & High Quality of Life"
> "High Environmental Quality, Conservation of Natural Resources, Consideration of Carrying Capacity, and Easy Access to the Outdoors"
> "Communities & Individuals are Prepared to Respond to & Recover from Natural & Human Caused Disasters, Threats, & Changes"
> " We Recognize & Will Address the Well-Being of our People by Including Health Considerations in all Policies, Practices, Activities, & Operations"

How do you (or the county commissioners) reconcile these laudable goals with the continued operation of one of our state's largest dumps...a dump with a documented history of violations, including enormous methane releases and millions of gallons of toxic leachate dumped into the Willamette River ecosystem?

How would the expansion of the dump contribute to a, "*vibrant, safe & livable community*", that is, "*forward-thinking*" and shows a, "*sense of place & high quality of life*"?

How would the expansion of the dump support, "*high environmental quality, conservation of natural resources, consideration of carrying capacity, and easy access to the outdoors*"?

Why perpetuate a "*human-caused disaster"* and "*threat*", when you have the authority to mitigate it (by denying the expansion)?

How would approval of this misguided expansion proposal, "*address the well-being of our people by including health considerations in all policies, practices, activities & operations*"?

The only logical answer to these questions is that the proposed expansion is fundamentally at odds with the vision of a thriving community - and therefore must be rejected!

As my decades of experience and photos illustrate, there are numerous opportunities for minimizing the waste (both solid and hazardous/prohibited) going into the dump. What's lacking is the political will and leadership to change the status quo. Please DENY the proposed expansion and send a message that it's time to get serious about minimizing our waste!

Sincerely,

Doug Pollock
37293 Helm Drive
Corvallis, OR 97330

---------- Forwarded message ---------
From: **Doug Pollock** <timberframing@gmail.com>
Date: Wed, Oct 5, 2022 at 3:02 PM
Subject: Input for DSAC & SWAC re: Coffin Butte Landfill Operations in 2022
To: RAY Linda <linda.ray@co.benton.or.us>
Cc: Ken Eklund <ken@writerguy.com>, vneqs <vneqs@googlegroups.com>, REDICK Daniel <daniel.redick@co.benton.or.us>, AUGEROT Xanthippe <xanthippe.augerot@co.benton.or.us>, WYSE Nancy <nancy.wyse@co.benton.or.us>, MALONE Patrick <pat.malone@co.benton.or.us>, <mayorandcouncil@corvallisoregon.gov>

Hi Linda,

Would you please share this input with both DSAC and SWAC, as well as Benton Co. staff who deal with solid waste issues?

Thanks!

Doug Pollock

Dear DSAC and SWAC members,

I have been actively monitoring dumpsters throughout Corvallis for a couple of decades, with a particular focus on those used by the Corvallis School District (CSD). I have done this because of a personal interest in sustainability, and as a member of the Corvallis Eco-School Network (a group of parents who worked on sustainability issues in our schools). I also worked on environmental issues in my previous career at Hewlett-Packard, where I served as their product steward for inkjet manufacturing. I would like to share some details of my work and the implications for managing solid waste at the Coffin Butte regional landfill. With my decades of hands-on experience, I have a better view than most people when it comes to what's actually going into the landfill.

When I first began my position at HP, they were dumping enormous quantities of defective inkjet cartridges in the landfill. HP was permitted to do this because their site environmental folks argued the plastic cartridge bodies *contained* the ink, thus preventing the chemicals from leaking into the landfill/leachate. I was determined to put a stop to this practice and started developing a recycling process for the scrap cartridges. One of my first steps was to visit the landfill and watch what actually happened to the cartridges. I took a video of a giant dozer crushing huge boxes of them (with ink spraying everywhere) to raise awareness and build support for my recycling process. Soon after word got out about my video, the landfill operators stopped accepting all of HP's waste cartridges. This helped provide the incentive to develop my recycling process (which was eventually expanded worldwide). But for a period of well over a decade, HP dumped substantial quantities of

inkjet cartridges in the Coffin Butte landfill. This is part of the landfill's toxic legacy that people should know about.

Over the past ~15 years, I've also documented a large number of violations concerning waste in Corvallis school dumpsters. This includes numerous violations of Oregon's electronic waste law (e.g. a large television in a dumpster at Crescent Valley High School), and various hazardous waste violations (e.g. 5-gallon buckets of paint, refrigerators, fluorescent light tubes, etc.). In many cases, I provided pictures and sent emails to school district staff (including the facilities manager, principals, superintendent and school board members). My offers to meet with the previous superintendent and her staff to help them improve their recycling and waste disposal processes were consistently ignored. Surprisingly, many of the worst waste violations occurred in the dumpster located at the school district facilities office. In my initial discussion with the CSD custodial manager, I was appalled to discover that he wasn't even aware of Oregon's electronic waste law. He also admitted that the Corvallis School District had never developed process documentation governing the disposal of hazardous waste. Ignorance of the law is no defense, especially when you work for a public institution!

Almost without exception, the responses I've received from school district leaders over the years have been exceptionally poor. Their first response is almost always denial: "*That couldn't have come from our school!*". In nearly every case, further investigation showed that, indeed, the material in question did come from the school. Their second response is usually defensive in nature: "*What were you doing looking in our dumpster?!*". The former principal at Mountain View Elementary warned me, "*We just can't have parents looking in dumpsters!*" and implied she could take away my volunteer role managing the school garden. Eventually, the CSD responded to my dumpster complaints by installing locks on all of the dumpsters. They "solved" their waste disposal violations by simply hiding them from the general public.

Earlier this year, I discovered fluorescent light tubes in a large, open dumpster at Crescent Valley High School. The superintendent largely dismissed my email, speculating the bulbs came from a contractor working at the school. I explained this latest incident was part of a pattern of violations I'd documented over the past ~15 years, but neither the superintendent nor school board seemed to care. Over the following weeks, I documented repeated violations (including more fluorescent tubes in a large glass terrarium that presumably came from a science class). In each case, I filed an official complaint with DEQ about the incidents. Despite asking for a follow-up to my complaints, no one from DEQ contacted me until I called a manager and complained. Despite my substantial follow-up efforts (both with school district leaders and DEQ managers), my complaints were predictably dismissed. The DEQ staff person deferred to the CSD facilities manager who provided the usual excuses and knee-jerk responses. The DEQ person noted, "*The school district is going to reinforce locking of dumpsters at their properties to avoid further illegal dumping...This is the extent of DEQ's evaluation of your complaint. Thank you again for your concern. I will close complaint #22-0653 in DEQ's records.*" I was particularly frustrated by DEQ's dismissive response because I had provided the case manager (Cathy Brown) with a lot of background information (about the CSD's history of waste violations). She was clearly unwilling to ask hard questions and hold the CSD manager accountable for the violations I had documented.

I've also frequently found waste violations in dumpsters on the OSU campus and at a Philomath school. This includes significant quantities of hazardous chemicals (e.g.

epoxies, paints and solvents), a refrigerator, and electronic devices. I'd be remiss if I didn't also mention the enormous quantities of perfectly functional items that I've observed in dumpsters at our local schools: chalkboards, paper cutters, file cabinets, furniture, scores of bulletin boards, tables, projectors, books, large volumes of clothing (including brand new school T-shirts), science equipment, video cameras, copper wire, new electrical conduit and receptacles, motors, and hundreds of similar items. All of these items could have been easily diverted to Habitat for Humanity's ReStore or OSU's used equipment auction. The CSD's former sustainability coordinator also reported that an entire container load of chairs from Lincoln Elementary was sent to the landfill earlier this year. He had found an organization that was able to reuse them, but the CSD's facilities manager overruled him and had them crushed and sent to the landfill. Sadly, this is how the CSD has operated for decades.

I wanted to share these stories with you because they help to illustrate a number of very important points:

- **There are enormous opportunities to reduce solid waste, but our community leaders and public institutions seem to lack the political resolve to anything about it.** In many cases, 70-80% of the waste in dumpsters consists of items and materials that could be easily diverted for recycling or reuse.
- As my dumpster finds and the history of HP's inkjet cartridge disposal show, **we must assume there's a considerable amount of hazardous waste going into the landfill on a regular basis**. This hidden, hazardous waste stream has been going on for many decades, without acknowledgement by either the landfill operators, county staff, or DEQ (as far as I'm aware).
- **I believe the waste violations I've documented constitute a breach of the landfill's operating permit with DEQ.** In the most recent case involving the dumpster at CV, the dumpsters were apparently still hauled to the landfill even though I reported they contained fluorescent light tubes (which had not been removed). **Without regular audits to ensure compliance, Republic Services has no idea whether or not they are violating their DEQ operating permit.**
- **There are considerable procedural and bureaucratic hurdles to reporting violations to DEQ concerning the landfill and waste disposal.** I spent a lot of time making phone calls and filling out DEQ complaints - and yet they were largely unresponsive and unwilling to take corrective action. This bureaucratic indifference discourages people from submitting complaints.

Though I've focused this message on violations of our laws governing waste disposal, the landfill operation has impacted my life in numerous, adverse ways. This includes offensive odors (on hundreds of occasions through the years), substantial quantities of litter on the roadway and along the roads leading to the landfill, dangerous loads being hauled to the landfill (a neighbor's wife was killed when she was hit by a trailer that came loose from someone returning from the landfill), increased traffic volumes and wear on our roads, and the substantial, irreversible changes to the character of our surrounding community due to the growing size of the landfill operation.

Thanks for considering my input,

Doug Pollock

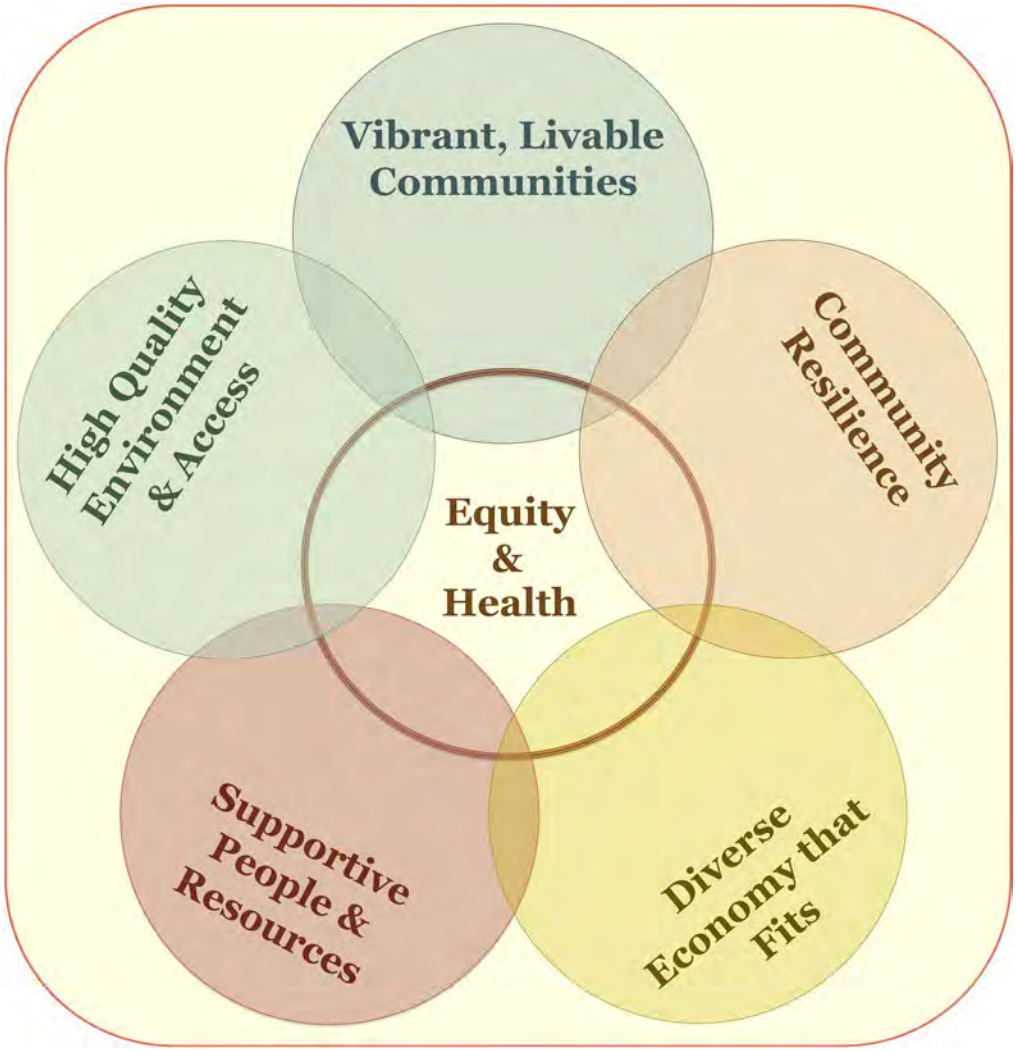
37293 Helm Drive
Corvallis

Benton County

2040 Thriving Communities Initiative

Ensuring Communities' Core Values Today & for Our Future

A community-driven initiative to secure what we like about where we live and to guide efforts to ensure our Core Values now and in the future



February, 2018 – Final Language



Benton County's 2040 Thriving Communities Initiative's Core Values

Based on the Principles of Equity & Health,
Benton County Strives to Ensure:

"Vibrant, Livable Communities"

Vibrant, Safe, & Livable Communities that Promote Creativity, Forward-Thinking, a Sense of Place, & High Quality of Life

"Supportive People & Resources"

Welcoming Communities that Actively Build Social Connections, Personal Interactions, & Community Resources that Foster Belonging

"High Quality Environment & Access"

High Environmental Quality, Conservation of Natural Resources, Consideration of Carrying Capacity, and Easy Access to the Outdoors

"Diverse Economy that Fits"

A Diverse, Robust Economy that Inspires & Stimulates Local Business, Entrepreneurship, Innovation, & Opportunities

"Community Resilience"

Communities & Individuals are Prepared to Respond to & Recover from Natural & Human Caused Disasters, Threats, & Changes

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Equity for Everyone

We Appreciate the Inherent Value of Each Community Member, Honor Differences, Celebrate Diversity, & Foster Inclusion

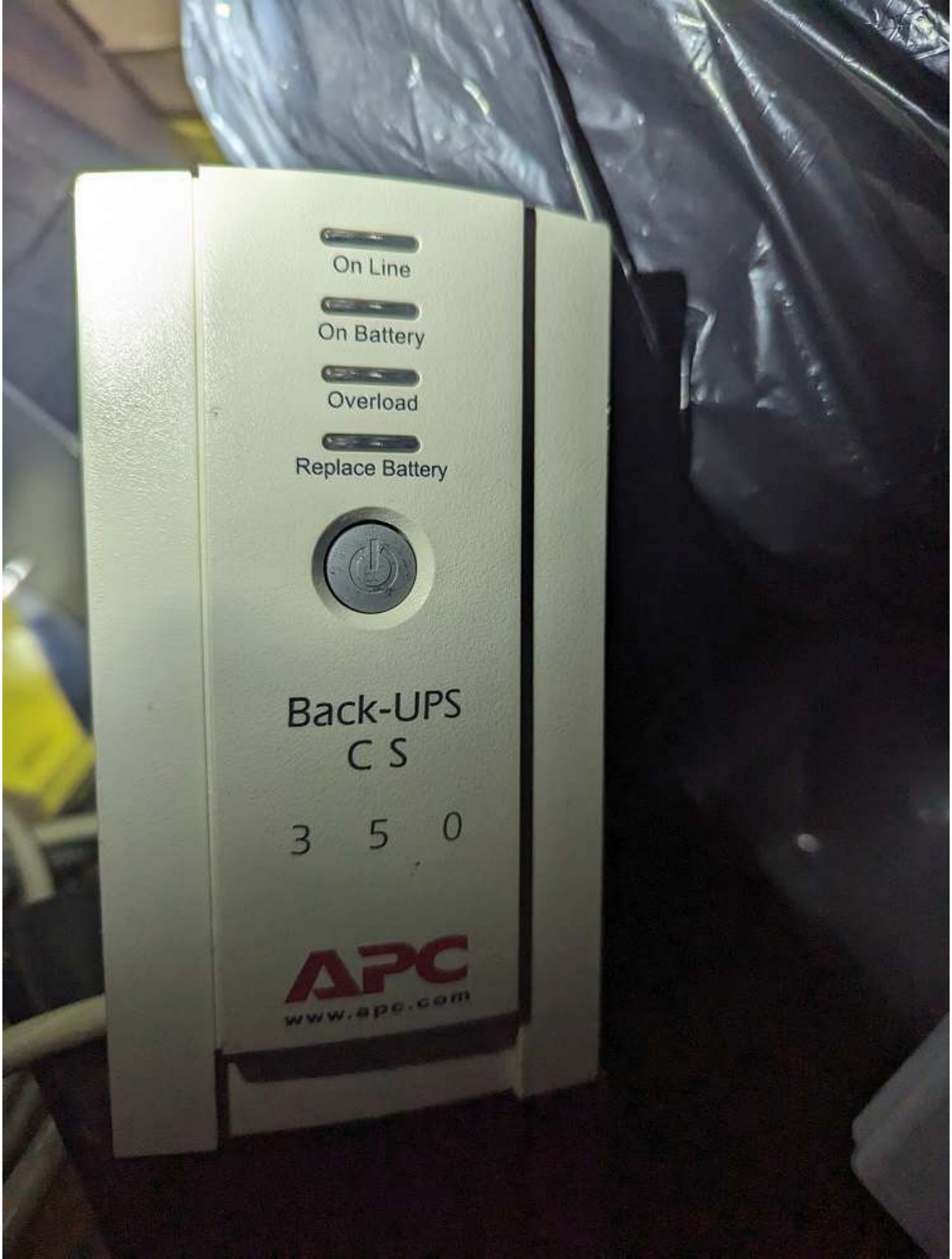
Health in All Actions

We Recognize & Will Address the Well-Being of our People by Including Health Considerations in all Policies, Practices, Activities, & Operations


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FHD
DELL
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Our Paint Since 1890
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SUPER WHITE


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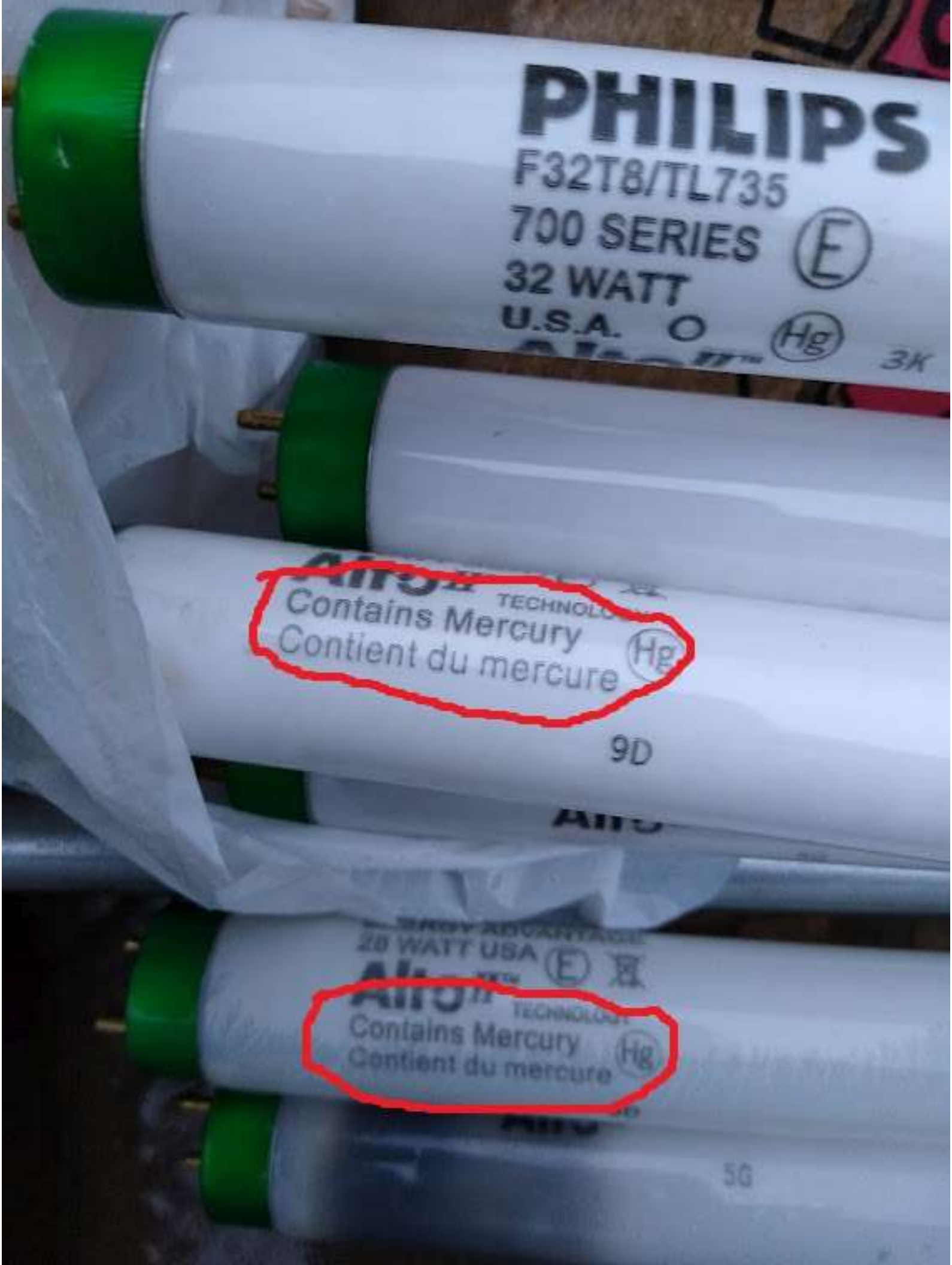
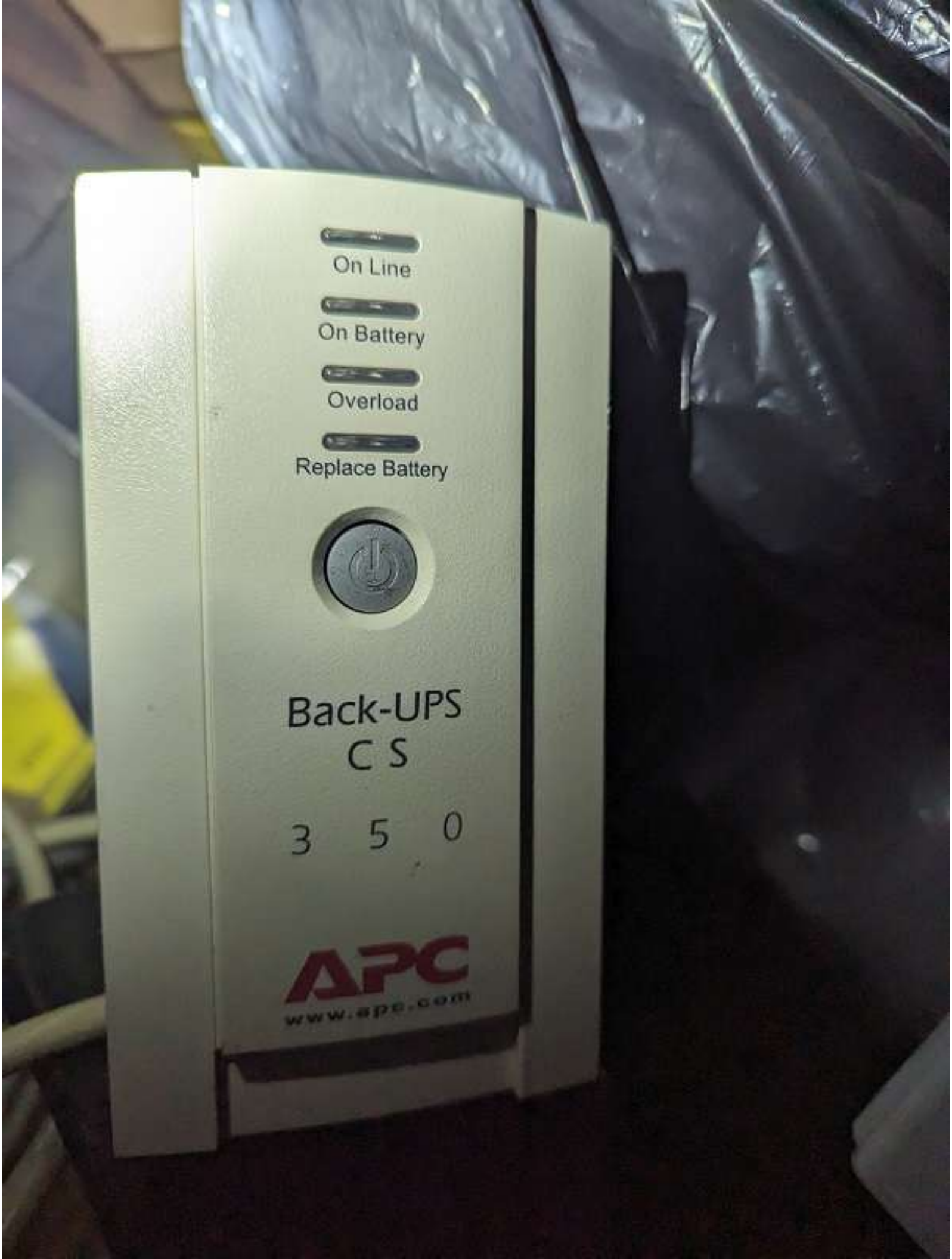

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3K
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Contient du mercure
Hg
9D
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Contient du mercure
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To: Benton County Planning Commission (publiccomment@bentoncountyor.gov)
Subject: Testimony in OPPOSITION – LU-24-027: **Roadside Refuse**
From: Doug Pollock **Date:** April 21st, 2025

Dear Benton County Planning Commissioners,

I urge you to DENY Republic Services' Conditional Use Permit (application LU-24-027) to expand the Coffin Butte regional landfill. The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2).

Here, I will specifically address the issue of roadside refuse associated with the transportation of trash to the landfill (hereafter referred to as the "dump") - and the many adverse impacts this refuse has on both the character of the region and the public resources (including the roadway and the associated right-of-ways adjoining private lands).

I suspect many of you are only vaguely aware of the significant amount of roadside refuse that comes from the transportation of thousands of truckloads of garbage to the dump each year. Driving by at 60 mph, you may occasionally glimpse a plastic bag stuck on a fence or lying in a field near the dump or along a nearby highway. Like many Benton County residents, you may not even connect the litter you occasionally see with the operation of one of Oregon's largest dumps. Nevertheless, this roadside refuse has a substantial and unavoidable adverse impact on the local community.

As a cyclist who has frequented rural Benton County roads for nearly four decades, I have a much closer connection and visceral reaction to roadside refuse. It is difficult to ignore the garbage lining many of our North Corvallis roads when you're passing by at 15-20 mph in the open air. The enormous amount of trash lying on the shoulders and in the adjacent ditches (**as shown in Appendix A**) is unavoidable and greatly diminishes my enjoyment of the scenic beauty which I seek on my regular rides.

These adverse impacts also affect thousands of Oregonians (and especially Benton County residents) who live along major transportation corridors – since trash is hauled to the dump from all over the state. Trash blows into farmers fields and the front yards of homes along the highways. Imagine if your kids went outside to play and were confronted by bags of unknown, potentially toxic garbage lying by your curb. Would any of you honestly argue this wouldn't, "*seriously interfere with the character of*" your neighborhood – or that it, "*doesn't pose an undue burden on public resources*" (like roads, sidewalks, and waterways) that you use and enjoy on a regular basis?

It is important to keep in mind that trash falling on the roadway has significant, adverse safety impacts, too. It is not just about aesthetics. Roadway garbage can cause accidents, as other drivers encounter the debris and swerve to avoid it. On yesterday's ride, I came to a section with dozens of sharp ceramic shards lying in the bike lane (see photo in **Appendix A**). If cyclists fail to see roadway debris in time (which is often the case), we have to either ride through it or suddenly swerve into the lane of travel. Both come with risks (of a puncture or being hit by a car).

The photos shown in **Appendix A** were taken yesterday (4/20/25). Most of them are from a ~one-mile stretch of Independence Highway (located only a couple of miles from the dump). Note these photos are only a small sample of the trash I saw. There were literally THOUSANDS of pieces of garbage (far too many to count). It is clear from looking at the garbage that the majority of it is associated with the hauling of trash to the dump. It is not generally the type of stuff that someone would toss out their windows or lose while driving down the road. The last two photos were taken near the entrance to the dump. The bag of trash lying on the road shows that roadside refuse is a "normal" adverse impact of operating a dump.

To be clear, this roadside refuse (which is a predictable and unavoidable impact of operating one of our state's largest dumps) *seriously interferes with the character of the surrounding area* by greatly diminishing the aesthetics of scenic travel corridors and degrading the quality of adjacent properties (both residential and agricultural). It also places an *undue burden on public resources* (including land and waterways along transportation corridors). As the photos in **Appendix A** show, roadside refuse often collects in the ditches which drain into and pollute local waterways. It is not just a matter of plastics, but the diverse, toxic stew of garbage headed to the dump (things like diapers, oil, and household chemicals which we know are common components of garbage). This pollution has direct, adverse impacts on wildlife, as well as down-stream communities whose drinking water comes from the Willamette River. **All of these adverse impacts would be continued and worsened if the dump expansion were to be approved.**

In case you're thinking, "*Wait a minute – Benton County has a "covered-load ordinance", so shouldn't that address roadside refuse?!*", I will share a personal experience I had some years ago. I was driving north out of Corvallis on Hwy. 99, right behind a large dump truck. The truck had a cover of sorts, but it was flopping in the wind. Large pieces of insulation kept flying out the back of the truck. I took a number of photos and even a video on my phone showing the debris streaming out of the truck. The license plate was clearly visible. I followed the truck until it turned off at the dump. I spoke to a woman at the scale and told her what I had observed. She told me there was nothing she could do about it, since they technically had a "covered load".

When I got home, I called the Oregon State Police to see if they would ticket the driver for littering. Despite me offering to share my photos and video, they were unwilling to pursue the matter.

I researched the company which owned the truck and found out they were demolishing a building in downtown Corvallis. The garbage they were hauling was coming from that job, which required a permit from the City of Corvallis. I called the City office to report what I'd observed and complain about the company. I was told there was really nothing they could do. Apparently, the issuance of a demolition permit did not impose any constraints on whether or not the applicant followed applicable waste hauling or littering laws.

On several other occasions, I've witnessed people hauling loads of uncovered, residential garbage to the dump (with a loose tarp or piece of plastic thrown on top right before reaching the dump scale). The staff at the dump seldom charge them for having an uncovered load. When I've asked them why, they basically say it's not their job.

These experiences have demonstrated to me that the county's "covered-load ordinance" really isn't very effective in practice. There's no willingness to enforce the ordinance or littering statutes, even when those in charge are presented with indisputable evidence of violations. There is no reason to believe any of this will change in the future. In short, one must conclude that substantial amounts of roadside refuse are a predictable and unavoidable, adverse impact of the operation of the dump.

Approving the expansion would only increase and expand the many adverse impacts of roadside refuse. There is no effective way to mitigate these impacts on the surrounding community. I urge you to DENY the expansion request.

Sincerely,

Doug Pollock
37293 Helm Drive
Corvallis, OR 97330

Appendix A – roadside refuse along Independence Highway and Coffin Butte Road. Most of the photos were taken along a ~one-mile stretch of Independence Highway, on April 20th, 2025.






PEP






























Extra



























From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 1:32:36 PM

Subject of Testimony: Benton County (non) Liveabilty

Full Name: Susan L. Powell

Email: jabirusue@comcast.net

Street Address: 670 NW Mirador Pl

Written Testimony:

I strongly oppose the approval of LU-24-027 which will expand the Coffin Butte Landfill. When we decided to move to Benton County in 2006, it was mainly because of its "livability," which met our personal values. Now, approaching Corvallis from the north on Hwy 99, the dump is a horrendous sight. Little did we know the following facts when we moved here:
• Benton County generates only 7% of the annual 67,000 tons of waste that arrives at the Coffin Butte Landfill
• Cities outside Benton County deposit 93.3% of the waste or 927,945 tons – annually, which arrives in diesel-powered trucks.

Why are these outside cities not disposing of their own waste on their own lands?

Are these cities recycling usable materials – who knows what is in that waste?

Does this mean that the Benton County's 2040 Thriving Communities Initiative is just whitewash (community-driven, visioning process that uses community-identified Core Values in order to address long-term, complex issues)?

Corvallis is consistently rated "high" for livability by various organizations. One factor for the rating is the incredible natural scenery in and around the city. I wonder how that will change if the horrendous currernt landfill expands by the amount request.
Instead of Tree City USA, it will become Garbage City USA.
Please do not vote to destroy our neighborhood.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 24.20.148.234

From: Sue Powell
To: Benton Public Comment
Subject: LU-24-027 Testimony
Date: Monday, April 21, 2025 2:49:27 PM
Attachments: Landfill 2.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please accept my testimony, also attached as a PDF file.

Thank you,
Susan L. Powell
jabirusue@comcast.net
April 21, 2025

I strongly oppose the approval of LU-24-027 which will expand the Coffin Butte Landfill.

We were so pleased to find such great wildlife and birding opportunities nearby when we moved to Benton County in 2006. Unfortunately, we did not expect the drastic expansion of the landfill from then until now, and are aghast that Republic Services intends to expand much further.

We no longer visit the EE Wilson Wildlife Area because of increased, and often nauseating, odors even when the wind is not from the west. There is more roadside trash, noise, and traffic from 99W to the east, north, and south due to the constant transport of trash from cities outside Benton County.

I expect the county commissioners and staff will adhere to the Thriving Communities Initiative as approved. Values include environmental quality, vibrant and livable community, diverse robust economy, and **health and equity**. Benton County residents overwhelmingly hold to these same values.

The expansion is bad for people and wildlife as leachate, odors, predators, and more, threaten public health and safety. These Benton County Code sections have been ignored: **Benton County Code 53.215(1)** - proposed use does not seriously interfere with uses on adjacent property and character. Republic Services was observed conducting large-scale land sculpting, continuously ignoring the ODFW required setback to not interfere with an existing heron rookery for 3 years (documented via Google Earth maps). Monitors have also documented a vast increase in predatory birds (gulls, starlings, etc.) with directly prey on birds adjacent to the landfill and in wildlife corridors. This has resulted in a major decrease of Willamette Valley bird populations near the site (documentation available).

The expansion is contrary to **Benton County Code 53.215(2)** which addresses undue burdens on public facilities.

The expansion is counter to the **Benton County Comprehensive Plan (BCC) 5.9.4** policy to protect wildlife, B**CC Plan 5.1.2** policy to preserve and restore natural habitats and integrity, and B**CC Plan 5.2.1** policy to restore natural functions.

Please do not vote to make money more important than nature and livability.

Respectfully,

Susan L. Powell
jabirusue@comcast.net
April 21, 2025

From: Sue Powell
To: Benton Public Comment
Subject: LU-24-027 Testimony
Date: Monday, April 21, 2025 3:55:00 PM
Attachments: Landfill 3.pdf

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Please accept my testimony, which is copied below and is also an attachment PDF.

Respectfully'

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jabirusue@comcast.net
April 21, 2025

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In 2022, an EPA inspection found very high ("explosive") levels of methane at Coffin Butte Landfill. Landfills are responsible for emitting 30+ hazardous air pollutants including particulate matter, heavy metals and Volatile Organic Compounds (VOCs)

My concern is not only air pollution, but past, current, and future health problems due to the contamination by leachate, odors, bacteria and viruses, and more.

Each year 30-35 million gallons of leachate runoff from the landfill are trucked to Corvallis and Salem wastewater treatment plants where "treatment" primarily consists of dilution, and the "treated" water is then is dumped directly into the Willamette River. In Corvallis, the "treatment" outfall is downstream of the drinking water intake, although should be of **grave concern to any municipality north of the treatment water outfall** until the Willamette flows to the Columbia River and is further diluted.

My background with the state government included water quality monitoring of an estuary using automated data collection every 30 minutes, 24 hours/day. and 365 days/year. We also worked with the Oregon DEQ to monitor bacterial contamination of the water.

Is Republic Services monitoring leachate and air pollution? Unbiased and professionally using EPA methods? How frequently? Do they even have the capability?

Of greater concern are the PFAS, or Per- and Polyfluoroalkyl Substances. We know that the level of **one type of FPAS is exponentially higher at Coffin Butte than any other landfill in Oregon** (data available). These 15,000+ synthetic chemicals are commonly used, and they breakdown very slowly. How harmful they are to humans is also not well studied, but it is clear that some cancers, reproductive, and development effects occur. And we don't know how long they last or how to get rid of them. Drinking water is definitely a major concern and none of the wastewater treatment sites monitor PFAS. **Leachate always ends up in some**

waterway as it is gravity fed to the lowest elevation possible.

Neither Corvallis nor Salem water treatment facilities monitor for PFAS.

The regulators of the landfill are: Oregon DEQ, EPA, Oregon OSHA. **There is no oversight by Benton County using their own land use requirements.**

Fines incurred by Republic Services for environmental-related offenses: $160 million

Waste Management Inc: $29 million

Finally, I shudder to think that it is very possible that we will have a Super Fund site in the near future. Who then is responsible, and how can you put a value on human health? When Republic Services/Waste Management declares bankruptcy, will we wish that we stopped this when we could.

Please do not allow Republic Services to expand the landfill and remove and increase the foreign waste motorcade to our backyard.

Susan L. Powell
jabirusue@comcast.net
April 21, 2025

From: Sue Powell
To: Benton Public Comment
Subject: LU-24-027 Republic Landfill Testimony
Date: Monday, April 21, 2025 4:14:43 PM
Attachments: Landfill 4.pdf

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Please accept my testimony below and also included as a PDF>

Respectfully,

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Should Republic Services application to expand the landfill ignore their past history of problems?

Why not - there couldn't be clearer evidence of future problems.

There have been leaks from closed ponds, using heavy machinery to level an area within a restricted zone for wildlife (nesting heron rookery), monitoring an unused heron rookery instead of a current one, and then claiming there was no rookery.

Worst of all: fines incurred by Republic Services for environmental-related offenses: $160 million, and Waste Management Inc: $29 million

Republic Services has not been a good landlord of our Benton County Landfill. They are the second largest provider of waste disposal in the United States (as measured by revenue), and they consider the dollar before the environment at every opportunity.

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jabirusue@comcast.net
April 21, 2025

From: Sue Powell
To: Benton Public Comment
Subject: LU-24-027 Testimony
Date: Monday, April 21, 2025 4:15:28 PM
Attachments: Landfill 2.pdf

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Please accept my testimony, also attached as a PDF file.

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Respectfully,

Susan L. Powell
jabirusue@comcast.net
April 21, 2025

From:	Rachel Purcell
To:	Benton Public Comment
Cc:	PAYNE Bailey; charlimcarroll@icloud.com; d.livesay@comcast.net; SCHUETZ Petra
Subject:	Coffin Butte CUP Written Testimony Submission from DSAC
Date:	Monday, April 21, 2025 12:56:33 PM
Attachments:	DSAC-Letter to Planning Commission-2025.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Attached please find a submission of written testimony from the Benton County Disposal Site Advisory Committee regarding the Coffin Butte CUP.

The pdf is about 3.5MB, so if you could acknowledge that it came through alright, that would be much appreciated.

Best wishes,
Rachel
Chair, Benton County Disposal Site Advisory Committee

April 21, 2025

Dear members of the Benton County Planning Commission:

This letter transmits input from the Benton County Disposal Site Advisory Committee (DSAC) to aid in your review of the application for a conditional use permit (CUP) for Republic Services's Coffin Butte landfill expansion.

Chapter 53 of the Development Code of Benton County mandates three criteria (not repeated herein) to be considered in approving a conditional use permit. Most relevant to this letter are the criteria that 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. Informing the development code is Goal 6 of the 2007 Benton County Comprehensive Plan, which is "to maintain and improve the quality of air, land, and water resources in a manner that will meet current needs and preserve resources for future generations."

Each year, DSAC receives and compiles public input on Coffin Butte that is relevant to these criteria and expectations—and that we believe should be taken into account in considering a potential expansion.

Ongoing public complaints include concerns surrounding soil and water quality; foul odors; the emission of significant volumes of methane (a greenhouse gas); traffic safety; and a negative impact on the visual character of the area. Members of the public have complained about the proximity of the site to wetlands, which drain into our public waterways, and the ability to enjoy the nearby Oregon Department of Fish and Wildlife E. E. Wilson Wildlife Area.

We invite you to review the recent Community Concerns reports compiled by DSAC. The 2024 report is attached herein, and reports for years 2021-2024 are listed on the DSAC website (https://cd.bentoncountyor.gov/disposal-site-advisory-committee-dsac/).

Because it would be an extension of existing operations, there is no reason to expect an expansion of Coffin Butte to diminish these community concerns. In fact, an expansion may increase public complaints.

Please note DSAC member Paul Koster abstained from certain discussions about Valley Landfills' CUP application but stands by the positions expressed in the CUP application.

We hope you find this input helpful in your review. Please contact committee chair Rachel Purcell (rcp.corvallis@fastmail.com) if you have questions or wish to discuss this submission.

Respectfully,
Benton County Disposal Site Advisory Committee

2024 Coffin Butte Landfill Community Member Concerns Annual Staff Report

Prepared By: Bailey Payne, Benton County Community Development Department, Solid Waste Program

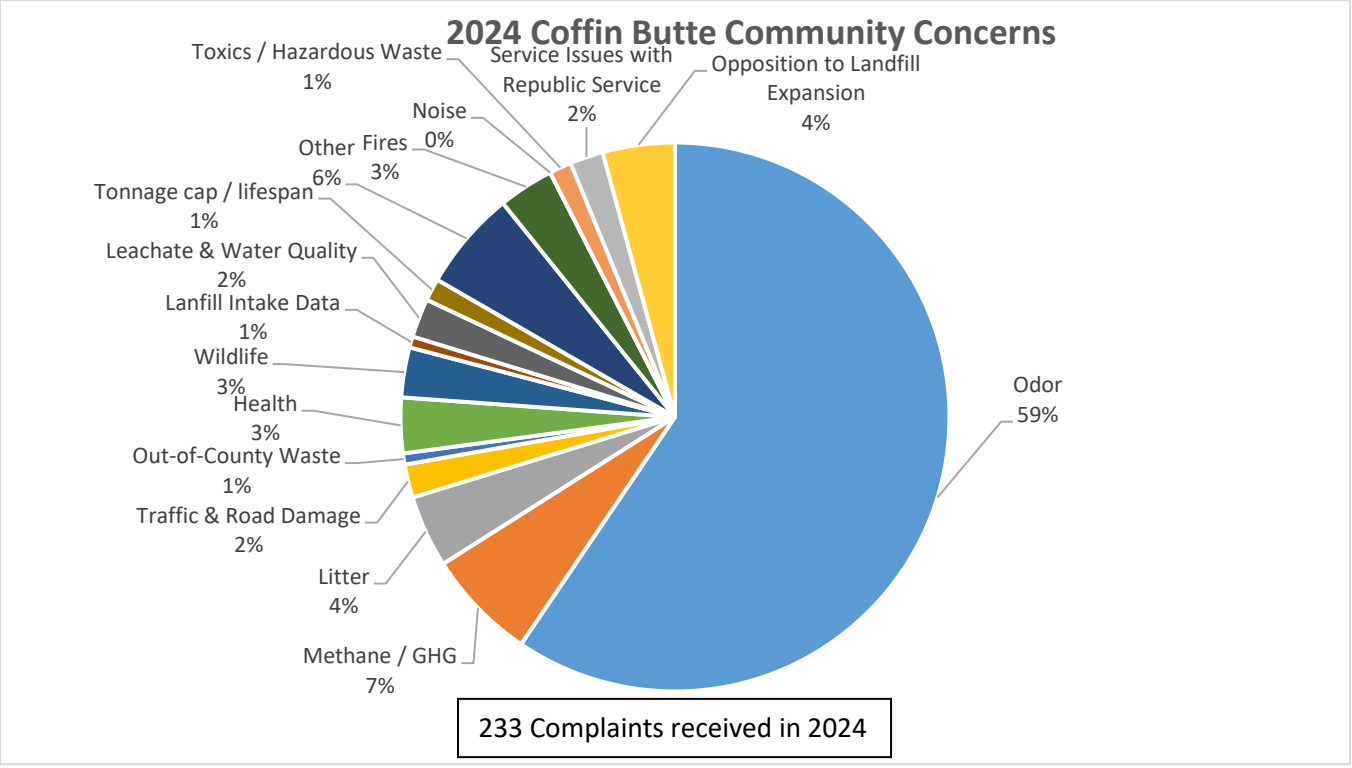
Preparation Date: February 19, 2025

The duties of Benton County's Disposal Site Advisory Committee (DSAC) are outlined in Oregon state law—specifically in ORS 459.325, which includes the requirement that "the committee shall prepare an annual written report summarizing the local citizens' concerns and the manner in which the owner or operator is addressing those concerns" which will be considered by the Department of Environmental Quality (DEQ) as part of issuing and renewing a solid waste permit.

Benton County staff and the DSAC have prepared the following report summarizing community member concerns regarding Coffin Butte Landfill in 2024, which may be used by DSAC to meet the requirements of ORS 459.325. Concerns listed in this report have been compiled using information from the complaints received by Benton County staff, complaints received by the Oregon DEQ and Republic Services and concerns presented during DSAC meetings.

Two hundred thirty-three complaints about the Coffin Butte Landfill were reported in 2024 as detailed in the table below. Some complaints included numerous topics while others focused on a single concern. The complaints were organized into themes as illustrated in the following chart.

The complaints received were fairly evenly distributed by topic, with the exception of odor complaints. Odor complaints were 59% of all of the concerns reported. In response, Coffin Butte Landfill has reported that it has expanded its methane capture system to reduce fugitive gasses from escaping and regularly makes repairs to tarps and wells.



#	Date Received	Concern Summary	Method Complaint Received	Response
1	1/11/24	Concerns about landfill odor – "Dump Day" in Adair Village and points north. "I'm at Santiam School, and I can taste it."	DSAC Chair	Not reported
2	1/11/24	Concerns about landfill odor – "take a quick drive up towards Tampico and over towards 99. Adair was stinky mid afternoon, and it's gotten worse and pretty bad right now."	DSAC Chair	Not reported
3	1/11/24	Concerns about landfill odor – "Coming back from town around 3:00 today, the dump stench around CV [Crescent Valley] was overpowering!"	DSAC Chair	Not reported
4	1/13/24	Concerns about road hazards, landfill odor – "I've been driving weekly on highway 99 S from Corvallis to Salem and have noticed a significant increase in large truck traffic coming in and out of the Coffin Butte landfill. A visible change in the landfill seems to be occurring… "Last Friday on January 12th, 2024 there was a toxic smell as a truck pulled out in front of me, and it endured for miles as I followed behind it at some distance - there was no visible back-of-truck license plate on the truck so that I might identify what the source or company was. "There seems now to be every couple of minutes a very large truck crossing onto or over Highway 99 at the Coffin Butte junction when I go by on Fridays in late mornings or early afternoons. Due to the frequency of large trucks entering and exiting, out-of-area incoming trash to the landfill seems as if it may have increased. In addition, I never used to actually smell the landfill as I passed by. However, these last 2 Fridays a strong smell was evident for quite a distance."	DSAC Chair	Not reported
5	1/28/24	Concerns about landfill odor – "I was helping 2 friends in N. Albany (one on North Heights and one on Broadway) Dump stench was present…. Sure wish we coulkd make people aware of what they are smelling or seeing."	DSAC Chair	Not reported
6	2/2/24	Concerns about landfill odor – "It's another stinky day in the neighborhood… With the wind drifting due south today, we're getting the full "dump stink" on the east side of Tampico Ridge, guessing it might be bad on the west side too."	DSAC Chair	Not reported
7	2/7/24	Concerns about landfill odor – "The landfill is stinking it up again today. Just filed another DEQ complaint."	DSAC Chair	Not reported
8	2/9/24	Concerns about landfill odor – "Yesterday late morning, stepping out of my car just north of Luckiamute River just off 99 made me cringe. I hurried inside, so I didn't have to be out there in the stink. Likely the exact scenario that caused the vineyard sale on Airlie to fall through."	DSAC Chair	Not reported
9	2/9/24	Concerns about traffic safety, landfill odor – "The Adair community is growing leaps and bounds. School age children attending Santiam Christian. School busing intertwined with garbage trucks and large tractor trailers hauling trash throughout the day. That new housing trac and a growing school being subjected to toxic air."	DSAC Chair	Not reported

10	2/9/24	Concerns about landfill odor – Soap Creek Valley – “Today is a dump day at our house”	DSAC Chair	Not reported
11	2/11/24	Concerns about landfill odor – 6:30pm, Hwy 99 by dump, "nose burning stench"	DSAC Chair	Not reported
12	2/13/24	Concerns about water quality – groundwater and runoff arsenic contamination – “We know that Coffin Butte Landfill produces leachate that is very high in arsenic. A seepage event in the early 1990s (acknowledged by Valley Landfills Inc.) resulted in high arsenic levels in one monitoring well along Coffin Butte Road, and since then several wells on the east side continue to show anomalously high arsenic.”	DSAC Chair	Not reported
13	2/17/24	Concerns about landfill odor – North Corvallis – “Can somebody please tell me what that horrible smell is here around the neighborhood market of Walmart? — post on Nextdoor”	DSAC Chair	Not reported
14	2/17/24	Concerns about landfill odor – Writsman Creek Road – “This morning I woke up to dump smell, we had a breeze coming up Soap Creek Valley (N to S) it was getting more pungent as the morning progressed.”	DSAC Chair	Not reported
15	2/24/24	Concerns about landfill odor – Coffin Butte overlook – “the odor was bad up there at times”	DSAC Chair	Not reported
16	2/25/24	Concerns about landfill odor and how Republic Services addresses those concerns – the correspondent relayed communications with Oregon DEQ: “DEQ compares odor complaints from the community to Republic Services’ odor report from the same day. I wasn’t aware that someone on R.S.’s staff periodically checks for odors at Coffin Butte, Monday through Friday, and files a report. She noted that they rarely report odors, even on days when we are complaining about especially bad stench. (I noted to her that sometimes, up here on Zeolite Rd., that weekends are just as likely to stink as weekdays!)”	DSAC Chair	Not reported
17	2/26/24	Concerns about roadside trash – Highway 99W – “I was appalled by the amount of trash along Hwy 99W on my way home from Rickreall. It caught my eye when I saw home owners standing in the ditch with bags and trash pickers stabbing plastic waste out of vegetation in their right of way. There is a lot of mostly plastic trash litter scattered all along the highway south of Monmouth from Helmick Park to the dump. These folks need to have a voice on the Disposal Site Advisory Council. I know that won't happen under the current DSAC bylaws, but they should be part of an expanded DSAC to go along with the new multi-county Solid Waste Plan.”	DSAC Chair	Not reported
18	2/26/24	Concerns about roadside trash – Independence Highway – “The roadside garbage along Independence Hwy is appalling (the section between Ryals and Hwy 20). I’ve been driving that stretch once or twice a week for the last 4 years. Despite Republic telling us that they do periodic trash pick-up days, the garbage in the ditches and in the surrounding fields is a constant and seems to be getting worse. I can only assume every heavily traveled route to Coffin Butte is lined with garbage. This is the welcome mat we put out for those driving to our area from other places….”	DSAC Chair	Not reported
19	2/27/24	Concerns about landfill odor – filing odor complaints – “the Republic Services “Odor Complaint Form” was REALLY	DSAC Chair	Not reported

		INTERESTING: I clicked on that link and it did indeed bring up a form where you can "report an odor concern" specifically attributable to the Landfill. That was a surprise! Because a little voice in the back of my mind said, *hm, last time I went to Coffin Butte Landfill's website looking for a way to complain about landfill odors, the only option was a complaint form for PRC, their composting facility. Zero options for complaining about landfill odor.* So I did a little research. Went to the website archive.org (where you can enter a URL in their "wayback machine" and see what the history of a web page is, aka see what it looked like over time). When I entered the URL for the odor complaint form, sure enough, as recently as December that URL went to a PRC odor complaint form, not a Landfill odor complaint form! Which means Republic Services having an actual place to complain about Landfill odors… is NEW as of 2024! "If you go directly to the landfill's website looking for the form... you can't find it! It is not on the "Contact Us" or "Resources" page, it's not in their FAQ... or anywhere else. It's a hidden page. So yeah they do have it, but clearly only begrudgingly. If you search for "Complaint Form" or "Odor Complaint" on their website — you get no results. THE ONLY WAY TO FIND IT right now is to search on the word "Odor"… and then and only then is there a clickable link to their "Odor Report" form."		
20	2/27/24	Concerns about landfill odor – Highway 99W – "I noticed strong odors Thursday the 22nd. We (my family and I) were driving hwy 99W northbound on the 22nd around 5:30/5:45pm-ish. I had a respiratory infection at the time which affected my sense of smell, but just before Adair Village I noticed a "weird" smell and it got stronger right as we passed the landfill."	DSAC Chair	Not reported
21	2/27/24	Concerns about landfill odor, wildlife impacts – "I was at EE Wilson on Sunday the 25th, and the smell was noticeable there. A sharp inorganic smell. Even more noticeable though were all the birds that had collected at the top of the landfill. There were several bald eagles and even some golden eagles there, as well as other raptors, hundreds of seagulls and even more crows, ravens and starlings. Sundays are a big day for them it seems, as there are no humans to disturb their dining – although from time to time a raptor would make a run and a thousand birds would explode off the working area and into the air. I know the landfill is supposed to cover the new garbage at the end of each day with dirt, but seems that didn't happen on Saturday EOD."	DSAC Chair	Not reported
22	3/5/24	Concerns about the recording and preservation of public landfill concerns – "It was told to me yesterday at the meeting by the county manager that because DSAC was not meeting, it kept the complaints from being collated – and that when DSAC begins to meet again then the process of relaying the complaints could begin again. How circular!"	DSAC Chair	Not reported
23	3/5/24	Concerns about air quality – particulate pollution – "I have an ongoing interest in Coffin Butte. Based on a conversation with Mark Yeager I pulled together the attached narrative concerning particulate pollution. It is not ready for distribution but I'd like to get your reaction to the information. I'd also like your ideas on how to get the information out to the community." Attachment:	DSAC Chair	Not reported

		research summary entitled “Coffin Butte’s Air Pollution Not Just Methane and Odors.”		
24	3/7/24	Concerns about landfill odor – “Today is another “Dump Day” — stinky, smelly especially over in Adair Village and around the school there.”	DSAC Chair	Not reported
25	3/17/24	Concerns about landfill odor – Soap Creek Valley – “Well, it is another lovely smelling dump day at the south end of the Valley. Last Thursday was also a dump stench day. Another sunny morning ruined for anything outdoors. The frequency and intensity of these dump days is absolutely unacceptable.”	DSAC Chair	Not reported
26	3/26/24	Concerns about landfill odor – North Corvallis – “A neighbor just texted me and said that the dump smell in North Corvallis (9th & Circle) today is "overpowering". — Nextdoor	DSAC Chair	Not reported
27	3/28/24	Concerns about the climate crisis / landfill greenhouse gases – correspondent sent an article,“Landfills Bake the Planet Even More Than We Realized” by Sachi Mulkey in *Grist*,” noting that the climate-data sleuths at Carbon Mapper published a study in Science that shows U.S. landfills emit methane at levels at least 40 percent higher than previously reported to the Environmental Protection Agency. “At more than half of the hundreds of garbage dumps surveyed — in the largest assessment yet of such emissions — most of the pollution flowed from leaks, creating concentrated plumes. The researchers found these super-emitting points can persist for months or even years, and account for almost 90 percent of all measured methane from the landfills. Tackling these hotspots could be a huge stride toward lowering emission rates, but blindspots in current monitoring protocols mean they often evade detection.”	DSAC Chair	Not reported
28	3/31/24	Concerns about landfill odor – Soap Creek Valley – “Yet again, another beautiful day with the heavy dump odor.”	DSAC Chair	Not reported
29	3/31/24	Concerns about landfill odor – Soap Creek Road – “ Landfill Odor 04/01/2024 – “Ken, do you have any idea why my email is being treated as spam by the County Commissioners office? It just bounces back. I have contacted them by phone and someone named Mindy is going to look at it from her end. Presumably someone is going to get back to me. I wondered if it is possible to reject email that the subject matter is “Landfill"...!"	DSAC Chair	Not reported
30	4/2/24	Concerns about climate crisis / landfill greenhouse gases – “I don’t know if you and your group have seen this article based on a recent new study on landfill emissions? The journal article they reference is here: *Quantifying methane emissions from United States landfills* study in Science”	DSAC Chair	Not reported
31	4/21/24	Concerns about landfill odor – 8:00pm, Buena Vista	DSAC Chair	Not reported
32	5/1/24	Concerns about landfill odor – 2:47pm, Adair Village	DSAC Chair	Not reported
33	5/9/24	Concerns about landfill odor – 2:45pm, Adair Village	DSAC Chair	Not reported

34	5/16/24	Concerns about landfill odor – 11am, Adair Village	DSAC Chair	Not reported
35	5/17/24	Concerns about landfill fire – relaying radio dispatches about fire at the landfill – ACTIVE FIRE AT THE LANDFILL	DSAC Chair	Not reported
36	5/22/24	Concerns about landfill odor – Soap Creek Valley – "Good morning, The dump smell is overwhelming at our place (7:45 AM)"	DSAC Chair	Not reported
37	5/22/24	Concerns about landfill odor – points south of landfill – "We live about 5 miles south of the dump as the crow flies, and we are smelling dump stink this morning!"	DSAC Chair	Not reported
38	5/22/24	Concerns about landfill odor – south of landfill – I was bcc'ed on an email to Bailey Payne, Solid Waste Coordinator: "This was at about 7:45am (Thurs 5/23/24). The smell actually began to make me feel queasy so I went back inside. I heard from a number of neighbors that they smelled it too. The landfill operators are supposed to keep odors in check but do not. It is truly scary smelling the dump (especially at your own home!) because we do not know what all pollutants we are taking into our bodies. And it is very disturbing that if you don't want to breathe those unknown things in, you feel like you have to avoid going outdoors until the "coast is clear."	DSAC Chair	Not reported
39	5/29/24	Concerns about landfill odor – "Dump Day in Adair, 2:30 pm"	DSAC Chair	Not reported
40	7/3/24	Various concerns – "Attached are my notes from the June 28th public outreach session." Attached notes raise issues with increased odor generation due to simultaneously operating 2 dump working faces; building on contaminated land without appropriate preconstruction assessment, remediation if needed and follow-up monitoring; siting landfill operations outside of the designated Landfill Zone; lack of a plan to improve landfill gas collection and monitoring; misleading claims about landfill gas emissions (by focusing on the current power generation system, RS underreports the actual carbon footprint of the landfill.)	DSAC Chair	Not reported
41	7/14/24	Concerns about air quality – landfill gas emissions – Concerns about landfill odor and greenhouse gases – "It appears that Republic is proposing two separate operations i.e. there will be a working face on the north "Quarry side" of CB Road and another working face on the south side. This could mean twice the odor problems. At the 28 June Philomath public session, I asked Ian McNabb if the two areas would be operating simultaneously. His off the cuff answer was yes, then he said he was not sure and would get back to me. No reply yet."	DSAC Chair	Not reported
42	7/21/24	Concerns about landfill monitoring and concerns for community advisory role – "Benton County land use code – chapter 24 governs the need for an advisory group to BOC for landfill operation/management, under Oregon revised statutes, chapter 459- waste management… ORS459.320 Regional Disposal Advisory site committee (public law) for counties which have regional landfills, or landfills larger then x. The Creation of Enrac without public input violates both chapter 24 of bc land use code and state of oregon chapter 459- ORS459.320." Concerns about water qualtity – toxic leachate – "PFAs and 1000's	DSAC Chair	Not reported

		of other toxins are being placed into the Willamette, for pennies by this corp, and damaging this ecosystem. State of oregon has a house bill passed which goes over PFAs. sources. oregon health authority may manage leachate under some ORS they have. And Federal level is RCRA or Clean Water Act. Over time, Short Mountain landfill and coffin butte rlf will have put x cubic feet of raw leachate into the willamette per year, for pennies on the tanker loads, which run 356 days a year to all three water plants (salem corvallis eugene-short mt)."		
43	8/6/24	Concerns about the climate impacts of greenhouse gas emissions and the water quality effects of leachate releases – "Methane is destroying the planet, so BC is currently allowing one of the largest sources of Methane in Oregon" and "I had a concern also from leachate dumped into the Willamette River at Salem and Corvallis, that 'Sorbal', the Hollingsworth and Vose nanoscale (PM2.5) fiber glass rod waste, may be able to bypass filters at both Waste Water Treatment plants in Salem and Corvallis to enter the Willamette River… The residual health impacts of RS using Sorbal are massive, as they ripple through the ecosystem and into entire cities possibly." Concerns also about the forever chemicals and long list of unknown toxics in leachate.	DSAC Chair	Not reported
44	8/10/24	Concerns about methods open to the community to communicate landfill concerns to Benton County – no avenues available – DSAC Chair to Bailey Payne: "We are [DSAC is] going to have public comment, so there really must be contact information added to the Committee webpages."	DSAC Chair	Not reported
45	8/12/24	Concerns about dump methane – "A question of interest to parents who live in Adair and the safety of their children, are they likely being impacted personally by methane on days they aren't smelling other dump fumes? Or are they likely occurring on the same days, as opposed to much more frequently?"	DSAC Chair	Not reported
46	8/12/24	Concerns about air quality – airborne PFAS – "I'm attaching a recent journal article that likely has some relevance to Coffin Butte… You folks probably heard about this issue lately as it did receive some press coverage… While I have heard Republic Services and others make short mention of PFAS "forever chemicals" in the landfill leachate, I haven't heard any discussion about the possible implications of this study: there may be as much or more PFAS emitted in gas form as in leachate. 'These findings suggest that landfill gas, a less scrutinized byproduct, serves as a major pathway for the mobility of PFAS from landfills.'"	DSAC Chair	Not reported
47	8/12/24	Concerns about uncontrolled methane releases – "Monday, Aug 12, P.M. Kezi 9 News report: Senator Merkley is working to get the EPA to move along with Methane violation process as this CUP application is underway." Concerns about future implications of hosting the landfill – "Benton County only contributes a small percentage of trash to this landfill, but BCounty is being impacted by all the Environmental costs, and financial costs on into the future, to insure and pay Republic or some other Waste Mg. firm, to maintain the landfill for 30 years or	DSAC Chair	Not reported

		less after closure." Concerns about "endless landfilling" at Coffin Butte – "The landfill owner is interested in creating more landfill cells, to the west, into Soap Creek Valley and are exploring this with Benton County." Concerns about lack of final cover over most of the landfill. Concerns about closure of Coffin Butte Road – "A trash cell, in future may be planned, to bury Coffin Butte Road, and close it permanently, in order to connect the new South Dump at some point, to Cell 5E, the current, 2024 active dump." Concerns about proper permitting for the expansion as a "new landfill."		
48	8/20/24	Concerns about landfill odor – Writsman Creek Road – "This morning the dump stench is hanging in the air!"	DSAC Chair	Not reported
49	8/22/24	General environmental concerns including greenhouse gas emissions and toxic leachate – "Coffin Butte RL is built in the wrong location, in a wet Mediterranean climate, is generating leachate which means it is also chemically, able to generating methane, as this landfill has been put on top of and up against a massive, water storing, water releasing, layered, rotting basalt geologic feature, Coffin Butte."	DSAC Chair	Not reported
50	9/2/24	Concerns about landfill odor – Adair 7:57am	DSAC Chair	Not reported
51	9/9/24	Concerns about landfill odor – Adair, 8:04am. Nose burning, and throat tickling	DSAC Chair	Not reported
52	9/10/24	Concerns about landfill odor – Adair, 7:55am. "Soggy & heavy"	DSAC Chair	Not reported
53	9/22/24	Concerns about fire – Pacific Region Compost – relaying radio dispatches – a large pile at the Pacific Region Compost is on fire. "1) no RS employees on site, despite having a burn pile today (no "watchers"). 2) I'd be curious to know what the PRC is burning in piles. If they are supposed to be composting, what are they instead disposing of by burning? "Would be interesting to see if they do a safety report every time something like this happens. Perhaps we can ask for a map of where the fire was located, how close it was to other burnable material like vegetation and fields, and ask what their permission source was to be able to burn during such a dry season (particularly leading into the 90° day tomorrow, and leaving it unattended). A homeowner would get in lots of trouble for leaving a fire not put all the way out that could reignite…"	DSAC Chair	Not reported
54	9/28/24	Concerns about fire – Pacific Region Compost – relaying radio dispatches – "Passerby called, saw brown smoke coming from a compost pile near the back of the compost facility"	DSAC Chair	Not reported

55	10/13/24	Concerns about landfill odor – just N of Sarah Helmick park/Luckiamute, nose burning, had to stay inside	DSAC Chair	Not reported
56	11/30/24	Concerns about landfill odor – Dump day here at the end of Soap Creek Valley on 12/1/24 - Likely will continue each day all week with this stagnant air + fog.	DSAC Chair	Not reported
57	12/4/24	Concerns about landfill odor and toxic PFAS area contamination – "Considering the new research that shows that municipal landfills can release similar amounts of PFAS as is found in the liquid leachate -- one of the major sources of PFAS contamination in many areas -- escaped landfill gas is likely a hazardous material that may well pose a serious threat to human health and the environment."	DSAC Chair	Not reported
58	12/13/24	Concerns about landfill odor – "Around 1:30pm Saturday Dec 14, passing the Coffin Butte landfill on Hwy 99… unbelievably bad! The smell permeated my car, and I felt queasy for a good half hour after arriving home."	DSAC Chair	Not reported
59	1/2/2024	This is more of the usual stench that we in surrounding counties are being subjected to on an ongoing basis. Over the new year's holiday weekend the active dumping area was not covered as required, and this may have contributed to the strength of the odor. It was unpleasant to be outdoors. The annual Christmas Bird Count tallied >1,000 gulls feeding on the landfill in the uncovered trash.	DEQ	Not reported
60	1/12/2024	"horrible smell of the landfill"	Forwarded to RS from DEQ	Not reported
61	1/12/2024	Constant gas odors from coffin butte landfill, disturbing quality and health. I have lived here for 40 plus years and it's now intolerable	DEQ	Complaint is about the landfill odors getting worse in general. No specific incident or event.
62	1/13/2024	Offensive air pollution from the landfill. Not sure what else you want to know.	DEQ	1/23/24 - contacted source by email and forwarded complaint, with request for response.
63	1/16/2024	Rotting Garbage and Death smell is very present. Floating debris, garbage bags and chip bags entering animal pastures.	DEQ	Met with solid waste permit writer/inspector for the Coffin Butte Landfill. The landfill has fencing to trap wind-borne debris like bags to keep them from blowing off-site, as a requirement for their operations. Trucks bringing waste to the landfill are not owned or managed by the landfill, and can often be a source

				of wind-borne materials, as well as individuals discarding materials, so the landfill may or may not be the source of these.
64	1/18/2024	"Odor"	Forwarded to RS from DEQ	Not reported
65	1/18/2024	"incredibly intense"	Forwarded to RS from DEQ	Not reported
66	1/18/2024	"odor was very obvious"	Forwarded to RS from DEQ	Not reported
67	1/18/2024	"hits you like a wet blanket and permeates into the home as well"	Forwarded to RS from DEQ	Not reported
68	1/18/2024	"really bad"	Forwarded to RS from DEQ	Not reported
69	1/18/2024	I walked out our front door and was immediately hit by the stench of the landfill. While we often experience stench from the landfill, it's significantly worse today. One factor might be that the landfill has just re-opened, after being shut down over the holiday weekend and then due to winter weather conditions. So gases generated by garbage that have been building up under "daily cover" which was then capped by snow and ice are being released by renewed activity in the tipping area.	DEQ	Sent email with all 5 of the Jan 18 complaints to Ian, including the times reported. Waiting on response.
70	1/18/2024	I live several miles south of the Coffin Butte Landfill. The stench from the landfill is incredibly intense today. Difficult to breath. The source of the smell is unmistakable. I have smelled this smell at other times over the years, but it has never been this intense.	DEQ	Sent email with all 5 of the Jan 18 complaints to Ian, including the times reported. Waiting on response.
71	1/18/2024	Coffin. Uttebmandfill odor is consistent and permeates all the way to town of Corvallis, it’s awfully going outside in your own neighborhood within miles radius. It hits you like wet blanket and permeates into the home as well	DEQ	Sent email with all 5 of the Jan 18 complaints to Ian, including the times reported. Waiting on response.
72	1/18/2024	The smell is really bad from Coffin Butte Landfill.	DEQ	Sent email with all 5 of the Jan 18 complaints to Ian, including the times

				reported. Waiting on response.
73	1/19/2024	"very apparent"	Forwarded to RS from DEQ	Not reported
74	1/19/2024	The landfill stink is very apparent today. Complaint forwarded to DEQ from LRAPA, email w/original complaint uploaded to documents - complaints intake SC	DEQ	Following up with Ian via email. Waiting on response.
75	1/22/2024	The odor from the Coffin Butte Landfill is getting increasingly worse. I am concerned for my family's health and safety.	DEQ	This complaint did not reference a specific event, but I will add this to the multiple-complaint follow up from January 18/19.
76	1/24/2024	AIR QUALITY AND AIR STAGNATION ALERTS – LANDFILL METHANE EXCEEDANCES Since early November, the residents of Corvallis, Albany, Salem and Eugene-Springfield and surrounding rural areas have been subjected to multiple days of air stagnation weather patterns. During these periods of air stagnation, residents of Corvallis, Albany, Adair Village plus other small communities in the Linn and Benton county area have been experiencing acrid and chemical smells in the air, which are turning into health issues for people who have allergies and other respiratory issues. Residents researched and found that these smells are coming from the Coffin Butte dump and an EPA inspection of this particular disposal area was done in JUNE 2022. There was found massive methane leaks that violate air quality limits. It seems these might not have been addressed and the air quality has continuously worsened. Also, several eye witnesses living in Adair Village have recently witnessed open areas of waste NOT being covered (which it was found is a daily requirement per Republic Services permit). They have also witnessed seagulls (by the hundreds) scavenging the dump and found some of these birds dead in their neighborhoods shortly after that event. On Highway 20 at Independence Highway on Friday December 15 around noon, the smell from the dump was absolutely overpowering. Residents are being exposed to toxic air pollution from the landfill, especially residents in and around Adair Village, Logsdon Ridge, and North Albany. Over the past 3 months, many in our communities (very active dog walkers and neighbors who regularly interact outside) have curbed these activities, due to health issues breathing this offensive air. The rare break (when there is a slight breeze) finds all getting out in droves, as the air clears (but ONLY temporarily). People in our Watch are talking about the need for DEQ and Benton County to honor their mission and vision statements RE: air quality to Oregonians. Many have called and sent in complaints (like this one). However, it seems that local Republic Services administrations are not being held accountable for their neglect of environmental air quality in the	DEQ	General complaint not in reference to a specific event. However, complainant is representing a neighborhood group. Additional followup needed, meeting with permit writer on Monday 2/5 as next step.

		Central Willamette Valley. There is talk of petitions and other actions by residents bring taken - if the situation continues further without resolve. I am sending this complaint on behalf of about 150 residences in only a portion of North Albany. We would think that the DEQ would honor all they claim to uphold for public air quality and would hold any business that is required to keep pollution at a minimum to account for local taxpayers. In past years, Wah Chang and the pulp plant in Millersburg were held to account when there was a continuing threat of pollution (danger to public health), so why not Republic Services? Something needs to be done soon, as taxpayers are getting upset with the lack of resolution to this ongoing situation. Redacted per ORS 192.355(4) Confidential Submissions		
77	2/3/2024	"Chemical type smell, Horrible"	Forwarded to RS from DEQ	Not reported
78	2/3/2024	"Strong smell of methane"	Forwarded to RS from DEQ	Not reported
79	2/3/2024	"foul chemical odor"	Forwarded to RS from DEQ	Not reported
80	2/3/2024	"nasty, horrible and probably not good for anyone to breathe"	Forwarded to RS from DEQ	Not reported
81	2/3/2024	"so strong"	Forwarded to RS from DEQ	Not reported
82	2/3/2024	There is a very strong smell of methane outside of my home. This odor is prevalent several days a week and has been growing worse over the last several months.	DEQ	Reported the 3 complaints from Feb 3 to Ian. Currently waiting on a response.
83	2/3/2024	I've reported this before but have yet to receive a reply. This is a frequent occurrence, whenever the wind is from the north. One factor making it a little worse today might be that large areas at the top of the landfill aren't covered by tarps, while they're supposed to be upgrading the methane collection system. Yesterday was windy and I noticed that the tarps were billowing and had come loose in several places on the east side, leaving new areas of exposed soil (or "daily cover") where landfill gases can escape. I thought DEQ and/or EPA were supposed to be getting this outfit to clean up their act -- what's happening?	DEQ	Emailed Ian about the 3 complaints filed on February 3. Waiting on response.

84	2/8/2024	"strong"	Forwarded to RS from DEQ	Not reported
85	2/8/2024	The landfill smell is strong. When we first moved here in 2020 we would smell the landfill about every few months. It's been every other week for the last year. I don't know what is contributing to this, but it's awful.	DEQ	Forwarded complaint to Republic on 2/15/24, waiting on response.
86	2/8/2024	On both Saturday, February 3 and Tuesday, February 6 the smell from Coffin Butte landfill was so strong that it bothered us as we drove in the area.	DEQ	Forwarded complaint to Republic on 2/16/24. Waiting on response.
87	2/10/2024	"awful stench"	Forwarded to RS from DEQ	Not reported
88	2/10/2024	"stinky air" "especially bad"	Forwarded to RS from DEQ	Not reported
89	2/10/2024	Odor	Forwarded to RS from DEQ	Not reported
90	2/10/2024	We live by the land fill and the sticky days are happening more and more :(	DEQ	Forwarded complaint to Republic, waiting on response.
91	2/10/2024	I recognize this stinky air quality as odor from the Coffin Butte landfill. I live in the soap creek valley and the odor is often especially bad.	DEQ	Forwarded complaint to Republic, waiting on response.
92	2/10/2024	Republic Services Coffin Butte Dump.	DEQ	Forwarded complaint to Republic on 2/16/24, waiting on response.
93	2/13/2024	"the usual Coffin Butte stench"	Forwarded to RS from DEQ	Not reported
94	2/13/2024	The usual Coffin Butte Landfill stench. This time the odor was only present above 800 ft elevation, along Vineyard Mountain Ridge. The geography of the stink is very much dependent on local air mass movement and wind direction and strength.	DEQ	Forwarded complaint to Republic, waiting on response.
95	2/14/2024	"very bad"	Forwarded to RS from DEQ	Not reported
96	2/14/2024	"usual rotting garbage odor"	Forwarded to RS from DEQ	Not reported

97	2/15/2024	"extremely strong"	Forwarded to RS from DEQ	Not reported
98	2/15/2024	The landfill smell is extremely strong. This is not compost. The landfill has a distinct odor more chemical in nature. The issue has been getting progressively worse over the last several weeks	DEQ	Forwarded complaint to Republic on 2/23, waiting on response.
99	2/20/2024	"malodorous chemical smell"	Forwarded to RS from DEQ	Not reported
100	2/20/2024	"rotting garbage"	Forwarded to RS from DEQ	Not reported
101	2/20/2024	"usual landfill stench"	Forwarded to RS from DEQ	Not reported
102	2/20/2024	All day Coffin Butte Landfill odors. Moderate levels today, and have been present for the last 3 days (Feb 17-20). Basically smells like rotting garbage.	DEQ	Forwarded complaint to Republic on 2/23, waiting on response.
103	2/20/2024	The usual rotting garbage odor that emanates from Coffin Butte landfill. I first noticed it at my home in the morning. I drove to Albany around 11am and back around 2pm. I smelled the odor from my home, all along Soap Creek Road, Tampico Rd, through Adair Village to Independence Hwy. The odor dissipated soon after I turned onto Hwy 20 toward Albany. The odor was still present when I returned home around 2.	DEQ	Complaint is referencing February 14, which has already been reported and responded to. The additional complaint is being reported, but no additional information is being requested. Called and left a message at the number provided on 2/23 at 10:42 a.m.
104	2/20/2024	The odor was especially concentrated around 700-800 ft elevation, coinciding with the bottom of the cloud deck, but still present at 500 ft. As the fog lifts, the odor often dissipates.	DEQ	Forwarded complaint to Republic, waiting on response.
105	2/22/2024	"Stinks"	Forwarded to RS from DEQ	Not reported
106	2/24/2024	"Rotting stench"	Forwarded to RS from DEQ	Not reported
107	2/24/2024	"sour, reeking stench"	Forwarded to RS from DEQ	Not reported

108	2/25/2024	While driving north on Soap Creek Road prior to the Tampico Road intersection we put our autos air on recirculate and then shut the system off but it was too late the car was already filled with the highly offensive odors. We proceeded north to Hwy 99 and just had to wait it out until we got north of Republic Services Coffin Butte Dump. It is really concerning issue especially since so many people live in the vicinity of the Dump.	DEQ	Forwarded complaint to Republic, waiting on response.
109	2/27/2024	There was on 2/24 and still is a great deal of garbage strewn along Hiway 99 from Monmouth south to the Coffin Butte Landfill. It seems likely this is the result of debris falling off garbage trucks headed to the Coffin Butte Landfill. It is unsightly but also potentially dangerous for people who are walking along the road or getting their mail (or picking up after the garbage trucks).	DEQ	After a very long telephone conversation with the complainant, who advised "there was one spot that had about 5 large plastic bags, that had to have come from a truck headed to the landfill", but no one location, just scattered mess from Monmouth to Corvallis. Everything points to excessive roadway debris, I will be closing the complaint, unfounded.
110	2/29/24	For years I have witnessed garbage flying out of the Republic Services garbage trucks. Independence Hwy is disgusting, so does Hwy 99 and all adjacent roads. These used to be lovely roads with great views but it looks no better than a 3rd world country. This has been brought up in the Next Door Neighbor app and I am not alone. Please read. https://nextdoor.com/p/G6-H2FCk_5Kd?utm_source=share&extras=NDk2ODc1MQ%3D%3D&utm_campaign=1709261818824	Email	Thanked respondant and logged complaint.
111	3/6/2024	"Reeking Stench"	Forwarded to RS from DEQ	Not reported
112	3/6/2024	This is my 2nd Environmental Violation complaint- Regarding non existent and/or lack of Daily Cover. Which is required by not only Title V air quality permit but also by Solid Waste Disposal Site Permit Municipal Solid Waste Landfill SWD P 306 Expiration Date June 30, 2030. My 1st complaint was forwarded to Oregon DEQ Western Region Hazardous/Solid Waste Permitting/Compliance 4026 Fairview Industrial Dr Salem, OR 97302. Mr. Hugh Gao was the first and only person to reply although he started to cc a Miss Becky Williams. I have to report that I feel my complaint wasn't taken seriously. Mr.Gao response was that he contacted the land regarding issue of daily cover and landfill provides us evidence that indicates the landfill is in compliance. My repeated questions about penalties went completely unanswered. Yet COMPLIANCE is half of	DEQ	According to information and photos provided by the permittee, a daily cover material was applied at the operation area of the landfill in compliance with requirements as specified in the SW permit. The landfill did not open in Sunday (Feb. 11,

		Mr.Gao's title (maybe the whole division's title). I find it absolutely unacceptable that repeated acts of noncompliance aren't penalized. Shortly thereafter without informing me Mr.Gao closed my complaint. In my opinion no action was taken. I am also not aware of any penalties levied. Above I checked Falsified in the Violation Method section since landfill stated to Mr.Gao that they are in compliance and these more recent photos evidence they are not. As mentioned above I believe this is both an air quality issue and also a Solid Waste Permitting issue hopefully you can take enforcement action on this issue. Attached photos taken February 11, 2024. I have a video that is too large a file to upload. By zooming in on the video you can see the large number of birds scavenging on the uncovered garbage		2024). A daily cover material was applied on Friday, 2/9/2024.
113	3/7/24	Coffin Butte water quality	Email	Darren asked Bailey to send this information to DEQ (done). Robert Orton's contact information was not included. Mr. Orton is a Republic employee and has given comment at a recent BOC meeting. Xan Augerot received a complaint that Republic Services is using water from the Knife River quarry which is a rock quarry that borders the Coffin Butte Landfill. The complainant is concerned that water that is collected in the quarry is being used to wash the roads around (in?) the landfill. Photos and video are documented here: G:\dev\Code Compliance\Files - Enforcement\2024
114	3/8/24	Coffin Butte odors	Email	Odor complaint. I've sent the Republic Services and DEQ complaint links.

115	3/8/24	Coffin Butte odors - Dump stench today(March 8,2024) 7:00 Am til around 11:00. The areas of concern, 27407 Writsman Creek Dr., Tampico / Trillium intersection and OSU 400 road. It was a pretty high concentration.	Email	Thanked her for contacting us and forwarded Republic Services and DEQ complaint lines. Comm. Augerot also sent the Coffin Butte complaint link.
116	3/8/2024	"5"	Direct Complaint to Republic Services - Ken Kupperman	Not reported
117	3/8/2024	"rotting garbage plus acrid chemical smell", level 8	Direct Complaint to Republic Services - Faye Yoshihara	Not reported
118	3/8/2024	Reeking stench	DEQ	Complaint completed as duplicate complaint - see complaint #2024-00491/41497 assigned to Laura McWhorter based on complaint proximity to Coffin Butte Landfill, Republic Services
119	3/8/2024	Went outside around 8:30 am to the typical rotting garbage plus chemical acrid smell we get when we drive by Coffin Butte Landfill. It was so strong that I abandoned my plan to go for a hike and I went back inside. Around 10:00 am was my last chance for exercise today and I know that sometimes the landfill odors change with elevation and wind direction. Our house is at 500ft. So despite the landfill smell being present with its signature acrid chemical smell, but reduced, I proceeded down to 350 - 400 feet where the smell was the weakest. It was still unpleasant, but not noxious as higher elevation. By the time I returned to my house around 11:30am, the smell was present, but minimal.	DEQ	Forwarded complaint to Republic, waiting on response.

120	3/8/2024	After reporting the signature Coffin Butte Landfill rotting garbage plus acrid chemical smell this morning, I wanted to add that a couple hours later when I went outside, a different smell that I associate more with PRC, was present at our house. It smelled more like silage and rotting organic matter. While I am not 100% certain the smell is from PRC, I will note it as “yes” below, as I believe this is the most likely source. I am only reporting to differentiate the smells we get from both the Landfill and PRC facilities, generally on different days. Today we got both. Some days, I drive to PRC so I can follow the smell to the source, today I did not have time to do this.	DEQ	3/15: Craig Filip (CF) received notification of this complaint via email at 1422 on 3/14, even though it was reported on 3/8. CF emailed Ian Macnab with Republic Services, Inc. about this issue. Mr. Macnab responded today, as did Operations Manager Broc Kienholz, that there were no complaints reported to them and no system upsets or other issues they could identify. CF called the complainant to convey this information, along with his contact information
121	3/10/2024	Noticed early morning Friday 3/8 on Tampico, drove 5 miles soap creek with ongoing odor, drove back Tampico and to CHS odor intensified throughout day. Some days worse than others, it is increasingly consistent	DEQ	Forwarded complaint to Republic, waiting on response.
122	3/12/2024	"landfill odor with a noxious chemical component"	Forwarded to RS from DEQ	Not reported

123	3/15/24	Bailey's comments in **blue**. Dear Bailey, Can you and Benton County work to find a better way for Rep. Ser. to provide a best management practice bill for residents in Benton County? My residential trash pick up and recycling bill lets me know nothing about what I am paying for. I'm not sure what influence Benton County has on this, but I'll certainly pass along your feedback. You can also send these comments to them directly here. As you probably know, Republic Services is a national company and their billing is out of their Phoenix office and I'd guess their billing to be similar for all of their nationwide accounts. I am interested in what Benton County Public Works does with the payment funds they get from Rep. Ser. from the public in their trash bill? I'm new to Benton County, but I believe that these funds go into the Benton County general fund, some of which is used to fund our department's programs. I am interested in what the recycling fee does and why? I'm not certain of this, but I'm guessing that a recycling fee may have been added some years ago to help recycling companies reduce contamination. I could be wrong as I'm not sure what the "recycling fee" is. Where do comingled recyclables go and does all of this material get reclaimed? The materials initially go to Republic Services' facility in Albany. The commingled recyclables are baled for more efficient shipping and sent to a Portland area material recovery facility where they separate the recycling into different materials and grades. From there, the recycling goes to manufacturers that buy it as a raw ingredient for their manufacturing of new products. Does recycling all go to Salem to Garten Foundation to be sorted? I think it depends on the market. It could go to Garten Services in Salem or one of the 6 or so MRFs in the Portland area, depending on what they pay and how much material they need. How is comingled recycling working, or is it failing or is generating more waste or is too cost prohibitive to work as comingled reclamation the few of materials we can put in the recycling bin. Should return to sorted recycling to save more materials from being landfilled? The commingled collection system has been a double-edged sword. On the one hand, it's increased recycling by about 30% which is great. The downside is that people too often put in things that aren't part of the collection system. Things like Styrofoam, hoses, plastic bags and other contaminants have increased which has also put a real strain on the system. Recycling markets took a big hit several years ago which compounded the problem. Ultimately, the best solution is to have the material used domestically, ensuring stable markets for the recyclers. Sometimes processors will run the material a second time to improve how much they're recovering, but as technology improves, these MRFs should be able to better handle it. In the meantime, it's important	Email	Bailey responded (see blue text)

		that people "recycle right." What percentage of our residential trash bill goes directly to an account for paying for the closing and maintenance for x years, of the landfill? I'm not sure about the percentage, but the Oregon Department of Environmental Quality requires that landfills have a fund set aside for closing the landfill and mitigating future environmental problems that could arise. I know that this is a topic that our solid waste committee will focus on. Rana, it sounds like you may enjoy taking the Master Recycler class. It's a great way to learn all about waste prevention, recycling, composting and disposal. Here's a link. You may also find these videos of interest: Saving Little Pieces of Our Earth: Your Curbside Recycling Journey How a Material Recovery Facility (MRF) Works – This is an excellent video that shows the process. One thing to note is that many programs include glass in the commingled. In Oregon we fortunately don't do that (glass shards are really bad for paper recyclers), so glass is collected separately.		
124	3/15/24	Website links don't work	Email	Debbie was frustrated that the links in the BCTT Final Report do not work. Sent Debbie the link to the old website that has the list of links to the solid waste documents that had been listed on the website and assured her that the links will all work again once our website has been revamped.
125	3/18/24	Coffin Butte odors	Call	Bailey acknowledged his complaint.
126	3/21/2024	Original complaint received as email by DEQ HOT Support: Hello my name is Eric Nittka, I live at 28709 Robison Rd, Monmouth, OR 97361. I've been a resident in that location for the last 12 years. The smell from the landfill was only a problem once in a great while for the first 10 years just in just this year we are consistently smelling stink from the landfill day, night, afternoon. I'm not sure why but it's getting bad. Problem number 2. The trash along the roads and highways leading to the landfill are always littered with trash. There's supposed to be a covered load ordinance, that's not being enforced. The landfill is greatly effecting the livability of our community. Please respond to me with what action will take place to see this is corrected. Thank you for your time.	DEQ	Regarding the odor portion of the complaint, I called and left a message with the complainant. The complaint about the trash blowing out of the trucks is related to solid waste rules, so I am also reassigning the complaint to them.

		Sincerely Eric Harry Nittka Original email uploaded to documents - complaint intake SC		
127	3/23/2024	"foul/gassy, for two hours"	Direct Complaint to Republic Services - Kate Schoenhals	Not reported
128	4/1/24	Coffin Butte odors	Email	Mark emailed the Benton County leadership and cc'd me complaining about the dump odor and asking how we're planning to hold Valley Landfills accountable. Commissioner Augerot responded.
129	4/1/24	Coffin Butte odors	Email	Commissioner Augerot forwarded her complaint for my records.
130	4/1/2024	Power of odor: 10	Direct Complaint to Republic Services - Elizabeth Patte	Not reported
131	4/1/2024	"incredibly bad", 10	Direct Complaint to Republic Services - Vicki Druliner	Not reported
132	4/1/2024	10, "smells like rotten eggs. But worse. More chemically."	Direct Complaint to Republic Services - Nathalie Sutherland	Not reported
133	4/2/24	Road damage (potholes) causing hazard for traffic at posted speed limit. Inde hwy from landfill to Hwy 20	Call	Sent compaint to PW (PWinfo@bentoncountyor.gov)

134	4/5/24	Numerous pot holes caused by the heavy truck traffic from Knife River.	Email	Emailed complaint to PW (PWinfo@bentoncountyor.gov) and responded to complaintant.
135	4/8/24	Coffin Butte Litter	Call	Bailey provided Craig Filip with Chp. 23 covered loads language and contact info for Kenny Larson. Craig Filip, Oregon Department of Environmental Quality, left a voicemail today. Mr. Filip said his office has received complaints about "trash being strewn on the road to and from the Coffin Butte landfill" and he would like to know if Benton County has a covered load ordinance for road transportation of materials. If the answer is yes, he would also like to know what the code citation is and who is responsible for enforcing such a requirement.
136	4/12/2024	"overpowering landfill stench"	Forwarded to RS from DEQ	Not reported
137	4/12/2024	This happened both yesterday and again today. Overpowering landfill stench as I came out of my house in the morning. I was driving out to do bird surveys so I went right by the landfill and noticed that there are still huge areas up top with no tarps, in the same area where EPA inspectors found 60+ violations of methane emissions a couple of years ago. This is extremely frustrating -- this landfill is in violation and there have been many reports, but we're not seeing any action by DEQ.	DEQ	Forwarded complaint to Republic, waiting on response.

138	5/2/2024	"Strong odors"	Forwarded to RS from DEQ	Not reported
139	5/2/2024	This just keeps happening, whenever a breeze is blowing from the north. By 7 pm the landfill is supposed to be closed for the night, so this could be an indication that they didn't adequately cover the working face, and/or that they still have a problem with leakage through their tarps. Lately I've noticed that larger areas that used to be covered by tarps are uncovered.	DEQ	Forwarded complaint to Republic on May 6, waiting on response.
140	5/23/24	A beautiful morning in Soap Creek Valley with an overwhelming dump stench hanging in the air!	Email	Sent complaint links to Republic Services & DEQ
141	5/23/24	Wanted to report this to you so you knew this goes on… For the first time (for me, anyway), I smelled the dump from right outside my own home. I live a good five miles away from the dump and am surrounded by a lot of trees which usually keep the air clean, but not this morning! My husband went out for a morning walk and texted me he smelled the dump. I hadn't been outside yet, so stepped out my front door and could smell it from my deck. This was at about 7:45am (Thurs 5/23/24). The smell actually began to make me feel queasy so I went back inside. I heard from a number of neighbors that they smelled it too. The landfill operators are supposed to keep odors in check but do not. It is truly scary smelling the dump (especially at your own home!) because we do not know what all pollutants we are taking into our bodies. And it is very disturbing that if you don't want to breathe those unknown things in, you feel like you have to avoid going outdoors until the "coast is clear." This is one of the many reasons a landfill like this should not be located so close to populated areas. When we moved here nine years ago we were given the impression that the landfill was almost full and so would be closing in the near future. On the landfill's own website in their FAQ they describe the process of how the landfill will be closed when it is “filled to capacity” so we were comforted by that. But clearly this is misleading, as they will continue to expand this dump forever if the County allows it to. I know this now, but did not when I moved here. I have made my complaint to DEQ on their form (about this morning’s odor), but wanted to be sure you were aware as well. Do you keep a log of landfill complaints, by any chance?	Email	Documented complaint and sent DEQ & RS complaint forms.
142	5/23/2024	"smell of Garbage" overwhelming	Forwarded to RS from DEQ	Not reported
143	5/23/2024	smell the dump	Forwarded to RS from DEQ	Not reported
144	5/23/2024	"coffin Butte's effluence"	Forwarded to RS	Not reported

			from DEQ	
145	5/23/2024	"trash and rotten egg"	Forwarded to RS from DEQ	Not reported
146	5/23/2024	I live approximately 5 miles south of the Coffin Butte Landfill and I needed to drive to my rental house in Adair Village this morning. I could smell Coffin Butte's effluence the entire drive to Adair. Although I smell their odor in the air once a month or so, today it was bad enough that my eyes began to sting and I had to go inside as soon as I could.	DEQ	Forwarded complaint to Republic on 5/28, waiting on response. Multiple complaints were reported on this date, including one reported directly to the landfill and forwarded to DEQ.
147	5/24/24	The smell this morning (8:15am) is not as intense as it was yesterday. But still noticeable	Email	Documented complaint
148	5/24/2024	Wednesday morning the smell of garbage from the Coffin Butte Landfill was overwhelming.	DEQ	Forwarded complaint to Republic on 5/28, waiting on response. Multiple complaints were reported on this date, including one reported directly to the landfill and forwarded to DEQ.
149	5/24/2024	I live near the Coffin Butte Landfill and the odor of trash and rotten egg was incredibly strong at my house, definitely NOT a compost smell.	DEQ	Forwarded complaint to Republic on 5/28, waiting on response. Multiple complaints were reported on this date, including one reported directly to the landfill and forwarded to DEQ.
150	7/12/2024	"landfill smell"	Forwarded to RS from DEQ	Not reported
151	7/22/24	It is long past time to address the overuse of the Coffin Butte landfill by municipalities across Oregon and Washington. It should be designated and operated as a regional landfill. At its current intake rate it will become a Superfund site which is not the legacy you should be leaving. With the CUP application now on file, please make the call as elected leaders of Benton County to restrict any expansion to future use for Benton County only.	Email	Sent her information about DSAC and ENRAC and let her know that there will be ample opportunity to provide public input.
152	7/24/2024	Noticeable unpleasant methane odor	Forwarded to RS from DEQ	Not reported
153	7/24/2024	Trash flew over the buffer property and was dropping on our property and adjacent properties. I have pictures of it in the air. Doritos bag landed on my property. Plume of something was	DEQ	7/30 - Forwarded complaint to

		moving towards my residence on SE corner of landfill buffer property		Republic, waiting on response.
154	7/26/2024	A semi tractor-trailer (Oregon "HV" license plate number 78149 on the trailer, logo on the truck cab said "Ray Trucking / Dallas OR") left the landfill via Coffin Butte Road at 13:45, turned northbound onto Highway 99W, and left a long trail of plastic, paper, and other trash which was blowing out the back end of the truck. Within the first mile the stream of trash was almost constant with 5 to 10 pieces in the air at a time, then gradually diminished but trash continued to fly out even after the truck passed Suver Junction and Old Fort - Helmick Road, all the way to the outskirts of Monmouth where the truck slowed down. Altogether I'd estimate 150 to 200 pieces of trash, which fluttered off into the ditches and into nearby fields. On my return trip from errands in Monmouth about 45 minutes later, I noticed that a field of green beans belonging to Green Spring Farms (see http://www.greenspringfarms.com/contact/) was full of similar litter 10 or more rows out into the field, on the east side of Hwy 99W south of Suver Road. It is very common to see trash flying out of trucks as they leave the landfill, but usually I don't manage to get identifying information (On many trucks that haul to the landfill, the license plates are covered in grime and unreadable, though Wheat LLC is another frequent offender). There seems to be a general problem that drivers are not stopping to clean out their trailers before they leave the landfill. I complained about this directly to the Benton County Disposal Site Advisory Committee, DSAC, in 2021 but Republic Services' representative to DSAC at that time, Ian MacNab, claimed that they have stations for truckers to stop and clean out their trailers before leaving. Obviously that practice is not being followed with any consistency.	DEQ	
155	7/30/2024	"landfill dump smell"	Forwarded to RS from DEQ	Not reported
156	7/30/2024	Landfill dump smell from coffin butte landfill	DEQ	8/6 - Forwarded complaint to Republic, waiting on response.
157	8/1/2024	On 7/25/2024 observers repeatedly witnessed large plumes of particulate matter drifting off site towards the southwest where numerous homes and businesses are located on rural residential, forest conservation, and exclusive farm use land. Commercial trash hauling trucks and much larger semi trucks kicked up particulate matter in two ways. 1) When trucks ascended or descended the gravel road up to the top of the landfill, they kicked up dust from the gravel road itself, particularly when rounding a corner. 2) When semi trucks with hydraulic lifts deposited trash loads onto the	DEQ	Not reported

		landfill's working face a plume of particulate matter emerged from the loads and traveled for a considerable distance to the southwest. These particulate matter plumes appear to be in violation of the operator's Title V permit which requires particulate matter suppression on both the gravel roads and working face depositions.		
158	8/1/2024	On 7/24/2024, a grass fire was started next to the landfill gas flares of Coffin Butte. This grass fire threatened several nearby residential structures and had numerous response barriers for local first responders from the Adair Village and Corvallis fire departments. First responders noted the fire likely was started by debris coming from the open flares. This would not be the first time such an event has occurred (see attached document page 3 paragraph 3. Note the reported fire in this document occurred prior to November 2023) Although fire response is beyond the scope of DEQ, the maintenance and operation of the flares are regulated by the Title V permit. The open flares are an air quality and fire hazard issue. Coffin Butte Landfill still has two open flares in active use, which appears to be in violation of ORS 340-239-0110 (2). Our complaint is directed at the DEQ and the fact that Republic Services, owner of Coffin Butte landfill, is not required to comply with ORS 340-239-0110 (2).	DEQ	Not reported
159	8/4/24	Upset that CB charges "environmental fee" to in-County residents	Email	The receipts documenting the overcharges for the environmental fee were from before the 2021 franchise agreement that states that this fee will not be charged to BC residents.
160	8/4/2024	dump stench	Forwarded to RS from DEQ	Not reported
161	8/8/2024	"dump smell, like driving by", "10"	Direct Complaint to Republic Services - Ryan Griffin	Not reported
162	8/8/2024	Power of odor: "9"	Direct Complaint to Republic	Not reported

			Services - Lauren Griffin	
163	8/9/2024	Piercing garbage smell	Forwarded to RS from DEQ	Not reported
164	8/9/2024	"terrible smell"	Forwarded to RS from DEQ	Not reported
165	8/9/2024	The smell of the Coffin Butte landfill is sitting on top of our property. A piercing garbage smell. My son and I stopped playing outside after the smell approached.	DEQ	Forwarded complaint to Republic on 8/16, waiting on response. Multiple complaints were reported for this date.
166	8/9/2024	Terrible smell from coffin butte landfill	DEQ	Forwarded complaint to Republic on 8/16, waiting on response. Multiple complaints were reported for this date.
167	8/18/2024	"smells like driving by the dump", 8	Direct Complaint to Republic Services - Ryan Griffin	Not reported
168	8/21/2024	Dump stench from Coffin Butte Landfill	DEQ	Emailed complainant, waiting on response.
169	8/23/24	From: allysonkhand@gmail.com Subject: Coffin Butte expansion project Hello, I am writing to inform you of the ongoing issue of the Coffin Butte landfill expansion. Plans have been underway for expansion, despite the actual need to expand. The county is not regulating the expansion. The landfill is still able to receive waste for many more years to come. Yes, it is filling up, but does not require immediate action to resolve. Republic Services has been fined millions of dollars in the past for environmental pollution. Republic Services announced a "pre application meeting" with Benton County Planning Division. The meeting was scheduled for last night and the public was NOT invited. No public were allowed, not even to observe. It is concerning to see this project be able to have a meeting without having to be transparent with the people the expansion will affect the most.	Email	Encouraged Ms. Hand to submit her concerns about Coffin Butte once the CUP is open for public comment.

		The project needs oversight. This project needs to stop. Republic Services needs to be held accountable. The Willamette Valley is full of sensitive ecosystems. The expansion of a landfill only threatens people, wildlife, and the environment. Please look into this. Please hold Republic Services accountable. Cheri Brubaker, Field Representative U.S. Representative Val Hoyle OR-04 Mobile (202) 834-3336		
170	8/23/24	August 4, 2024 8:30 -10:00 AM the smell was present. I was heading to Airlie, and first noticed it at the intersection of Soap Creek and Tampico, it persisted til I reached the 300 RD of OSU Forest. On returning home around 10:00 It was permeating the air at our home. August 21, 2024 7:00 - 10:00 the smell was potent!	Email	Responded to the complaint about the landfill odors.
171	8/23/2024	"landfill chemical stink"	Forwarded to RS from DEQ	Not reported
172	8/23/2024	Earlier today the wind was from the south (from our house toward the landfill) so we weren't smelling the odor. But after a weather front passed through this afternoon, the wind is now from the north, so we're smelling the typical landfill "chemical" stink.	DEQ	Forwarded complaint to Republic, waiting on response.
173	8/27/24	I am very much against the proposal. Before you get stuck in the weeds of all the guidelines you are supposed to focus on or disregard, ask yourself- Do you really want to be one of the people who, because of money, opened the door to degradation of the land, water, and air in our region? I have read the information on the VNEQS website, which makes it clear that NO ONE has the resources to correctly purify the leachate coming from the landfill, to make it safe for wells or for the Willamette River, the water source for many communities. In addition, in spite of systems to collect methane gas, there is still air pollution above and around the landfill area. It particularly shocks me that Republic Waste is wanting no restrictions on the amount of waste that it can accept in the future. Also that they are allowed to define what is a hazardous effect for adjoining lands. There are no simple solutions. However, I hope there are ways to restrict the amount of waste that Republic can continue to collect from all over Oregon. At the very least, Republic should be required to build a state bf the art pre-cycling center to make sure that less material enters the landfill in the first place (similar to what Lane County is doing at this time). At the very least, there needs to be required close monitoring of toxic materials that are already leaking beyond the boundaries of the landfill (with arsenic as an easy way to signal an alarm for surrounding wells and water). I'm sure if there were a vote on this, Benton county citizens would vote it down! You as our elected representative are supposed to represent our interests. Please use your conscience as well as your head to look at the situation. Thank you for your attention. From Larky Hansen, 6780 NW Mountain View Dr., Corvallis, OR	Email	Commissioner Augerot responded.

		97330 (Not close enough to have my well or air quality affected, however close enough to care about fellow citizens, including citizens of Adair Village who get their water only a few miles north of the Corvallis Wastewater facility).		
174	9/11/24	Kevin expressed concern about the potential for wildfires to come to the Coffin Butte Landfill and firest that start at the landfill	DSAC Meeting	This came as a public comment to the DSAC at their meeting on 11/11/24. The committee discussed his concerns and deliberated on next steps.
175	9/11/24	Community member, Kate Harris, opened the discussion by referring to a KLCC article published approximately one month ago, which mentioned assurances from Republic Services regarding robust monitoring and emergency management systems in place at Coffin Butte Landfill. Harris expressed concern that, despite these assurances, in real-life situations such as a recent fire, external observers (such as motorists) were the first to notice fires, which suggests a failure of the early monitoring systems. Harris quoted an SES Engineering Risk Assessment, noting that operators believed the flare may have caused a fire by igniting nearby grass. As a precaution, Republic Services created a gravel-covered buffer between the flare and grassy areas, which was believed to prevent further fire incidents. However, the fire in the summer of 2024 proved otherwise. Harris reiterated that Republic had provided multiple assurances that their fire prevention systems were adequate, but real-world incidents suggest these systems are failing. Harris suggested the need for a third-party, independent risk assessment (not funded by Republic) to provide an unbiased view of the existing risks at the landfill. Harris also noted a discrepancy in the report, which stated that no history of wildfires existed near the landfill. However, there was a wildfire in July 2023, just west of the landfill, disproving this claim.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Republic Services representative responded in the meeting.
176	9/11/24	Concern regarding Republic's expansion plans for Coffin Butte Landfill, especially regarding fires crossing Coffin Butte Road. Highlighted the increasing wildfire risk due to climate change and wind events, which could lead to embers affecting nearby properties and Adair Village.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Republic Services representative responded in the meeting: Landfill material is sometimes covered with tarps, not dirt. Community concerns were raised over fire risks associated with this practice. Republic emphasized

				their commitment to safety protocols, including reduced working face areas, availability of water, and rapid response times. They disagreed with the assertion that fire risks are increasing.
177	9/11/24	Inquiry into whether Republic has updated their safety protocols in response to climate change and increased fire risks. Republic has not made specific updates addressing climate change but follows standard protocols, including keeping buffer areas mowed and maintaining safety standards	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Republic Services representative responded in the meeting
178	9/11/24	Morrell raised concerns about a poorly managed Douglas Fir stand near the landfill, which poses a fire risk.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Republic Services noted that they would look into thinning the stand as previously recommended. There was a debate on the relevance of forested areas and other properties near the landfill in the context of fire prevention planning. Some committee members questioned if fire risk in non-landfill areas should be considered within the landfill's fire management scope. It was agreed that understanding the broader scope of land management, including forested and farmland areas, is necessary for comprehensive fire prevention planning.

179	9/11/24	Kevin Kenaga expressed dissatisfaction with the lack of public notification about the meeting. He mentioned that he had to personally reach out to the chair to learn about the meeting date. Kevin emphasized that the lack of communication undermines the committee's ability to fulfill its mission of fostering community dialogue and engagement. Kevin expressed concern over possible misinformation about the materials used in the landfill, particularly a statement that the polyethylene liner was not plastic.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. This was clarified by Republic Services staff as a misunderstanding, confirming that high-density polyethylene is indeed plastic.
180	9/11/24	Ecklund expressed long-standing systemic problems in how the DSAC and related activities are communicated, with cancellations and changes to meeting schedules without adequate notice.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24. Bailey agreed to better promote future meetings.
181	9/17/24	I read Ken Eklund's letter to the GT editor today, asking for input. I have some. Sometime this past year I listened to a talk offered by the Academy for Lifelong Learning that was mainly a discussion by a fellow from a European country (Germany or Netherlands or...?) covering the way European countries are replacing landfills to an amazing extent with diverse recycling and treatment methods. It was eye-opening, to say the least. The basic story was that landfills there are nearly entirely being replaced by extensive Green approaches. I attended last month's talk at the Corvallis Community Center that focused on our own landfill expansion, which I already knew was driven by financial gains for Republic Services, seemingly favored by the county supervisors because of the income the county realizes when Republic pays to handle one-third of Oregon's untreated waste in Coffin Butte. I am a chemist, retired from OSU Chem Dept., and I understand the role methane has on our planet's atmoshpere. Landfills are said to contribute about a third of the methane emissions into the atmosphere in the US. Expanding our landfill will accelerate this, looking away from the problem. I learned at the talk that should Benton County refuse to permit the expansion, which mainly serves citizens outside our county, would provide a serious encouragement to find another way...and it would NOT mean we in Corvallis would have to find immediately another way to dispose of our trash without recourse. After listening to the way Europe is directing its citizen to take a role in separating recyclables and treating trash, I want to encourage all of us to take part in that. In fact, during the evening talk, the "Toxics..." fellow from Eugene claimed that Eugene is moving in that direction (extensive separation and thermal treatment of some part of the leftovers).	Email	I thanked him for his input and suggested that he submit public comment during the public comment period which hasn't opened yet.

		Turn down the expansion (I have a yard sign!). Michael Schuyler		
182	9/19/24	Commented on difficulties finding DSAC-related information online, which used to be easily accessible. Requested more detailed and accessible information on the committee's webpage.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/11/24.
183	9/19/24	Raised concerns about hazardous waste being deposited at the landfill, specifically incinerator ash from Marion County, and its potential environmental impacts. Also questioned whether ENRAC accepts public comment, as there is confusion about the public's ability to provide input at their meetings.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24.Ian MacNab (Committee Member): Explained that the incinerator ash has been tested and deemed non-hazardous. DEQ approved its use as cover material after a lengthy trial process over 10 years ago.
184	9/19/24	Expressed concerns regarding worker safety at Coffin Butte Landfill, referencing the August 6th Benton County Commissioner meeting and a recent OSHA inspection. Raised numerous questions (see 9/19/24 meeting minutes)	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24. Republic Services responded in the meeting.
185	9/19/24	Raised the question of the costs to Benton County for hosting the landfill, including: o Road degradation, pollution, and landfill fires. o Decrease in land values near the landfill. o Post-closure costs. • Requested any available reports addressing these costs.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24. Staff researched if such a study exists and it does not. Clarified that post-closure management is required for a minimum of 30 years after the landfill closes. Mentioned no existing comprehensive report on externalities related to the landfill but suggested further inquiry with the County.
186	9/19/24	Commented on the updated Coffin Butte Annual Report, specifically regarding new testing for the flare at the landfill. • Kevin Kenaga inquired about the testing procedure: o What is being tested? o When will the testing be available to the public?	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24. Response from Republic

				Services: o Testing is scheduled for October 22. o It is a standard procedure for flare or industrial devices to have initial source testing.
187	9/19/24	Kevin Kenaga raised concerns about the daily cover at the landfill: o The report mentions daily cover (typically 6 inches of soil), but in reality, mesh netting is used, which doesn't prevent odors or wildlife from accessing the garbage. o Kevin criticized the accuracy of the report and emphasized the environmental impact of not using adequate daily cover, including increased methane emissions	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 9/19/24. Republic Services Response: o The daily cover used is a heavy-duty 200x200 foot tarp, not mesh netting, and is an approved alternative daily cover. Using tarps saves clean soil and airspace.
188	9/20/24	Complaint about exceptionally long line at Coffin Butte with 25-30 commercial trucks slowing the line down. Waited 45 min. before getting to the scale house.	Call	Called Rob and discussed the issue. Let him know that I'll send this complaint to Republic Services.
189	10/1/24	Upset that CB charged out-of-county rate because she came in a F350 truck with a u-haul back. Feels that this should have been charged the Benton County rate. She provided receipts documenting the "environmental fee" that should not be charged to Benton County residents.	Email	Asked Petra about the issue of charging an "environmental fee" to BC residents. Our contract with RS states that these fees should not be charged to BC residents. Update: The vehicle size she had doesn't qualify for the discounted rate. Bailey asked Republic to make a sign indicating what vehicles do and do not qualify. They've posted the sign and added the information on their website.
190	10/8/24	Hi! I'm not very good at computers, so hope that you get this message. I believe that the Benton County land fill shouldn't be for numerous other counties(other than maybe a few adjoining ones like Linn which maybe should pay something for access to it) who	Email	Bailey emailed her instructions on how to sign up for Coffin Butte permit

		don't want a landfill in their back yard and would rather we shoulder the environmental burden. If Republic wasn't taking all that other outside trash, the land fill would be able to function until the quarry is available for expansion. I have found Republic's service to be great, but they are being greedy for additional business at our expense. The new contract should restrict where the waste comes from.		application updates and how to provide public comment.
191	10/9/24	Mark Yeager, a Benton County resident, raised concerns about Republic Services' construction of a landfill expansion into the quarry site. He emphasized that this expansion, according to Benton County Code Chapter 77, requires a conditional use permit, which he believes has not been obtained. Yeager questioned whether DSAC was aware of the construction and if they had any comments on the issue.	DSAC Meeting	This complaint came as public testimony at a DSAC meeting on 10/9/24. Ian McNabb (Republic Services representative) responded, confirming that the construction in the quarry had been publicly discussed in previous meetings and open houses.
192	10/9/2024	There was a great amount of litter on both sides of Hiway 99 between the north and south entrances to Arboretum Rd. It really looked like no one was maintaining the highway margins. I believe a lot of this garbage has escaped from garbage trucks going to Coffin Butte Landfill. I think this roadway should be kept neat and clean.	DEQ	
193	10/17/2024	Landfill stench was once again affecting recreation on E.E. Wilson Wildlife Area. With a breeze from the SW on this date, the most strongly affected area was NE of the landfill, starting from north of the archery range (about 150 yards south of the CPI substation) and for about the next 1/4 mile north of there.	DEQ	Forwarded complaint to Republic, waiting on response.
194	11/5/24	Resident sent a letter with newspaper clippings about Coffin Butte. Concerns included accepting waste beyond Linn and Benton Counties and resulting truck impact on roads.	Letter	Read the letter and reviewed the newspaper clippings. Shared the letter and clippings with DSAC (10/9/24 Meeting Minutes)
195	11/8/24	I am writing to report alarming air quality violations that occurred this week originating from Coffin Butte Landfill. On the evenings of Monday November 4th and Wednesday November 6th, I was exposed to concerning levels of methane while commuting home from work. My route takes me onto Camp Adair Road from the Independence Highway, then north on Highway 99 and onto Robison Road where my residence is located approximately 1.5 to 2 miles northwest of Coffin Butte. The timeframe of my commute has me driving through the area at approximately 5:30 to 5:45. The methane scent became noticeable as soon as I turned off Independence Highway onto Camp Adair Road, increasing in strength so that by the time I was driving past the landfill on Highway 99, the methane concentration was strong enough to give me a headache. The methane was still discernable	Email	Documented odor complaint and sent complaintant the Coffin Butte complaint information and the DEQ report form.

		when I parked my car at my residence approximately two miles northwest of the landfill. It is a huge inconvenience to have to write this email, and I want you to understand that there have been many more times when I should have made similar reports, but just didn't have the energy or time. This evening I could smell methane when doing chores outside my home, so I knew I had to take the time to report what has been occurring. In addition to the air pollution, Tuesday night Camp Adair Road was largely covered by hazardous masses of pink fiberglass insulation that I believe were part of an uncovered load heading to the landfill. In addition to posing danger to drivers along the road that evening, the insulation migrated to the vegetation where it is now scattered for hundreds of yards along the roadside ditches. This has to pose an environmental hazard for flora and fauna in the surrounding farmlands and the E.E. Wilson Wildlife Area. The quantity of landfill-related waste littering the local roadways and roadsides is deplorable, and Republic Services should be required to provide litter clean up every day. The ongoing collateral damage of the landfill is both alarming and saddening to those of us who are exposed to it on a daily basis. In my opinion, Republic Services does not deserve to do business in Oregon because they are a persistently irresponsible organization posing many hazards to the health and well-being of residents living in the vicinity of the landfill, as well as to the surrounding farmlands and their nonhuman inhabitants. Less waste is the answer we require for a healthy future, not more landfills. My neighbors, my family and I therefore thank you for everything you can do to hold Republic Services accountable for their egregious behavior toward the local environment, and for any assistance you can offer to protect your constituents from future landfill expansion.		
196	11/17/2024	Multiple problems at Coffin Butte Landfill today: (1) Very strong landfill stench impacting public recreational use of the Coffin Butte Annex of E.E. Wilson Wildlife Area. Overwhelming in the trailhead area. (2) Tarps all along the SE flank (especially right along SE corner of the "pyramid" formed by the newest landfill cell, from mid-slope up to near the top) visibly inflated by landfill gas, forming bulges in the tarp, except where held down by weights (sandbags). Not due to wind billowing, except in one ~15 foot section lower down that was moving with variations in the breeze, where the tarp had pulled loose exposing a bare patch of cover dirt perhaps 5 x 10 ft wide. Above that the tarp formed a series of taut bubbles that were not moving at all. This is in one of the areas where an EPA inspector observed similar inflation of the tarps, indicating positive pressure from below by landfill gas that is not being captured by the gas-	DEQ	Forwarded complaint to Republic. Response received from Republic. See attached document. Emailed a response, including the attached document, to the complainant as well.

		capture system. (3) On the southwest side, before today's rain started up, there was water/leachate streaming out of multiple holes in the tarps on the south-facing slope of the landfill, above the first gate west of the scale house road (above Monitoring Well 23 which has registered high arsenic levels during past seepage events. Some of this may have been runoff from water pooled on a bench higher up, but in several places it was coming out through holes in the tarps, and the tarps were dry above these leakage points. I'd estimate the flow from the biggest stream of seepage at about 15 to 20 gpm. This eventually all goes into a ditch which flows into E.E. Wilson Wildlife Area and is used as the source for a popular fishing pond. Knowing that leachate is high in arsenic as well as PFAS and other toxins, this is an environmental health concern. Many of these holes in the tarps have weeds growing through them, showing that they've existed for a long time. (4) When I checked on the back side of the dump as viewed from Wiles Road and Coffin Butte Road, I could see a large area of garbage at the tipping face that was uncovered, drawing a swarm of 400+ "sea" gulls and an estimated ten thousand of invasive European Starlings. The landfill operators are not supposed to leave trash uncovered over the weekend (this was on a Sunday morning when the dump is closed). Recently they've been pulling a tarp over the tipping face and I could see a tarp up there, but either it wasn't properly deployed or it wasn't properly secured.		
197	11/19/24	I live approximately 2 miles northwest of Coffin Butte Landfill. In the early hours of morning today there was a nauseatingly strong methane odor emanating from Coffin Butte landfill. When I went outside tonight at approximately 8:15, the odor was again strong enough to force me back into the filtered air of my home. The frequency and intensity of the methane pollution is increasing. This methane pollution is more than a nuisance to those living within range of the smell. I believe Coffin Butte Landfill poses serious environmental and public health hazards. I further believe Republic Services should be held accountable for what I see as crimes against the local environment and its inhabitants, be they human or otherwise. Below is a forwarded email with a similar report I made dating from the week of November 8th. For the record, remnants of the insulation spill I mention in that report can still be seen along Camp Adair Road today. It is important that Benton County Commissioners read that complaint since they were not included in the original email. Thank you for your consideration and support in this matter. Your constituents are trusting that our elected officials will act with integrity to protect the public from the bad-faith practices of Coffin Butte Landfill and Republic Services.	Email	Documented odor complaint and sent complaintant the Coffin Butte complaint information and the DEQ report form.

198	11/20/2024	I like 1.5 miles from coffin butte landfill. The sink from the landfill is very noticeable at least 2 times a week lately	DEQ	Forwarded complaint to Republic, waiting on response.
199	11/26/24	Heavy duty dump stench this morning. Starting at about 9:30am… still hanging in the air.	Email	Let Becky know that we're working on a more streamlined complaint process. Thanked her for reporting it.
200	11/26/2024	"Coffin Butte dump stench"	Forwarded to RS from DEQ	Not reported
201	11/26/2024	Coffin Butte dump stench	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
202	11/27/2024	"went outside with my cup of coffee. Hit with the smell of the landfill"	Forwarded to RS from DEQ	Not reported
203	11/27/2024	Went outside with my cup of coffee. Hit with the smell of the landfill.	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
204	11/30/2024	"sitting at my dest, when I stared to smell it. It lasted for a about 3 hours"	Forwarded to RS from DEQ	Not reported
205	11/30/2024	"a terrible odor that we could smell from our car for about a mile north	Forwarded to RS from DEQ	Not reported
206	12/1/24	Putrid, nose burning, eye irritating odor from landfill ocurring weekly. Very strong (distinct and pervasive) Odor Offensiveness: How disagreeable was the odor? Highly offensive	Email	Let Katy know that we're working on a more streamlined complaint process. Thanked her for reporting it.
207	12/1/2024	"odor is so bad"	Forwarded to RS from DEQ	Not reported
208	12/1/2024	"sometimes unbearable"	Forwarded to RS from DEQ	Not reported
209	12/1/2024	"toxic landfill gases"	Forwarded to RS	Not reported

			from DEQ	
210	12/1/2024	"some sort of chemical", "rotten garbage"	Forwarded to RS from DEQ	Not reported
211	12/1/2024	Coffin Butte landfill toxic gases are flowing south to many houses in Soap Creek Valley, trapped by fog and stagnant air.	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
212	12/1/2024	Passing by the Coffin Butte landfill on Saturday afternoon, there was a terrible odor that we could smell from our car for about a mile north and south of the landfill.	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
213	12/1/2024	I live near the Coffin Butte Landfill and the odor is so bad today that I can barely stand outside. It is disappointing because it is a beautiful sunny day but the smell is so bad I don't want to rake my leaves or be outside at all.	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
214	12/1/2024	This is an ongoing issue with the Coffin Butte Landfill odor, sometimes it is unbearable sometime just annoying, but always bad, and unknown what your smelling or what it is doing to you long term, we have been residents for 50 years and it continually gets worse and worse, PLEASE ISSUE A STOP!!!	DEQ	Forwarded complaint to Republic on 12/2, waiting on response. Multiple complaints were reported over the holiday weekend.
215	12/3/2024	A typical incident regarding Republic Services' Coffin Butte Landfill - in the morning when we go out with the dog, the odors are noticeable (this time the early odor smelled like some sort of chemical). We hurry back inside, then later in the morning head outside to attend to chores. As usual, the odor at this point is unbearable, now smelling like rotten garbage. We are not able to stand being outside until early afternoon. I indicated above that these incidents occur weekly, but that is an average. Sometimes, depending on weather patterns, they can be several days in a row, or occur less frequently.	DEQ	Forwarded complaint to Republic, waiting on response.
216	12/5/2024	I just described the incident in the above statement. I'm feeling nauseous by coffin butte landfill stink. It's now becoming more than a nuisance its really a health hazard for humans and animals in the surrounding area. Please take some real action and stop this. Thank you!!!!	DEQ	Complaint is general in nature and not event-specific. Called complainant 12/6 at 10:10 a.m. as requested and left a voicemail. Spoke with this individual on 11/25 also in response to a previous complaint. 12/6 - 10:50 a.m.

				complainant returned my call and spoke with them about the landfill odor issues.
217	12/6/2024	"landfill stench"	Forwarded to RS from DEQ	Not reported
218	12/11/24	Letter sent (in 2025.01.08 DSAC Meeting Packet). Her concerns related to excessive truck traffic, wondering why Republic's fleet isn't electric, safety and litter	Email	Bailey apologized that the link to the DSAC meeting on 12/11/24 wasn't working and let her know that I'd pass along her concern to the DSAC (in the meeting packet on 1/8/25) and include it in the 2024 CCAR
219	12/11/24	Letter sent (in 2025.01.08 DSAC Meeting Packet). Her concerns related to odors and a need for technological sensors that don't rely on the human nose.	Email	Bailey apologized that the link to the DSAC meeting on 12/11/24 wasn't working and let her know that I'd pass along her concern to the DSAC (in the meeting packet on 1/8/25) and include it in the 2024 CCAR
220	12/14/2024	“like a cross between a putrid low tide and an auto repair garage”.	Forwarded to RS from DEQ	Not reported
221	12/14/2024	Around 1:30pm Saturday Dec 14 I was driving home from Salem to Soap Creek Valley and had forgotten to put my car on "recirc" while passing the Coffin Butte landfill (Hwy 99 southbound, then onto Coffin Butte Rd). I don't often drive this way, but usually turn on recirc when I do because I just don't want to breathe in whatever unknowns are in the landfill odor (which I hear about regularly from other neighbors). Once I realized what I was smelling it was too late to block it and it was absolutely awful. The smell permeated my car, and I felt queasy for a good half hour after arriving home. PLEASE NOTE: under "Odor Frequency", above, you do not provide an option for "intermittent". The only reason I do not smell it regularly is because I don't pass by it "regularly." This was not the first time I've smelled the landfill (smelled/reported it once by my home, 5 miles away), but the first time I've experienced the full-onslaught from driving by without running recirc in my car.	DEQ	Forwarded complaint to Republic, waiting on response.

222	12/20/2024	"odor" "far worse than usual"	Forwarded to RS from DEQ	Not reported
223	12/20/2024	Although this smell has occurred during recent mornings when there was an inversion, this afternoon the odor was far worse than typical. From past experience, I know this is coming from the Coffin Butte landfill to our north. I am putting my personal home address for where the incident occurred so you can see the extent of the odor.	DEQ	Forwarded complaint to Republic, waiting on response.
224	12/23/2024	landfill smell, 5	Direct Complaint to Republic Services - Maggie Livesay	Not reported
225	12/23/2024	"stench very noticeable"	Forwarded to RS from DEQ	Not reported
226	12/24/24	Letter in Gazette Times, "We Must do What we can to Stop Expansion" https://gazettetimes.com/news/local/corvallis-speaks-up-letters-to-the-editor-for-the-week-of-dec-27-2024/collection_a52e48b7-a3f2-5575-93f7-2046c2f847c3.html	Letter in Gazette Times	None
227	12/29/2024	"stench", "not one type of aroma"	Direct Complaint to Republic Services - Virginia Scott (also received forwarded from DEQ)	Not reported
228	12/29/2024	"strong methane odor"	Forwarded to RS from DEQ	Not reported
229	12/31/24	Letter in Gazette Times: Benton County Obscures Process https://gazettetimes.com/benton-county-obscures-process/article_1c5d0515-b578-5994-b5aa-ece6ac6ba8f8.html?utm_medium=social&utm_source=email&utm_campaign=user-share	Letter in Gazette Times	None
230	12/31/2024	"stink"	Forwarded to RS from DEQ	Not reported
231	12/31/2024	As I was driving past the Coffin Butte dump on Coffin Butte Road in Benton County, OR on Sunday morning the stench was so strong that I has to put the car's air on recirculate until I was well north of	DEQ	Forwarded complaint to Republic, waiting on response.

		the dump. It was equally as terrible on my return trip past the dump at about 6:30 PM on 12/29/24 and was smelly even on recirculate well past the Tampico/Soap Creek intersection. This is an issue because on moist days, like Sunday, when the car air is on recirculate, the car windows fog up which makes it dangerous to turn onto Hwy 99.		Multiple complaints were reported over the holiday week.
232	12/31 /2024	Almost every evening to early morning there is a strong methane odor originating from the Coffin Butte Landfill located north of Corvallis in Benton County Oregon. This year the odor has become strong enough to smell indoors if an air filter isn't in use. There is also a tremendous amount of litter and garbage along Camp Adair Road, Hwy 99 and other tributary roads leading to the landfill. The garbage is on the roads, in the ditches soaking in water and leaching into the ground. The air and material pollution is a hazard to humans, wildlife and plant life in the local area. There is no telling what chemicals and hazardous materials are contaminating the local biosphere.	DEQ	Forwarded complaint to Republic, waiting on response. Multiple complaints were reported over the holiday week.
233	12/31 /2024	Coffin butte landfill is releasing methane gas and stink into the atmosphere. The stink is becoming worse each day. I don't have enough time to notify you beach day of the occurrence but it is becoming much more frequent, approximately 5 days a week now.	DEQ	Forwarded complaint to Republic, waiting on response. Multiple complaints were reported over the holiday week.

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 12:41:01 AM

Subject of Testimony: Opposed to LU-24-027

Full Name: Greg Ramage

Email: kirklandarmy@yahoo.com

Street Address: 1620 NE Holly Oak PL, Corvallis, OR 97330

Written Testimony:

Dear Planning Commission Members,

I am writing to you today regarding the application LU-24-027. I strongly oppose this expansion of the Coffin Butte Landfill as I feel most Corvallis citizens would if they understood all of the facts. The landfill is currently under investigation by the EPA. it would be irresponsible to allow an expansion where potential violations of methane ommissions exist. This puts everyone in the community at risk.

Republic Services has recently been ruled by a district Trump appointed judge to have violated the Clean Water Act more than 400 times in Central Pennylvania. The affect as tainted the Susquehanna River. How can we trust the word of this company?

Approving this expansion is putting one Corporation's needs ahead of the risks to community health and prosperity. Our families and their children deserve a health and clean environment.

Corvallis and Benton County deserve better!

Thank you for your time.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.8.214

From: Daniel D Roby
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 10:28:25 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Madam or Sir,

As a resident of Benton County, I strongly oppose the expansion of Coffin Butte Landfill. The landfill is already impacting the health and survival of fish and wildlife, including in the adjacent E.E. Wilson Wildlife Management Area, and landfill expansion will only exacerbate these impacts. Long-term pollution of land, water, and air is the landfill's legacy, and expansion will ensure that Benton County residents will be contending with these problems for generations to come.

Thank you for your consideration of my written testimony.

Sincerely,

Daniel D. Roby
Professor (retired)
Department of Fisheries, Wildlife, and Conservation Sciences
Oregon State University
Corvallis, OR 97331
Daniel.roby@oregonstate.edu
541.737.1955 W
541.740.8091 C

From: James
To: Benton Public Comment
Subject: Re: Application LU-24-027
Date: Monday, April 21, 2025 3:02:18 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners:

Although I live on Grange Hall Rd. south of Philomath, I oppose the landfill expansion for several reasons.

My primary reasons pertain to the climate crisis that most world scientists deem to be bringing sentient beings ever closer to increasingly great harm. Those of you with offspring must be understandably concerned.

1. How much tailpipe exhaust ensues from so many trucks coming from afar, and then returning without any load while burning more fuel and its exhaust?
2. What is the volume of highly toxic leachates trucked to the Corvallis Wastewater Treatment Plant, mixed with water, and then sent into the Willamette River with minimal detoxification? What happens to the river's fish and wildlife? How much of the resulting liquid makes it into the tap water of Adair Village and other downstream communities?
3. How is groundwater in the Coffin Butte area affected by on site leakage?
4. How much untreated methane mixed with other toxins get into our air every day? Is the applicant forthcoming about that?
5. Why has EPA Enforcement initiated an action against the existing landfill operation? What does that tell us about the reliability of the applicant?
6. How often do area residents experience localized stench?
7. How many trees will be gone from the proposed new dump site? How will that affect local wildlife? How much noise and diesel exhaust will emanate from digging up the imperiled hill for the sought after expansion?
8. Why is the applicant not proposing to use the existing space in the nearby quarry?
9. Please know that although I am not furnishing back-up data, that is because I trust you will be receiving much data and do not need the duplication.

I feel the best solution for our Benton County's health is to deny the application before you and suggest that the applicant use the Quarry as their last hurrah in this area. That scenario could entail somewhere between 6-12 years, giving all parties time to develop better plans. I've heard a local State Representative say that a group of legislators have begun working to determine how best to proceed with the whole solid waste dilemma.

Thank you for your attention.

Respectfully,

James Paul Rodell
25093 Grange Hall Road
Philomath 97370

From: LINDSEY S SCHLEGEL
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 3:15:20 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

I am writing to you today to express my strong opposition to Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte Landfill. I hope the Planning Commission will deny this application.

I have made Corvallis my home for over 45 years and have watched the landfill continue to grow in size with what I can only describe as an explosive growth in the past 10 years. I have children living in the Adair area and I'm dismayed and deeply concerned at the seemly around-the-clock activity of trucks disposing of waste at the site. I have read that only a small percentage of this waste originates in the Corvallis area and is trucked in from other areas in the state.

I live in the Lewisburg area and find the noxious odors that impact my outside activities to be intrusive, infuriating and a concern.

With children and grandchildren living in the immediate area of the ever-expanding landfill I worry about the negative effects on well water quality, and nearby residents' ability to sell their homes.

As a long-time Corvallis resident who has supported the progressiveness and environmental stewardship of its leaders, allowing the landfill to continue to expand seems to be inconsistent with our values. I so hope it doesn't come to light that the Council's decision was "all about the money" and not a decision based on the best interests and quality of life for those of us living in Corvallis.

Sincerely,

Lindsey Schlegel
5642 NW Wintercreek Dr
Corvallis OR 97330

From: Philipp Schmidt-Pathmann
To: Benton Public Comment
Cc: penny.rosenberg@lee.net; ella.hutcherson@lee.net; tloew@salem.gannett.com
Subject: Coffin Butte Expansion Application LU-24-027
Date: Monday, April 21, 2025 10:59:50 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Benton County Planning Commission
Re: Coffin Butte Expansion Application LU-24-027

The Institute for Energy and Resource Management (IeRM) is a non-profit, 501c3 organization whose mission is to provide reliable research for the purpose of finding and implementing sustainable solutions to society's energy and resource management challenges. We seek the continuous development and use of technologies and practices that will enable us to significantly reduce human impacts on the natural environment. IeRM connects scientific research with business and policy solutions in order to serve the best interests of the public in moving toward a sustainable economic future.

One of the main areas in which IeRM is active is municipal solid waste management. This field has not fundamentally changed in decades and is ripe for improvement. Resistance to change is led by a small number of major corporations that dominate the field and have significant investments in infrastructure. Furthermore, government oversight until recently has been lax, reducing the pressure to change.

IeRM opposes the expansion of the Coffin Butte landfill on both specific and general grounds.

Specific:

1. IeRM was involved in the Sustainable Materials Management Plan process as an observer, at the request and invitation of a group of concerned citizens. We attended all of the sessions and have a thorough understanding of the issues facing the landfill.

2. IeRM has reviewed the permit violations that have occurred at the landfill over the past several years. Of particular interest are the air quality violations, such as methane discharges, which exceeded the permit limits (500 ppm) by over 10,000 ppm.

3. Given the frequency of these exceedances, and the lack of penalties associated with them, it is highly likely that they will continue.

4. Methane is a potent greenhouse gas, up to 87 times more damaging than CO2. Significant methane emissions are directly counter to the Benton County Climate Action Plan and Governor Brown's Executive Order 20-04, the basis for Oregon's Climate Action Plan.

5. Based on several research studies conducted for US agencies, the USEPA now believes that methane emissions from landfills are at least double what was previously thought, making landfills one of the three largest sources of methane in the US. Even with landfill gas collection systems in place, it is impossible to capture all of the methane emissions - 50% is the best-case scenario.

6. Groundwater has been contaminated by leachate containing high levels of arsenic, PFAS (a class of materials known as "forever chemicals") and many other toxics. Again, given the frequency of these occurrences, it is highly unlikely that they will stop if the landfill is allowed to expand with detrimental effects to the County.

General:

1. The management of municipal solid waste in the US is decades behind best practices in Europe and parts of Asia. Denial of the expansion request is a good opportunity to begin shifting to a state-of-the-art integrated waste management system, in which reduction, reuse, recycling, and recovery are given primacy over burial, which should only be allowed for inert materials that no longer react with air, water and soil.

2. Continuing to bury municipal solid waste has national security implications, particularly since The People's Republic of China, the major producers of so-called rare earths, have decided not to provide them to the US any longer.

3. Reduction, reuse, and recycling contribute greatly to the reduction of greenhouse gases by reducing the need to fabricate new materials. Much of what now goes to the landfill could be reused or recycled, with proper management.

4. Reduction or elimination of landfilling has significant economic implications, in addition to the obvious environmental benefits.

5. Finally, these quotes from Republic Services Annual Report (Form 10-K):
   a. "Trends toward recycling are considered a business risk factor." (Page 22)
   b. "Regulation of greenhouse gas emissions is considered a serious threat." (Pp 26-27)

6. With gross profit margins of 88% (pp 39-41), it is unlikely that the Coffin Butte landfill, if expanded, will be operated in the public interest.

Sincerely,

Philipp Schmidt-Pathmann, CEO
Institute for Energy and Resource Management
12623 SE 83rd. Ct.
Newcastle, WA 98056
www.ie-rm.org
206-313-9774

From: Virginia Scott
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027 - Past Performance
Date: Monday, April 21, 2025 3:33:27 PM
Attachments: LU-24-027 Past Performance Opposition Testimony.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

April 21, 2024

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

I appreciate the opportunity to comment on the future of the Coffin Butte Landfill, a county planning decision of great concern to our community.

I oppose any further expansion of the Coffin Butte Landfill and urge the Planning Commission to reject this application. I believe the Planning Commission will find that the Applicant, Republic Services, fails to provide evidence to conclude that conditional use permit issuance would not violate County Development Code criteria and Comprehensive Plan policies. Further, based on its current performance, Republic Services cannot be expected to demonstrate that it can assure the County of its future compliance with any conditions that the county might issue, or to manage an expansion any better than it is managing the existing landfill.

Past performance being the best predictor of future performance is a principle of interviewing. Republic Services is essentially requesting that we hire them, via this Conditional Use Permit application, for either a new or an expanded landfill.

The following is excerpted from an article "The Best Predictor of Future Behaviour is Past Behaviour, Except…" by Joshua Wood, Published Feb 26, 2017

"The best predictor of future behaviour is past behaviour", has been attributed to everyone from psychologists, such as Albert Ellis, Walter Michel, and B.F. Skinner, to writers such as Mark Twain.

Caveats:

1. The future situation should be very similar to the past situation.

This expansion is indeed a very similar situation for Republic Services.

2. Prediction is best when there is a short time between past and future behavior.

Also true in that Republic Services behaviour/operation is indeed, very recent and ongoing! There is very little mystery here in predicting the future on this count.

3. The person must still be basically the same now as they were then.

Again, true in that the players are not changing, as Republic Service/ Valley Landfills

and the people running it are the same entities that are running the existing Coffin Butte Landfill.

4. Frequent, reflexive behaviors are more predictive than behaviors based on conscious intentions.

As with the others, Caveat Four is also true in that Republic Services' overwhelming goal of making as much money as possible is not likely to change. And there is no evidence that Republic Services will have a revelation that shifts their approach to their business.

This article concludes that past behavior may be a fairly good predictor of future behavior if you take into account similarity of situations, the time period, how much the person may have changed, and how habitual the behavior might be.

You will hear from Republic Services and potentially some Benton County staff that the existing landfill cannot be considered when evaluating this Conditional Use Permit application. I posit that based on the above principles of interviewing that we must consider the past performance of Republic Services/Valley Landfills when evaluating them for approval of this Conditional Use Permit.

Development Code Chapter 53: Conditional Uses; Administrative Procedures, General Review

BCC 53.215 (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;

BCC 53.215(2): The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area;

The proposed use seriously interferes with uses on adjacent public and private property, significantly alters and disrupts the ecological, visual, and rural character of both the zoned area and all other surrounding zoned uses, and thereby greatly exceeds the purpose of the zone.

It has been clearly established that the current landfill use already imposes an undue burden on public rights-of-way, transportation routes, esthetic and scenic values, as well as conservation and restoration efforts and recreational opportunities at state facilities, along with greatly increased traffic, incidental refuse, incompatible noise, noxious odor, combustible vapor, and contaminated air, soil and water. Such grievous current offense cannot justify its furtherance or any proposed increase in its size or use.

Again, I appreciate the opportunity to provide comment to inform your Planning Commission consideration.

Sincerely,

Virginia Scott
37016 Soap Creek Road
Corvallis, OR 97330

#PastPerformance

April 21, 2024

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139

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This article concludes that past behavior may be a fairly good predictor of future behavior if you take into account similarity of situations, the time period, how much the person may have changed, and how habitual the behavior might be.

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Again, I appreciate the opportunity to provide comment to inform your Planning Commission consideration.

Sincerely,

Virginia Scott
37016 Soap Creek Road
Corvallis, OR 97330

#PastPerformance

From: Mary Sinclair
To: Benton Public Comment
Cc: martha truninger
Subject: Corvallis citizen"s comment on why I oppose application LU-24-027
Date: Monday, April 21, 2025 5:44:50 AM

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Marybetts Sinclair
456 SE VILLA DRIVE
CORVALLIS 97333

Here is why I oppose the expansion of the landfill at Coffin Butte by Republic Services,
(application LU-24-027), which serves other interests
but not the interests of local residents and citizens from town who both recreate and work
in the area nearby to the current landfill:

1. The methane leaks from the landfill that have been found by the EPA inspections are unacceptable now and expanding the landfill will increase that problem: we dont want these leaks in or near our community, and are ESPECIALLY concerned about the LEAKS increasing the chance of forest fires.

2. The Willamette River's water quality will be worsened by the expansion of the landfill , as that will increase the amount of leachate that will be dumped into the river-WE DONT WANT MORE PFA's AND HEAVY METALS EITHER! The activity of dumping leachate violates BBC 53.215 (2) and Benton County Comprehensive Plan policies 5.1.2 and 5.2.1.

3. Air quality is already impaired due to the dust and gases that are admitted from the landfill, and those dust and gases which

are admitted from the landfill now, will only grow with an expansion. These are all violations of BCC 53.215 (1).

To summarize, we want less methane, less toxins dumped into our local waterways, and less toxic dust and and gas, not more!!

THE COMMUNITY DOES NOT WANT THE LANDFILL EXPANDED, ESPECIALLY AS MUCH OF THE TRASH COMING IN IS NOT OF OUR MAKING!
I RECOMMEND COUNTY GOVERNMENT PUT THIS TO A VOTE BY THE CITIZENS, RATHER THAN THE RAILROADING OF OUR
SERIOUS, LONGLASTING CONCERNS BY PUSHING THIS TERRIBLE IDEA FORWARD.

MBSinclair

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 9:35:26 AM

Subject of Testimony: Application LU-24-027

Full Name: Shelley Fay Smith

Email: smithshelleyfay@gmail.com

Street Address: 18557 Haines Road, Alsea, 97324

Written Testimony:

I am writing in opposition of the landfill expansion. I urge the Planning Commission to support the citizens of Benton County and deny Republic Service's application. I based my decision on several factors including quality of life, environmental impacts, and the long-term liability to the tax payers of Benton county.
I live in Benton County and am a member of a book study group that meets frequently in Soap Creek Valley. Sitting outside for our discussions was not a pleasing or healthy experience due to odors and harmful gases. Our family used to visit EE Wilson Wildlife Area frequently, but the stench and noise created by current landfill operations made our visits unpleasant.
There is much uncertainty related to enforcement of permit violations to water quality and air quality caused by the landfill. These risks will become greater as the landfill expands. Off site impacts to rural landowners and wildlife are significant.
Please do not place additional costs and risks on the residents of Benton County. DENY the expansion application now.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 149.137.170.161

From: Justin Soares
To: Benton Public Comment
Subject: Coffin butte expansion letter in opposition
Date: Monday, April 21, 2025 5:07:02 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Coffin butte expansion letter in opposition

As tempting as it is to accept other people's trash, hazardous waste and other refuse from their in exchange for a penance in fees meanwhile enriching an out of state corporation at the expense of the neighbors and local community, I encourage you to resist this temptation, even though it is extremely enticing. To those who value and hold in high regard clean air, clean water and clean soil in which we raise our children play, breathe the air and garden with little concern for contaminants around us, mark your calendar and plan on pausing these basics until at least 10 years from now or whenever the proposed permit would expire.

It is shortsighted beyond all manner of reason to cut off one's leg because you have a hangnail on your toe. But sometimes it's not a hangnail, but a persistent and nagging itch demanding to be scratched. This is not such an event….. only to the shareholders of public services perhaps.

Please vote with your conscience and with your representatives the people of Corvallis in opposition of this application and expansion of the landfill

Regards,
Justin Soares
Corvallis
541-754-0258

From: Jon Sobotka
To: Benton Public Comment
Subject: Oppose/Deny Application File Number LU-24-027
Date: Monday, April 21, 2025 4:56:03 PM

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Jon D. Sobotka

621 NW 35th St

Corvallis, OR 97330

I oppose the Coffin Butte Landfill expansion.

I have lived in Benton County for over 36 years, I hope to continue living here for a long time.
The Coffin Butte Landfill (It is difficult to imagine a more aptly named landfill) at its current size is already a significant source
of several kinds of pollution and hazards as has been thoroughly documented in other letters you have received.
If expanded, these toxic and environmental problems will only become more substantial and as planned there will be then
no limitations to how much can then be dumped. It is challenge enough for Benton County citizens to provide the land,
suffer the air and water pollution, and endure the nauseating smells indefinitely for the garbage they and their closest neighbors produce.
However, it is **too much and greatly unfair** to ask the citizens of Benton County to suffer even more such dangers and irritations when
30% of the garbage of the entire State of Oregon is deposited in Coffin Butte—and should most certainly be **deposited elsewhere.**

We moved to Corvallis in 1988 when my daughter was an infant. Many of her diapers were sent to Coffin Butte and are entombed there to this day. Yesterday was Easter Holiday, April 20, 2025. Easter will not occur again on April 20 until 2087. My daughter's diapers will still be there, as anticipated, perhaps continuing to produce some of the Methane which is so problematic even today. So when my daughter is 99 years old (most hopefully)

she and many others will still be vulnerable to her ancient diapers potentially contributing to problems at the Coffin Butte Landfill.
Her diapers and those of many other wonderful children who have grown up in Corvallis pose quite enough risk for now and the future,
we **should not add** the diapers from 30% of the rest of the state of Oregon, and most likely create future intolerable misery for the citizens of Benton County.

I wish to further highlight how Coffin Butte is violating and making impotent the standards, goals, and aspirations of the Citizens of Benton County for their quality of living below.

I believe Coffin Butte is currently in violation of the goals and standards for the health, wellbeing, environmental quality,
and recreational opportunities of the residents of Benton County, as determined in February 2018.
These same standards and goals (as noted below) are much desired and anticipated to be the same in 2040.

Benton County's 2040 Thriving Communities Initiative: Ensuring Communities' Core Values Today & for Our Future

A community-driven initiative to secure what we like about where we live and to guide efforts to ensure our Core Values now and in the future

Based on the Principles of Equity & Health, Benton County Strives to Ensure:

"Vibrant, Livable Communities"
"Supportive People & Resources"
"High Quality Environment & Access" High Environmental Quality, Conservation of Natural Resources, Consideration of Carrying Capacity, and Easy Access to the Outdoors
"Diverse Economy that Fits"
"Community Resilience"
"Equity for Everyone"
"Health in All Actions" We Recognize & Will Address the Well-Being of our People by Including Health Considerations in all Policies, Practices, Activities, & Operations

I believe it is also in violation of the

Benton County Comprehensive Plan, Goal 6 (as Adopted 2007)

Air, Water & Land Resource Quality:

To maintain and improve the quality of air, land, and water resources in a manner that will meet current needs and preserve resources for future generations.

Policy Sections

6.1, 6.2, 6.3, 6.4, 6.6

General Policies, Water Resources, Air Resources, Subsurface Sewage Disposal Systems, 6.6 Noise and Glare

6.5 Landfills and Solid Waste

6.5.e Land use decisions at the Coffin Butte Sanitary Landfill have provided another 43 years of capacity to the site, continuing to serve as a regional landfill serving Linn, Polk, Lincoln, and Benton Counties.

As per Benton Co. Environmental Health Dept.

How is this relevant to our present concerns? It certainly refers to just the garbage for our local 4 counties, and not the additional 30% of the rest of the state.

6.5.f The Coffin Butte Landfill is currently in compliance with permits and is heavily monitored by the County.

Leachate is collected and treated. A leak detection system is in place to monitor the bottom liner of the landfill for leaks. Monitoring wells surround the perimeter of the landfill.

As per Benton Co. Environmental Health Dept.

There is much documentation that these expectations are not being achieved.

It should also be noted:

The State of Oregon has parallel standards and goals:

Statewide Planning Goal 6

To maintain and improve the quality of the air, water and land resources of the state. All waste and process discharges from future development,
when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes,
rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes,
rules, standards and implementation plans, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources;
or (3) threaten the availability of such resources.

Excerpt from OAR 660-015-0000

Thank you very much for your time and energy as you evaluate my

concerns,

Jon D. Sobotka

From: Community Development, Benton County, Oregon
To: Benton Public Comment
Subject: LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date: Monday, April 21, 2025 1:23:00 PM

Subject of Testimony: Coffin Butte Landfill Expansion

Full Name: Teresa Anne Tanner

Email: tabrown108@gmail.com

Street Address: 473 SW Butterfield Pl, Corvallis, 97333

Written Testimony:

Testimony Opposing the Coffin Butte Landfill Expansion
Presented to the Benton County Planning Commission
Good Morning, Commissioners,
My name is Anne Tanner, and I live in Corvallis, here in Benton County. I appreciate the opportunity to speak with you today in strong opposition to the proposed expansion of the Coffin Butte Landfill Lu-24-027.
This issue is deeply personal for my family. My husband suffers from Long Term COVID, and I have asthma. For us, clean air is not just a preference—it's a necessity. The persistent odors and methane leaks reported at Coffin Butte are not abstract concerns; they directly affect our daily lives and our health. The idea of expanding a landfill that has already been cited for excessive methane emissions that they have not addressed is alarming. Beyond human health, we're also deeply concerned about the wildlife in this region. The landfill already disrupts local ecosystems, and expansion would only increase the harm. Benton County is home to diverse species that depend on stable habitats. As stewards of this land, we have a responsibility to preserve that natural balance—not disrupt it further for more waste.
When we moved here, we believed we were joining a community that prioritized sustainable living and environmental care. The continuous efforts to expand the landfill—despite health risks, odor complaints, and methane violations—run counter to that vision.
Given the documented environmental hazards, health risks, and negative impacts on community development, I urge the Planning Commission to deny the Conditional Use Permit for the Coffin Butte Landfill expansion. Our community deserves sustainable solutions that prioritize public health and environmental integrity over short-term convenience. I urge you to listen to the residents who live with the consequences of this facility every day. Thank you for your time.

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 76.144.61.141

From: David Vesely
To: Benton Public Comment
Subject: Landfill Testimony
Date: Monday, April 21, 2025 3:10:49 PM
Attachments: landfill_letter_vesely_submitted_20250421.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please accept this written letter regarding the Coffin Butte Landfill permit.

--
Dave Vesely
Corvallis, Oregon USA
davidvesely321@gmail.com
phone/text (541) 602-6046

Benton County Planning Commission
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97333-1139
publiccomment@bentoncountyor.gov

April 21, 2025

RE: Coffin Butte Landfill Expansion

Dear Planning Commissioners,

I've lived in the Soap Creek Valley for more than 25 years and I was a professional wildlife ecologist for longer than that. Much of my career focused on assessing the impact of human activities on wildlife and their habitats. Since I have lived near the Coffin Butte Landfill for so long, I been able to directly observe its swelling volume, the increased traffic and the changing patterns of wildlife species occurrence near the landfill. In this letter I want to describe serious concerns I have for bald eagles using the site.

Bald eagles can frequently be seen flying over the landfill. Valley Landfills Inc (VLI), owners of the landfill subcontracted Turnstone Environmental Consultants to conduct surveys for bald eagles at the site from 2022 to 2024. The Turnstone report states that bald eagles were regularly observed foraging at the landfill, among other activities that were observed.[1] Unfortunately, the report does not provide further details as to when and what the eagles were eating. There are several likely possibilities. Eagles may be feeding on food waste and other organic refuse shipped to the landfill from households, restaurants and industrial facilities. Furthermore, animal carcasses would be highly attractive to eagles and are likely to be in the waste stream from farm livestock and local households disposing of roadkill. Another possibility is that eagles are hunting gulls and other birds that are scavenging at the landfill. It is often possible to see many hundreds of gulls on and above the site. Bald eagles are both opportunistic predators of live animals and scavengers, so they could be taking advantage of more than one of the food sources described above.

The 2020 solid waste disposal permit for Coffin Butte Landfill issued by Oregon Department of Environmental Quality (DEQ) prohibits VLI from accepting a number of

different materials at the site. These include: liquid waste, used oil, lead-acid batteries, regulated hazardous waste, tires and electronic devices.[2] However, the permit does not require VLI to monitor the incoming waste stream for prohibited materials. Without a systematic plan for monitoring incoming waste, it would be foolish to assume that commercial and residential customers are not deliberately or unknowingly shipping prohibited materials to the landfill. My neighbors and I have seen evidence of banned materials when we visit the landfill with our own loads.

The Coffin Butte Landfill solid waste disposal permit does require extensive monitoring of air, ground and surface waters, and of the leachate. While I don't have the most recent monitoring data, landfill leachate exceeded permitted levels for dissolved metals (antimony, arsenic and chromium) and the organic chemical benzene in the recent past.[3] Exposure to these compounds can be harmful to human health and wildlife.

There are two other classes of chemicals commonly found in household, commercial and industrial waste that have been shown to pose risks to human health and wildlife, but aren't yet regulated at Oregon landfills. These are per- and polyfluoroalkyl substances (PFAS) and polybromodiphenyl ethers (PBDEs). PFAS and PBDEs are among the substances known as "forever chemicals" because they are so resistant to degradation in the environment and living organisms. PFAS can be found in personal care products, textiles, food packaging and a wide range of other materials dumped at landfills. PBDEs can be found in flame retardants, textiles, plastics and many other materials from homes and industry. PFAS and PBDEs have been shown to have adverse neurological and reproductive effects on birds and other wildlife.[4,5,6] Researchers have observed exposure by gulls using landfills to PBDEs through direct contact of contaminated materials and by inhaling the chemical present in the atmosphere above landfills .[7,8] Bald eagles are known to feed on adult gulls and their chicks, therefore the eagles at Coffin Butte may be exposed to these contaminants by feeding on gulls and other wildlife, as well as by direct contact when they land on contaminated materials at the landfill. Long-lived birds such as bald eagles are at particular risk because these chemicals will accumulate in their tissues over the course of their lives and females can even pass on the contaminant to their offspring while in the egg, leading to further concentrations of these chemicals in future generations of eagles.[6,9]

I am also concerned about the potential for bald eagles to be poisoned by feeding upon dead livestock shipped to the dump. In December 2022, 3 bald eagles died and 10 others

were harmed after feeding on dead livestock at a landfill in Minnesota owned by Republic Services. The livestock had been improperly dumped at the landfill after being euthanized with pentobarbital and the eagles had the opportunity to scavenge the carcasses. The Republic Services landfill was investigated by federal and state agencies, although I don't know how the case was concluded.

On March 26, 2025 my wife and a friend were driving south on Hwy 99. Near Monmouth they began following a large truck that was leaving a steady trail of blood and animal waste on the highway. As the blood splashed out of the truck, it left an airborne mist that covered the front of my wife's van. My wife followed the truck all the way to the Coffin Butte landfill and my wife's friend called 911 to report the incident. The mess clearly posed a human health risk on the highway and the dead animals may pose a danger to eagles once they were deposited at the landfill.

Ecologists have described a phenomenon called an "ecological trap" whereby an animal mistakenly prefers low quality or hazardous habitats to other available habitats and thereby suffers reduced fitness and/or a higher mortality rate. Ecological traps occur when a species has not yet adapted to rapid alterations in the environment and cues the species previously depended upon for successfully selecting feeding and breeding sites are no longer reliable. Wildlife populations caught in ecological traps can dwindle until they are at risk of extinction.

I worry that the Coffin Butte Landfill poses such an ecological trap to bald eagles of Benton and Polk Counties. The 2024 Turnstone wildlife survey observed bald eagles regularly feeding at the Landfill where toxic and prohibited substances are already accessible by the species. Therefore, an expansion of the operation will prolong the exposure of contaminants to future generations of bald eagles. The burden should be on VLI to prove to the Benton County Commissioners that the Landfill is not harmful to eagles and other species of protected wildlife.

Finally, I want to mention that bald eagles are safeguarded by the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), which prohibits anyone, without a permit from "taking" bald or golden eagles, including their parts (including feathers), nests, or eggs.

The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." Regulations further define "disturb" as "to agitate or bother a

bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (50 CFR 22.6).

In addition to immediate impacts, this definition also covers effects that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment.

Sincerely,

David Vesely
37112 NW Moss Rock Dr.
Corvallis, OR 97330
davidvesely321@gmail.com

Endnotes

[1] Final 2024 Report: Wildlife Habitat Assessment and Surveys for the Coffin Butte Landfill Expansion Project. Submitted July 12, 2024. Submitted to Jeff Shepherd, P.E. Civil & Environmental Consultants, Inc. Submitted by Turnstone Environmental Consultants, Inc. PO Box 83362, Portland, OR 97283.

[2] Oregon Department of Environmental Quality. 2020. DEQ Solid Waste Permit Number 306.

[3] Personal Communication with Joel Geier. September 13, 2024

[4] Sebastiano, M., W. Jouanneau, et al. 2023. Physiological effects of PFAS exposure in seabird chicks: A multi-species study of thyroid hormone triiodothyronine, body condition and telomere length in South Western France. Science of the Total Environment 901(25) https://doi.org/10.1016/j.scitotenv.2023.165920.

[5] Johnson, M. 2021. Chapter 1, Introduction. *In*, Understanding Risk to Wildlife from Exposures to Per- and Polyfluorinated Alkyl Substances (PFAS). CRC Press.

[6] Chen, D., R. Hale, et al. 2010. Species-specific accumulation of polybrominated diphenyl ether flame retardants in birds of prey from the Chesapeake Bay region, USA. Environmental Pollution 158(5) https://doi.org/10.1016/j.envpol.2009.10.042.

[7] Tongue, A. 2020. Gulls (laridae) as bioindicators of flame retardant emissions from landfill: a species-assemblage investigation. University of Birmingham. Ph.D.

[8] Sorais, M., M.J. Mazerolle, et al. 2020. Landfills represent significant atmospheric sources of exposure to halogenated flame retardants for urban-adapted gulls. Environment International 135 https://doi.org/10.1016/j.envint.2019.105387

[9] Ricolfi, L., M.D. Taylor, et al. 2024. Maternal transfer of per- and polyfluoroalkyl substances (PFAS) in wild birds: A systematic review and meta-analysis. Chemosphere 361 (2024) https://doi.org/10.1016/j.chemosphere.2024.142346

From:	N Whitcombe
To:	Benton Public Comment
Subject:	PDF attached containing testimony for LU-24-027
Date:	Monday, April 21, 2025 1:45:18 PM
Attachments:	LU 24-027 Whitcombe Submission 04212025.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From:
Nancy Whitcombe
37049 Moss Rock Drive
Corvallis Oregon

Could I please get an acknowledgment of the County's receipt of this submission?

Thank you very much.

--
N J Whitcombe

Nancy Whitcombe
37049 Moss Rock Drive
Corvallis Oregon
NWHITCOMBE@GMAIL.COM
541.745.2056

April 20, 2025

ATTN: Benton County Planning Commission

Dear Planning Commission Chair Fowler, and Commission members,

As you may remember, I am a retired architect with extensive experience with planning issues. I have a BA in architecture and an MArch in Environmental Design. My professional experience primarily involved shepherding large residential, commercial, and live/work projects through the zoning approval process.

Afterwards, I served as a Planning Commissioner (in Colorado) for more than a decade.

I presented in opposition to the landfill expansion on the occasion of the prior expansion proposal, LU-21-047. Many of the questions asked by Commissioners at the prior expansion proposal seemed to be answerable via research into past land use decisions, which I have undertaken and share with you here. Please find attached an analysis of prior Benton County decisions about Land Use at the Coffin Butte landfill beginning in about 1973.

Attached please find documents leading to the following conclusions:

1. The historic intent of the 59-acre parcel south of Coffin Butte Road has never been the current or future disposal of waste, per all contemporaneous documentation.
2. Overly-optimistic estimates of the date of the landfill end-of-life on the part of the Applicant have prevented the County from updating essential guidance needed to make informed & carefully considered land use decisions regarding the future of solid waste management in Benton County, and
3. The Planning Commission appears to have most recently considered a Site Development Plan of the LS zone, and consequent adverse impacts of the landfill on the area (character of the zone, etc.) in 2002 and 2003. Since that time, volumes at the landfill and consequent adverse impacts have increased substantially. I believe it would therefore be appropriate to use impacts as of 2003 (or at the very latest, adverse impacts as of 2015, the last recorded CUP the County has on file for *any* VLI-owned parcel) as a "baseline" in your consideration of the increase in volumes/adverse impacts since that time.

Thank you very much for your time,

Nancy Whitcombe

COFFIN BUTTE LANDFILL – RESEARCH/CONCLUSIONS, PART 1/3

PRIOR LAND USE ACTIONS ESTABLISHING **THE INTENDED USE** OF THE **59.23-ACRE PARCEL** S OF COFFIN BUTTE ROAD

BACKGROUND: During LU-21-047, Commissioners discussed whether it could reasonably have been predicted that the 59.23-acre parcel across from Coffin Butte Road would be used for waste disposal.

CONCLUSION: The conclusion from documents on the history of prior land use actions is that Benton County and Benton County residents **could not** have reasonably predicted **that the 59.23-acre parcel** south of Coffin Butte Road **would be used for future waste disposal**.

PERSONAL COMMENTARY/CONCLUSIONS: The Applicant repeatedly asserts in Application LU-24-027 that, because this parcel is zoned LS, the intent at the time of the zone designation change in 1983 was for the parcel eventually be used for waste disposal.

This is a grave error, and is, in fact, the *opposite* of the **clearly expressed intent** for the **past, current and future use** of the parcel at **each point in time** when that issue was addressed by advisory councils, by SWAC, by Planning Commission, and by the Board of Commissioners.

The applicant repeatedly conflates by-right uses ("A landfill is an outright permitted use"[1]) with conditionally permitted uses. If landfills are "outright permitted use[s]" then every acre of EFU and FC land in Benton County could eventually become a landfill site (an outcome the applicant might perhaps support).

SUPPORTING DETAIL:

The landfill operator and Benton County committed on multiple occasions, in **1973**, in **1977**, in **1983**, in **1994**, in **2001**, and again in **2003**, that the 59.23-acre parcel South of Coffin Butte Road would not be used for disposal of waste.

SUPPORTING FACT 1: In 1977, in fulfillment of a Condition of Approval of the 1974 CUP to operate a landfill north of Coffin Butte Road, the applicant prepared a Solid Waste Management Plan, unanimously approved by the Planning Commission on 4/12/1977. **This plan projected that by the year 2000**, **the landfill would close**. A Waste-to-Energy facility would replace landfilling for Benton County Residents. **At that time, the landfill operator did not yet own the 59.23-acre parcel** South of Coffin Butte Road.

This is the only Solid Waste Management Plan Benton County has ever adopted, and **until it is updated**, can provide guidance as to the original intent of siting a landfill in Benton County, namely that when it was established, the intent was for the landfill have an "expiration date."

[1] Applicant's Burden of Proof, revised January 15, 2025, page 25/154, one example of many

PART 1, COMMENTARY/SIGNIFICANCE continued

SUPPORTING FACT 2: (SEE **PART 1**, **EXHIBIT 1**) In 1983, the landfill operator applied for the County to create a new zone -- the LS zone -- for landfill activities, both disposal of waste and landfill accessory land uses. The application included a graphic plan of land to be re-zoned that indicated all areas of completed, present, and future waste disposal fill. All areas of waste disposal are north of Coffin Butte Road. The 59.23-acre parcel so the south of Coffin Butte Road was not designated to receive waste disposal. Included in the FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER in the amendment that established the LS zone, the Board expressly adopted as findings, the narrative and map[2] supplied by the applicant's development consultant, Jeffrey R. Tross. Mr. R. Tross committed in his narrative application that:

> *"The landfill property south of Coffin Butte Road is used as a tree farm to grow screening plants for landfill…There will be no change in the existing or proposed land uses as a result of the proposed change in land use designations."* [3]

SUPPORTING FACT 3: The North Benton County Citizens Advisory Council met on Feb 10, 1983, and unanimously voted to support the rezoning action with the following caveat:

> *"We want to specify no disposal of municipal solid waste on the 59.23 A property S of Coffin Butte Road."* [4]

SUPPORTING FACT 4: The Solid Waste Advisory Council recommended approval of the rezoning action with the caveat that there would be no disposal of municipal solid waste on the 59.23-acre parcel South of Coffin Butte Road. In the absence of a current recommendation from the SWAC, Planning Commission members may want to consider referring to the 1983 unanimously adopted SWAC recommendation regarding the 59.23-acre parcel:[5]

> *"No disposal of solid waste south of Coffin Butte Road."*

SUPPORTING FACT 5: The STAFF REPORT for the rezoning action, PC-83-7, concurred with the recommendations of the North Benton County Citizens Advisory Council and the SWAC:

> *"1. No landfill be allowed on property south of Coffin Butte Road…Staff concurs with these conditions…The proposed zone allows no additional landfill activities unless approved by the Planning Commission at a public hearing.* ***Therefore, the Commission may limit expansion into any area that is not appropriate for a landfill"***[6]

---

[2] FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER, IN THE MATTER OF AN AMENDMENT TO THE BENTON COUNTY COMPREHENSIVE PLAN REGARDING CERTAIN POLICIES RELATING TO THE COFFIN BUTTE LANDFILL…[etc]", extracted from Benton County File PC-83-07-C(1), pp 23-28 of the County file

[3] STATE PLANNING GOAL EXCEPTION FOR THE COFFIN BUTTE LANDFILL, by Jeffrey R. Tross, Applicant's Land Development Consultant, extracted from Benton County File PC-83-07-C(1) page 6 of the document, p 47/60 of the County file, site plan appended at the end of this document as EXHIBIT

[4] Documentation of North Benton County CAC vote, February 10, 1983, included in PC-83-07-C(5), pp 49-50

[5] Action Minutes Benton County Solid Waste Advisory Council, February 16, 1983 pp 59-60

[6] Staff Report for PC-83-7 included in PC-83097-C(2) p 13

PART 1, COMMENTARY/SIGNIFICANCE continued

SUPPORTING FACT 6: The Board of Commissioners in 1994 **DENIED** an application to place waste on the 59.23-acre parcel south of Coffin Butte Road.

SUPPORTING FACT 7: In 2002 and 2003, applications to add, as a "PROPOSED LANDFILL ADDITION" the "east triangle" and the "west triangle" to the north of Coffin Butte Road, the 59.23-acre parcel south of Coffin Butte Road was not shown as an area that was slated for future waste disposal. All past, current, and future disposal areas were located on parcels north of Coffin Butte Road. (SEE **PART 1, EXHIBIT 2**).

SUPPORTING FACT 8: (SEE **PART 1, EXHIBIT 3**) In 2002, when the local owner sold the landfill operation to a national waste company, Benton County prepared a Memo 0f Understanding (2002 MOU) regarding compliance with land use issues. This MOU was signed by County Counsel, Vance Croney, and by all of three Benton County Board of Commissioners. This MOU had the following inclusions:

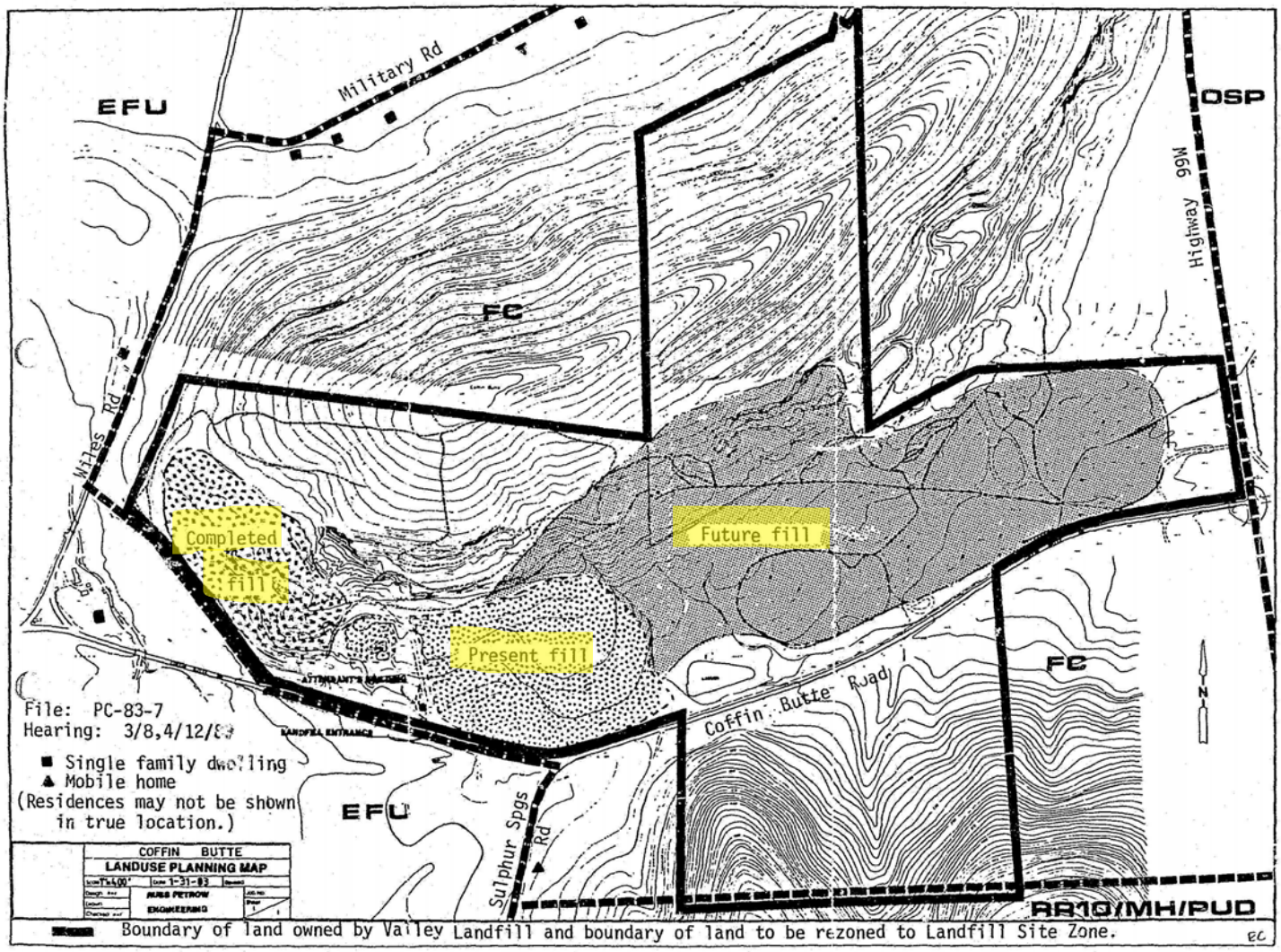
> *"(8) Non landfill activities such as leachate treatment and irrigation were allowed south of Coffin Butte Road. The 1983 approval specifically did not allow for the placement of solid waste south of Coffin Butte Road…(16)(e)* ***There is no approval for any landfill activity south of Coffin Butte Road except for the related landfill activity which does not include the placement of solid waste****"*[7]

[7] 2002 MOU

PART 1, COMMENTARY/SIGNIFICANCE continued

EXHIBIT ONE, 1983 "PAST, PRESENT, AND FUTURE DISPOSAL AREAS" PER APPLICANT'S STATEMENT

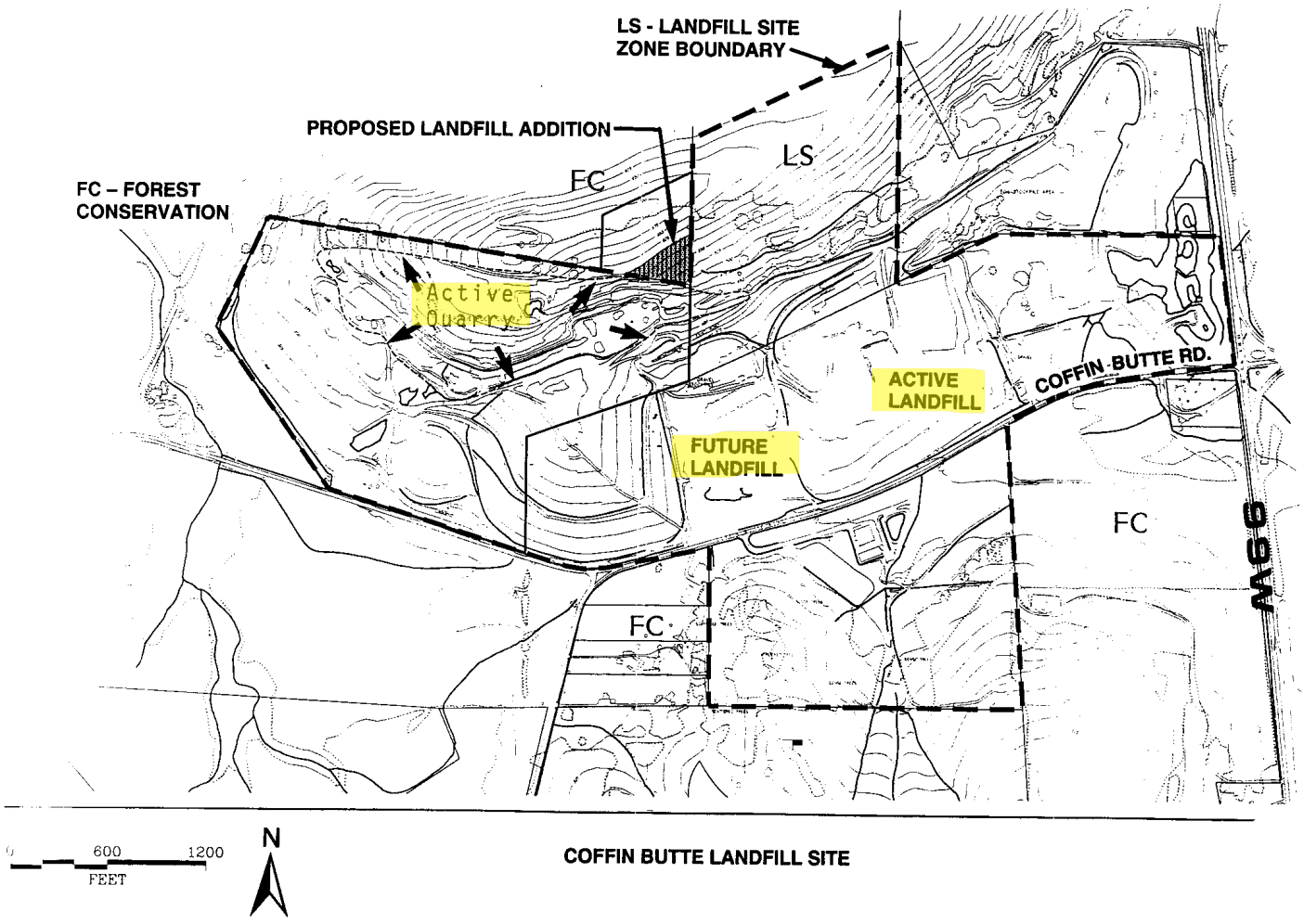
SOURCE, BENTON COUNTY FILE PC-83-07-C(2), page 34/60



PART 1, COMMENTARY/SIGNIFICANCE continued

EXHIBIT TWO, 2002 CONDITIONAL USE PERMIT FOR "WEST TRIANGLE" SHOWING "ACTIVE QUARRY," "FUTURE LANDFILL," & "ACTIVE LANDFILL"

SOURCE, BENTON COUNTY FILE PC-02-07-2, page 40/98



PART 1, COMMENTARY/SIGNIFICANCE continued

EXHIBIT THREE, "MEMORANDUM OF UNDERSTANDING" "Relating to Land Use Issues" Between Benton County (Benton Co.), a Political Subdivisionof the State of Oregon, and, Valley Landfill, Inc. (VLI) an Oregon Corporation (CONTRACT #502643) DESIGNATING THE ACREAGE SOUTH OF COFFIN BUTTE ROAD AS "NON-DISPOSAL AREAS"

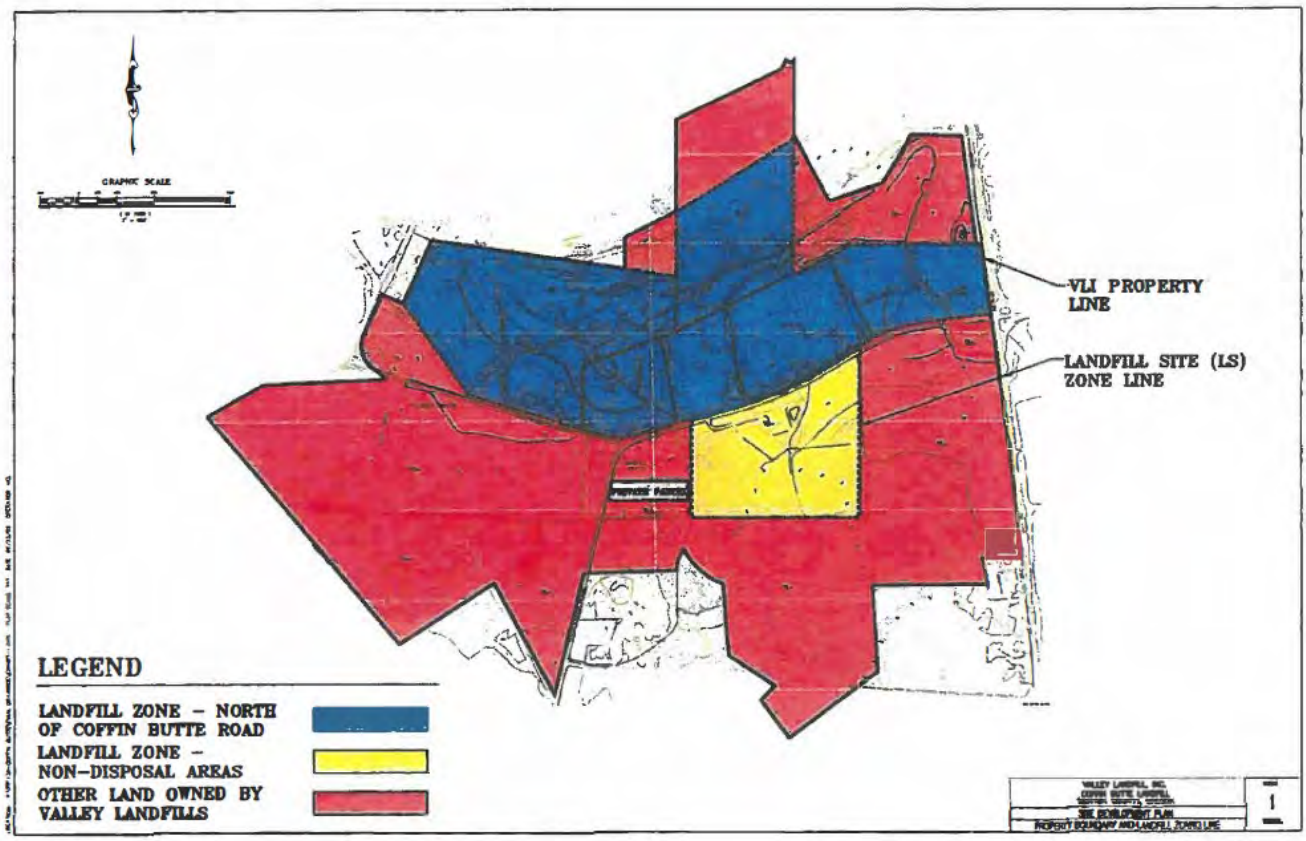
SOURCE, BENTON COUNTY FILE CONTRACT #502643, page 7/8

LEGEND reads:

"LANDFILL ZONE – NORTH OF COFFIN BUTTE ROAD" [**DARK BLUE** color]

"LANDFILL ZONE – NON-DISPOSAL AREA" [**YELLOW** color]

"OTHER LAND OWNED BY VALLEY LANDFILLS" [**RED** color]



Contract #502643

COFFIN BUTTE LANDFILL – RESEARCH/CONCLUSIONS, PART 2/3

PART 2: THE CONSEQUENCES OF **INACCURATE END-OF-LIFE ESIMATES** ON THE PLANNING PROCESS

BACKGROUND: During the LU-21-047 hearing, Commissioners brought up the fact that Chapter 77, the Landfill Site (LS) zone, does not contain the same requirements that are standard for other zoning designations (for example, no height requirements, setback requirements, employee parking requirements, operating hour requirements, etc.). At that time, Planning Commission members expressed disappointment in this lack of guidance.

CONCLUSION: The conclusion from reviewing information provided by the landfill operator is that the **landfill operator consistently provided** Benton County and Benton County residents with **unrealistically optimistic estimates of landfill life**, which had the result that the **County did not have time to formulate updated guidance for decision-making** about the landfill. Out-of-date plans/advisory groups/documents include:

- a **regional sustainable** materials management plan -- the prior entity, Chemeketa Region Solid Waste Management Program is defunct, and while the County is currently formulating a regional plan, it is still in the funding/planning stage and explicitly will not address local issues like the landfill end-of-life
- a **local solid waste** management plan – there is currently a petition circulating with over 1,300 signatures calling on Benton County to formulate a plan
- the **Community Wildfire Protection Plan** does not address landfill fires because lack of staff expertise[8]

  > *I don't see how I can include this in CWPP as I have no experience in the topic and it would be a task too large to undertake for what is in the final draft stages. It may be that it could be included as a* ***task to be worked on in future year updates.***
- The **North Benton County Citizen's Advisory Council** became inactive, and residents of North Benton County have been informed that there are no financial resources to support the reactivation of that body,
- the **SWAC** has been suspended,
- the **Comprehensive Plan** is no longer accurate,
- Per deliberations on LU-21-046 **Chapter 77, the Landfill Site (LS)**[9] zone is inadequate,
- Benton County's **2040 Vision document** does not address the present and future of the landfill site (although ENRAC has recommended denial)

[8] Email, Inga Williams to Nancy Whitcombe, 3/18/2022

[9] See LU-21-047 Comments by Jen Gervais

PART 2, COMMENTARY/SIGNIFICANCE continued

PERSONAL COMMENTARY/CONCLUSIONS: The time to update all of these plans, and codes, and committees is **NOW**. Even if the Applicant is correct about the date at which the landfill will reach capacity, there is enough time to **plan ahead**.

The State of Oregon has adequate capacity statewide, per its document "Materials Management in Oregon, 2050 Vision and Framework for Action," which reads:

"Long-term landfill capacity is ample statewide"[10]

There is a real question about whether the Applicant is, in fact, correct (now) about current end-of-life of the landfill in the absence of approval of the current application. The Applicant obtains significant economic benefits (via vertical integration) from hauling outside waste from communities where they have haul franchises into a proprietary landfill. But independent haulers also haul to waste to Benton County. And as long as there is a prospect of infinite expansion, it is economically sound for the Applicant to offer low tipping fees to attract independent haulers. However, if future expansions are curtailed, the Applicant may want to reserve limited airspace for its own haul franchises. One way to do this would be to increase tipping fees. This is what has happened at Riverbend landfill, with the result that volumes have decreased, and the end-of-life of the landfill has been extended – dramatically! -- by more than a decade. For the Applicant, reducing volumes as the landfill approaches end-of-life also has the advantage of delaying the outlay of expenditures for final closure, which the Applicant will have to incur after the landfill reaches capacity. These expenses can be considerable. So, ironically, denying an expansion may have the result that the life of the landfill is extended significantly. Riverbend landfill, which in 2019 was said to be facing "imminent" closure in the absence of an expansion, now has a permit to continue to accept waste until 2030.[11]

As of the Applicant's 2023 10k (filed with the SEC), **200,600,000 million cubic yards** of airspace are estimated as "probable" to be granted at its **206 active landfills**. Per the 10k, "*proposed or future expansions may not be permitted.*" The Applicant is a Fortune 500 company with 15 billion dollars in yearly gross revenues. Presumably there are contingencies place for continuing operations if this expansion is denied.[12] One potential contingency? If **only Benton County municipal solid waste** were deposited in the landfill, the landfill would last **another 150 years**.

The Applicant's underestimation of landfill life should not be Benton County's emergency; had the Applicant provided Benton County with realistic end-of-life estimates beginning in 2017 much of the work to plan ahead might already be underway or even already complete.

[10] Materials Management in Oregon, 2050 Vision and Framework for Action, adopted by the EQC, State of Oregon Department of Environmental Quality, December 6, 2012.
[11] DEQ https://www.oregon.gov/deq/programs/pages/riverbend-landfill.aspx
[12] Republic Services, Form 10-K submitted to the US Securities and Exchange Commission, 2023, p. 13/155 & "Available Airspace" table, page 46/155

PART 2, COMMENTARY/SIGNIFICANCE continued

SUPPORTING DETAIL:

SUPPORTING FACT 1: Approving a landfill on the 59.23 acres south of Coffin Butte road just kicks a can that has been kicked down the road for literally half a century. Below please find a quote OPPOSING granting a Conditional Use Permit from the North Benton County Citizen's Advisory Committee. This passage was written in 1973, more than **FIFTY YEARS AGO**.

> *"**Although the date of closing** the present [landfill] operations **has been delayed time after time**, the people felt the **commitment was made in good faith** and therefore have demonstrated patience, tolerance and understanding..."*[13]

SUPPORTING FACT 2: The 2007 Benton County Comprehensive Plan included, in Chapter 6, a FINDING that the landfill had 43 more years of capacity[14] -- **end-of-life 2050**. The Comprehensive Plan is currently being updated and revised.

SUPPORTING FACT 3**:** In the **2017 Annual Report,** the landfill operator estimated that the life of the landfill was an additional **38.27 years**. That would have put the end of life of the landfill **beyond the year 2055**. In the 2018 Report the landfill operator estimated the end of life for the landfill to be **beyond the year 2049**.[15]

SUPPORTING FACTS 4: Article from the Corvallis Advocate, January 31, 2013, Title "Trash Disposal in Corvallis 40 Years Out: Not Your Problem? Actually, It Is"

> *"Forty years may be a long ways away, but it'll arrive soon enough. And when it does, Coffin Butte Landfill will most likely have reached maximum capacity. What happens to our waste then? At this point, it's too early to tell. 'We don't have a solid plan in place," said Mary Steckel, director of the City of Corvallis Public Works Department…"The goal that we would be trying to achieve is…[reducing] the amount of waste we're taking to the landfill"*[16]

Since that article was written, the estimate of the end-of-life of the landfill has decreased from the **year 2053** to the **year 2037** – by half of the estimate at the time, as volumes of waste taken to the landfill have more than doubled.

[13] North Benton Citizen's Advisory Committee opposing the landfill, November 5, 1973, page 1, included in CP-74-01, p 138

[14] See 2007 Benton County Comprehensive Plan

[15] See 2017 & 2018 Coffin Butte Annual Reports

[16] The Corvallis Advocate, January 31, 2013, page 1, article by Jen Matteis

COFFIN BUTTE LANDFILL – RESEARCH/CONCLUSIONS, PART 3/3

PART 3: ADVERSE IMPACTS HAVE RESULTED FROM **INCREASES IN VOLUME INTAKE** SINCE 2003 (THE MOST RECENT YEAR THAT CONSIDERED LANDFILL OPERATIONS IMPACTS), AS WELL AS FROM **PAST AND CURRENT** NON-COMPLIANCE WITH STATE, LOCAL, AND FEDERAL REGULATIONS

BACKGROUND: An additional discussion during LU-21-047 concerned whether it was appropriate for the Planning Commission to consider adverse impacts from the landfill, considering that the landfill had been operational in the current location for many years, and, per the Applicant, if an expansion were approved, current adverse impacts would be unchanged.

CONCLUSION: The conclusion from the history of prior land use actions is that Benton County has not considered land use impacts of landfill operations since the last Conditional Use Permits for the "east triangle" and the "west triangle" in about 2002 and 2003. Therefore, it is appropriate to consider how adverse impacts have increased since approximately that date. **The conclusion is** that **adverse impacts have increased substantially since 2002 and 2003**. **The primary driver of adverse impacts is** proportional to increases in **the daily volume of waste accepted at the landfill.**

"Conditions of Development" for the LS zone, and "Conditions of Approval" for various Conditional Use Permits have been intended to ensure that the LS zone is compatible with uses on abutting and adjacent parcels. Therefore, it is appropriate to consider how effective Benton County land use policy has been in ensuring that the land uses in areas surrounding the landfill are compatible with landfill operations. **The conclusion is** that, **when unenforced, "Conditions of Development" for the LS zone** and **"Conditions of Approval" for prior Conditional Use Permits** have resulted in **incompatibility between landfill operations and surrounding uses**.

As the Applicant points out in the Burden of Proof, there are many additional layers of regulation that constrain (or are intended to constrain) landfill operations. Since they are mentioned on numerous occasions, it is therefore also appropriate to consider the extent to which the Applicant has complied with these regulations. **The conclusion is** that the Applicant has not always been compliant with regulations (see: BCTT). The result of non-compliance has been a **burden on non-landfill uses** in the area surrounding the landfill to **peacefully and reasonably enjoy their property without interference from landfill operations.**

PERSONAL COMMENTARY/CONCLUSION: THERE IS EXTENSIVE DOCUMENTARY EVIDENCE that until about 2017, the landfill operated at much smaller volumes than it does currently, with the result that adverse impacts have become increasingly objectionable.

PART 3, COMMENTARY/SIGNIFICANCE continued

See the following table illustrating changes in yearly waste volume accepted, leachate trucked offsite for treatment, and vehicles logged at the weight station:

VOLUME:

	2003	2023	Change
Yearly waste volume	**550,000 ton/year[17]**	**1,108,966 ton/year[18]**	**200%**

Source: Coffin Butte Landfill annual reports

LEACHATE TREATMENT:

	2003 HAULED OFFSITE	2023 HAULED OFFSITE	Change
Leachate	**NONE OF IT[19]**	**29,700,000[20] gallons**	**INCALCULABLE**

Source: 2002 & 2003 Applicant's statement, Coffin Butte Landfill Annual reports

VEHICLES LOGGED:

	2003	2023	Change
Vehicles logged	**88,740[21]**	**126,306[22]**	**142%**

Source: Coffin Butte Landfill Annual reports

Planning Commissioners have a variety of ways to approach applying current adverse impacts to the current application.

FIRST, they could consider the INCREASE in adverse impacts since landfill operations last applied for a land use permit for landfilling operations.

[17] Source, 2003 Coffin Butte Annual Report
[18] 2023 Coffin Butte Annual report, for the purposes of adverse impacts, tonnage includes "solid waste" & ADC are combined
[19] Source, 2002 & 2003 Applicant's statement describing the reverse osmosis leachate treatment system (it did not function properly and was discontinued at some point thereafter)
[20] 2023 Coffin Butte Annual report
[21] Source, 2003 Coffin Butte Annual Report
[22] 2023 Coffin Butte Annual report

PART 3, COMMENTARY/SIGNIFICANCE continued

SECOND, they could consider the **time impact** of AN **ADDITIONAL 5-7 YEARS** OF CURRENT **ADVERSE IMPACTS**, especially IMPACTS ON HUMAN HEALTH. 5-7 years is a SIGNIFICANT AMOUNT OF TIME -- roughly 10% of a human being's expected lifetime. Methane emissions are measured (and are currently emitted at levels that far exceed allowable levels), but what are not measured, but which "tag along" with methane are nanoparticles, PFAS that are "belched" along with landfill gas[23], microplastics, and compounds that are known to damage human health. An additional 5-7 YEARS of exposure to these emissions could result in significant adverse health impacts, especially on the elderly, on pregnant women, and on children. A new report has found evidence of association between PFAS exposure and decreased antibody response, abnormally high cholesterol, decreased infant and fetal growth, and increased risk of kidney cancer, and has recommended blood testing for those who have lived where contamination may have occurred, including landfills.[24]

THIRD, since if landfill operations are approved for the 59.23-acre parcel south of Coffin Butte Road, the current yearly volume intake cap is eliminated, in the next twenty years, FUTURE ADVERSE IMPACTS COULD INCREASE OVER AND ABOVE THE CURRENT LEVEL. In the past twenty years, adverse impacts have doubled. There is nothing to prevent them from doubling again in the same amount of time. In fact, the **POTENTIAL INCREASE** in adverse impact in the next twenty years over the last twenty years **CANNOT BE ESTIMATED.** Something that CANNOT BE ESTIMATED is UNQUANTIFIABLE.

An UNQUANTIFIABLE, UNKNOWN ADVERSE IMPACT CANNOT BE MITIGATED.

SUPPORTING DETAIL:

SUPPORTING FACT 1: (SEE **PART 3, EXHIBIT 4**) Since the last CUP for landfilling operations was approved in 2003, yearly volumes have doubled from (2003) 550,000 tons/year to (2023) 1,100,000 tons/year, and adverse impacts have increased proportionately. In 2023, the landfill operator reported 405 trucks per day[25]. That's 810 vehicle trips per day on dusty interior haul roads, one trip up, and one trip down every 35 seconds[26]and it does not count PRC traffic, leachate haulers, quarry trucks, employee traffic, etc.

Exhibit 4 shows yearly solid waste accepted at the landfill from 1993 to 2024, taken from landfill annual reports.

[23] "Some landfill 'burps' contain airborne PFAS", Science Daily, June 26, 2024, Source: American Chemical Society
[24] Guidance on PFAS Exposure, Testing, and Clinical Followup, National Academies of Sciences Engineering Medicine, 2022
[25] CB Annual report, 126,306 vehicles logged in the year, divided by 52 weeks/year, divided by 6 days/week, divided by 8 hours/day
[26] Trips per second calculated at 126,306 one-way vehicles per year (2023 CB annual report) x 2 tips per vehicle divided by 52 weeks per year, divided by 6 days per week, divided by 8 hours per day

PART 3, COMMENTARY/SIGNIFICANCE continued

DAILY VOLUME INCREASED ADVERSE IMPACTS include:

- Increase in traffic **exterior** to the landfill resulting in increased odor, increase in roadside litter, increase in litter blown by the wind into nearby agricultural fields, and congestion, accidents, and road damage on public roadways
- Increase in traffic **interior** to the landfill resulting in increased air/noise/wildlife impacts
- Increase in working face area causing vector impact increases, scavenger impact increases, and nuisance bird increases. Nuisance birds (gulls, crows, starlings) prey on endangered wildlife populations, and they cause billions of dollars of damage in Oregon to agricultural crops.[27] Increase in the working face area also results in the landfill operator being unable to cover the working face with soil, reliance on tarps, and, at times, insufficient manpower to fully cover the working face at the end of the day. At other times, the working face is left fully uncovered overnight and/or on weekends.

SUPPORTING FACT 2: Since the last CUP for landfilling operations was approved, waste-in-place volumes have increased from (2004) approximately **NINE MILLION** CUBIC YARDS to (2023) approximately **TWENTY FOUR MILLION** CUBIC YARDS.[28] Waste-in-place in 2023 is more than **260%** of waste-in-place at the last CUP was approved for landfilling activities in 2003.

WASTE-IN-PLACE VOLUME INCREASED ADVERSE IMPACTS include:

- Increased visibility of the landfill operations
- Increase in leachate generation
- Increase in methane emissions
- Increased potential for landfill fires deep within the waste mass, and increased difficulty extinguishing such a fire should one occur
- Increased odor

SUPPORTING FACT 3: Since the last CUP for landfilling activities was approved, control of the landfill has changed, and the new, out-of-state landfill operator has not complied with prior commitments made to Benton County and Benton County residents in prior land use applications (they may, in fact, be unknown to this Applicant), with implicit and explicit Conditions of Development (agreed to at the time of the 1983 rezoning land use application, decision, and acceptance), with Conditions of Approval of prior Conditional Use Permits (in 2001 and 2003), with Federal and State law, and with Federal and State regulations.

[27] "Birds, trash, poison: Plans to disperse nuisance birds spark controversy; Swarms of crows and gulls at a landfill in Oregon's Wasco County are damaging nearby fruit crops" Columbia Insight, September 16, 2021, Author Don Campbell

[28] 2004 is the earliest that Coffin Butte Annual Reporting included waste-in-place. The 2024 waste-in-place was cited as 8,952,513 cubic yards. The 2023 waste-in-place reported was cited as 24,013,893 cubic yards.

PART 3, COMMENTARY/SIGNIFICANCE continued

NON-COMPLIANCE ADVERSE IMPACTS include:

- Increase in visual blight: "temporary" "interim" cover – not capping and revegetating filled cells. At the time of the 1983 rezoning application, Benton County obtained assurances from the landfill operator that as the landfill site was used, it would be returned to productive use:

  > *"Jeanette Simerville, chairman of the Benton County Board of Commissioners, said Tuesday 'the site would be used in increments and as each increment was filled it would be in better condition for productive use than it is now'"*[29]

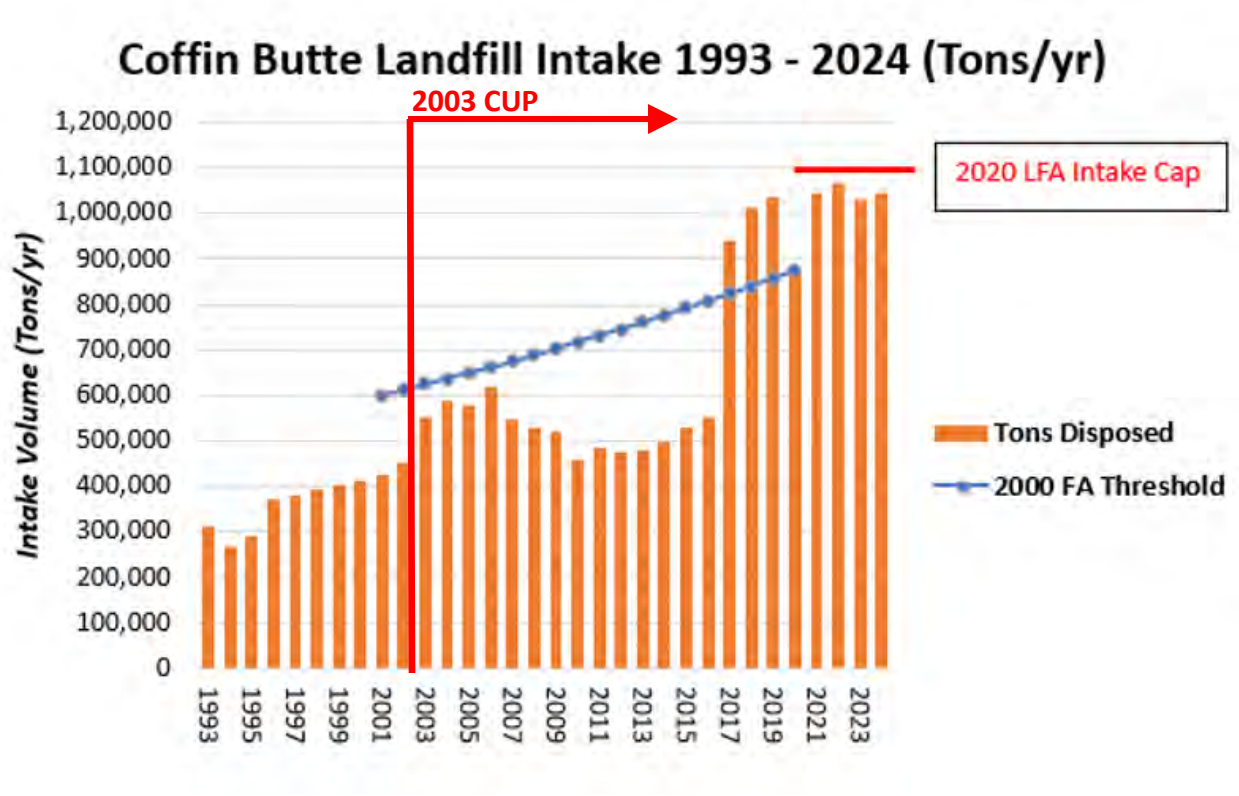
  But since roughly 2008, filled cells are covered with "temporary" "interim" cover – i.e. tarps -- which have exacerbated visual blight. As a result, "temporary" cover has now been in place for seventeen years, and the landfill is now visible from North Albany.
- Increase in visual blight: lack of screening – Both Benton County Conditions of Development and the Oregon Administrative Rules require that landfill operations be screen so that "they cannot be seen" from the highway, from County roads, or from adjacent property. The result of non-compliance is a sight now visible from North Albany, and locals term it 'the Great Pyramid of Benton County'.[30]
- Increase in methane generation: odors, and fire hazards as a result of "temporary" "interim" cover – tarps – for seventeen years. Tarps are more likely to tear, be punctured by weed roots, and consequently permit methane and "tag-along" substances – both odors and airborne compounds and particulate matter hazardous to human health. Recent EPA reports have confirmed that the landfill is emitting methane plumes far in excess of what regulations permit.
- Increase in leachate production: discontinuation of the reverse osmosis system the applicant promised in the 2002 and 2003 CUP Application that would have resulted in on-site treatment of leachate
- Waste volumes today have increased by almost 250% of waste volumes twenty years ago, and in fact have doubled in just the past eight years. It is not unreasonable for Benton County and Benton County residents to be concerned about the rapid increase in adverse impacts that have increased even more markedly within the last eight years and which could increase by an unquantifiable amount if an expansion is approved.

[29] Corvallis Gazette Times, 11/21/1973

[30] "A huge landfill in Oregon is spewing methane. Its owners want to expand." August, 2024, author, science journalist Isobel Whitcomb

PART 3, COMMENTARY/SIGNIFICANCE continued

EXHIBIT FOUR, LANDFILL VOLUMES FROM 1993 to 2023, 2003 IS THE LAST DATE AT WHICH THE PLANNING COMMISSION HAS REVIEWED LANDFILL OPERATIONS



From: Dodie Wilson
To: Benton Public Comment
Subject: Oppose LU-24-027
Date: Monday, April 21, 2025 2:11:39 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I strongly oppose the approval of LU-24-027. In 1994 my husband and I moved from Atlanta, Georgia to Corvallis and settled in a house in the Trillium neighborhood off of Tampico Road. Part of the reason we chose Corvallis was that it seemed like a community that valued natural areas and the environment with many green spaces to enjoy the outdoors. We biked and hiked in nearby Dunn Forest, Peavy Arboretum and EE Wilson. Years later when we had children, they too would join us for walks and bike rides at these local natural areas. Every once in a while we could smell the landfill from our house which was about a mile away, but back then the landfill was much smaller. In 2008, 2 years before we moved into town to be closer to our children's activities, Republic Services took over the landfill. They promised to be good neighbors, but unfortunately have not lived up to their promises. There have been several methane leaks many of which have far exceeded EPA guidelines. Also, every year millions of gallons of leachate containing heavy metals, carcinogenic industrial solvents and PFAS (aka "forever chemicals") are trucked over to water treatment facilities in Corvallis and Salem, diluted, and then dumped in the Willamette River. The landfill is only partially lined, so leachate is mostly likely leaking into the groundwater affecting the health of nearby EE Wilson as well as the integrity of well water in the area. The community's health and well-being are at risk, not to mention landowners' property values. And this is without expansion! How can we trust Republic Services to be able to handle the expansion of the landfill when they can't even safely manage it now? Expanding the landfill is in violation of BCC 53.215(1) and BCC 53.215(2). Please consider the health, well-being and future of our community and oppose the expansion of the Coffin Butte Landfill.

Sincerely,

Dorothy Wilson
4021 NW Princess St
Corvallis, OR 97330

From: Dodie Wilson
To: Benton Public Comment
Subject: Oppose/Deny LU-24-027
Date: Monday, April 21, 2025 3:04:38 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I strongly oppose the approval of LU-24-027. In 1994 my husband and I moved from Atlanta, Georgia to Corvallis and settled in a house in the Trillium neighborhood off of Tampico Road. A few years after moving here, I became a master's student in the Department of Fisheries and Wildlife at Oregon State University. In the years prior I had taken jobs working for researchers doing bird surveys in the Coast Range and Eastern Oregon and became interested in avian ecology and conservation. In my free time, I enjoyed birdwatching in EE Wilson Wildlife Area just a short drive from my home. With its varied habitats from upland oak savanna to wetland a diversity of bird species could be found there. Coffin Butte Landfill sits directly to the west of this important natural area. In 2022, several methane leaks far exceeding EPA limits were detected. Leachate that is not trucked to water treatment facilities in Corvallis and Salem leaks through the unlined parts of the landfill and into the groundwater potentially affecting the wetland at EE Wilson. Not only do people bird watch here, but they walk, bike, and fish in the stocked pond. If this wetland and natural area become contaminated, we could potentially lose habitat that is important for many bird, plant, and animal species. Benton County Comprehensive Plan policy 5.9.4 states that in making land use decisions, "Benton County shall protect identified sensitive wildlife habitat types and wildlife corridors from adverse impacts". **I strongly oppose any expansion of the landfill that would further impact this important natural area and wetland. This expansion would clearly interfere with uses of nearby property and the character of the area BCC 53.215 (1) and Benton County Comprehensive Plan policies 5.1.2, 5.2.1, and 5.74.**

Sincerely,

Dorothy Wilson
4021 NW Princess St
Corvallis, OR 97330

From: Kathryn Schlegel
To: Benton Public Comment
Subject: Oppose/ Deny LU-24-027
Date: Monday, April 21, 2025 1:12:02 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Benton County Planning Commissioners,

We strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte Landfill, and we urge the Planning Commission to deny this application.

We are very concerned about the many health risks that any expansion could pose to nearby residents and also the likelihood for it to negatively impact the ability of nearby residents to sell their homes.

We also find it very disturbing that the water treatment process for disposing of the millions of gallons of leachate is unable to remove forever chemicals prior to being dumped into the Willamette River. Our children attend school in Adair Village which receives its water supply downstream. We are very concerned about the long-term impact of this on their health and try to have them minimize any tap water consumption while at school.

Sincerely,

Brandon and Kathryn Yeager

28323 Tampico Rd
Corvallis, OR 97330

From:	Mark Yeager
To:	Benton Public Comment
Cc:	Ron Irish; Mark Yeager
Subject:	Traffic Impact Analysis Review - LU-24-027
Date:	Monday, April 21, 2025 4:16:34 PM
Attachments:	Traffic Impact Analysis Review Testimony.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Chair Fowler and members of the Planning Commission -

The attached testimony presents our review of the Traffic Impact Analysis (TIA) report prepared by Transight Consulting, LLC, and submitted by Valley Landfills, Inc., in their conditional use permit application for expansion of Coffin Butte Landfill.

Our review of the information and analysis presented by Transight Consulting concludes that the submittal is not adequate to allow a reasonable evaluation of the impact of the proposed landfill expansion on the transportation system. In the absence of a revised TIA that accurately describes the proposed development's impact on the transportation system and the required improvements to mitigate those impacts, we recommend denial of this application.

Sincerely,

Mark Yeager

Ron Irish

April 21, 2025

Dear Chair Nicholas Fowler, and

Members of Benton County Oregon Planning Commission

Subject: LU-24-027, Traffic Impact Analysis Review

This letter provides a review of Transight Consulting, LLC, Traffic Impact Analysis (TIA) for Coffin Butte Landfill Expansion, dated February 26, 2024.

The information and analysis presented in the Transight Consulting TIA is not adequate to allow for a reasonable evaluation of the impact of the proposed landfill expansion on the transportation system. In the absence of a revised TIA that accurately describes the proposed development's impact on the transportation system, we recommend denial of this application.

The primary deficiencies are discussed in detail later in this review, and include:

- Site trip generation and system performance analysis is limited to use of the site's 2023 driveway movement volumes.
- The TIA lacks an evaluation of whether there are any "in process" developments or changes to the County road or State highway system that could impact the study area.
- The method used by the TIA to estimate future site trip generation inaccurately assumed that the proposed site expansion would not result in the potential for any increase in site trips beyond what could have otherwise occurred at the existing facility.
- The TIA's analysis of needed transportation system improvements is insufficient due to its being based solely on (underestimated) 2023 volumes.

Site Trip Generation/Distribution:

The TIA provides a project description that starts on page 2. It describes a future facility operation process where commercial account uses will access the existing scales on the north side of Coffin Butte Road, then be directed to the expansion area on the south side of Coffin Butte Road. Private passenger vehicles would continue to use the existing facilities on the north side of Coffin Butte Road, with the collected consolidated material then hauled by commercial truck to the south side of Coffin Butte Road. Figure 12 on page 14 of the TIA shows existing 2023 movement volumes along with the rerouted movement volumes that would result from the proposed expansion. The TIA accurately reflects the rerouted commercial truck movements but does not include the additional "internal" trips that will be created as a result of the new facility operation process. The new "internal" trips would be truck movements needed to transfer the private consolidated material to the south expansion area and then return. Because the new "internal" trips using Coffin Butte Road aren't accounted for by simply reassigning current driveway movements, they were also unaccounted for in the TIA's system performance analysis of system operations.

In Process Changes:

The TIA does not document that any outreach or research was undertaken to verify whether there are "in process" developments or changes to the area transportation system that could impact the study area. Because the site adjoins Highway 99W, ODOT should be asked to verify the presence or absence of any planned improvements to the highway system that could impact the site.

Estimate of Future Volumes:

The TIA provides a discussion regarding estimation of future trip generation beginning on page 10. The TIA found that site trip generation for uses similar to Coffin Butte was related to tonnage, and tonnage was in turn related to the population served. Annual population growth for the Linn-Benton area was estimated to be just under 1%, and approximately 1.7% for Oregon.

While the TIA provided an analysis method for how to estimate future site generated trips, the analysis was incomplete and, in any event, not used. The TIA contains no estimates (or the related performance analysis) for future site generated traffic or driveway and intersection movements. Even if a future year volumes/analysis had been provided based on the TIA's discussion it would have been limited to use of a local area growth factor to estimate an increase in tonnage based on population growth. In this situation, the use of a local area population increase alone would be insufficient.

The reason is that Coffin Butte has been operating under an annual cap of 1.1 million tons for the past several years and has consistently operated at or just under the cap threshold. The area's population has increased steadily over that time, but the tonnage processed by Coffin Butte has essentially remained flat and just under the cap. That suggests the tonnage cap has effectively depressed site trip generation by forcing the facility to limit non-local commercial use. The depressed volumes include the time period when vehicle trip data was collected for the TIA, meaning that simply adjusting those volumes based on population increases would not capture the full future demand. In addition, and perhaps even more importantly, if the expansion is approved the existing tonnage cap will go away altogether. The area served by the facility would expand due to an increase in non-local commercial users (by a currently unknown amount) along with associated trip generation and transportation system impacts.

An accurate estimate and analysis of future vehicle volumes that accounts for increases in local population, service area, and non-local commercial customers is needed in order to adequately evaluate the impact of the proposed expansion and its impact on the transportation system.

Needed Transportation System Road Improvements:

The TIA limits its performance analysis to the site's two driveway connections to Coffin Butte Road, and uses the adjusted 2023 movement volumes that, as described above, do not include all new "internal" trips nor any factor for future growth. The TIA does include suggestions for limited improvements to Coffin Butte Road in between and immediately adjacent the site's driveways but

describes them as "voluntary" mitigation measures that may be omitted if the design cannot be accommodated due to roadside ditches, drainage areas, or other constraints. The list of suggested improvements include: 12-foot travel lanes, a 14-foot center left turn lane, 5-foot bike lanes, and a 2-foot gravel shoulder. The 14-foot center left turn lane is shown in Figure 3 (page 4) as a westbound left turn pocket into the new driveway serving the south expansion. The site's two driveways were projected to operate (Table 1, page 15) during the peak PM hour at LOS A with v/c ratios of less than one. The TIA noted that "even with a 50% increase in traffic" both driveways would operate at LOS B. The reason the TIA concluded the improvements were "voluntary" appears to be an analysis of the site's two driveways using ODOT guidelines for left turn lane use. The projected volumes at the driveways were not high enough to meet ODOT guidelines for installation of a left turn lane.

There are several problems with evaluating the suggested improvements and verifying their adequacy to support the proposed development and its impact:

- The TIA's performance evaluation relied on 2023 rerouted movement volumes, omits the new "internal" trips that will be using Coffin Butte Road as described previously above, and does not account for future growth in site trips due to tonnage cap removal and service area expansion.
- In a land use decision, it's not feasible to apply a condition for a "voluntary" improvement that the applicant can later decide not to implement. Residents concerned about a particular issue have no assurance that a "voluntary" improvement intended to address that issue will actually occur, and no good way to evaluate whether an appeal is necessary or not.
- The new expansion area and site operational process will create a second access to Coffin Butte Road and result in turn movements and conflicts along the road that didn't previously exist. The amount of site generated traffic and resulting conflicts with through movements would continually increase over time. Because those are new impacts directly attributable to the proposed site design and expansion, evaluating how the proposed improvements will function in the future as site and background traffic increases is critical. Instead of doing that, the TIA used incomplete traffic volumes to document how the improvements would have worked had the expansion occurred in 2023 and then stopped. While a statement was included that driveway LOS would be "B" if driveway volumes doubled, no volumes were provided nor were was there any analysis in the report documenting that conclusion. The left turn lane analysis in the TIA was also limited to use of the incomplete 2023 volumes. The only future documentation in the TIA is two unexplained worksheets at the end of the report. They are identified as being 2040 performance analysis for the site's two driveways, but they use the exact same incomplete movement volumes as the year 2023 analysis.
- Existing road improvements on Coffin Butte Road along the entire frontage of the development site do not meet county road standards. The applicant's proposal for "voluntary" improvements would only address a fraction of the development site's frontage. Bike lanes would be created between the site's two driveways but not extended

to connect to Highway 99W or the site's west boundary. It would essentially be a bike facility that connects to nothing at each end. At a minimum, road improvements should extend along the entire frontage of the development.

- The use of ODOT guidelines as the sole basis for a decision regarding the installation of left turn lanes is not appropriate for this situation. The TIA is certainly correct when it mentions that "Typically, a traffic study will assess left turn lane warrants based on ODOT Methodology." The situation being proposed for Coffin Butte Road is, however, not typical. The proposed improvement will create two driveways separated by 750 feet on a county road with heavy trucks accounting for more than half of all vehicle traffic. Coffin Butte will operate on both sides of the roadway and utilize a 750-foot section for what amounts to "internal trips" by large trucks. The site generated movements on the road will involve slow moving trucks making turn movements to and from a 750-foot section of 55-mph county road. Trucks that are accelerating, slowing, or stopped for a left turn when not in a left turn lane will block all through movements, resulting in delay and increasing the potential for rear end crashes. That specific safety concern is why the applicant proposed a westbound left turn lane into the new driveway to the south expansion area. Because the TIA underestimates 2023 movement volumes and does not include an estimate for future growth and driveway operation, it's not possible to evaluate whether the proposed westbound turn lane has sufficient storage, nor whether an eastbound left turn lane is needed at the other end into the site's existing driveway.
- The TIA does not include a performance analysis for the Highway 99W/Coffin Butte Road/Camp Adair Road intersection that adjoins the development site. The justification for that omission is on page 15 of the TIA and states "There is no change to external trips beyond what could occur today assuming continued use of the Coffin Butte landfill site, and therefore no additional transportation impact beyond the two accesses." As previously described, the assumption that the proposed expansion will not have an impact on external trips is incorrect because of the current annual tonnage cap. In the absence of an applicant proposal to retain the existing tonnage cap, the TIA needs to include a projection of future growth in external trips along with an analysis of the impact that growth will have on both Coffin Butte Road and the 99W/Coffin Butte Road/Camp Adair Road intersection.

In the absence of a revised TIA that accurately describes the proposed development's impact on the transportation system, we recommend denial of this application.

Respectfully submitted,

Ron Irish
2345 NW Hayes
Corvallis, Oregon

Mark Yeager, PE
P.O. Box 1290
Albany, Oregon

From:	Community Development, Benton County, Oregon
To:	Benton Public Comment
Subject:	LU-24-027 Coffin Butte Proposed Expansion Written Feedback
Date:	Monday, April 21, 2025 10:40:43 AM

Subject of Testimony: Application LU-24-027, a CUP for Expansion of Coffin Butte Landfill

Full Name: Faye Yoshihara

Email: faye@forestfractal.com

Street Address: 37461 Soap Creek Rd. Corvallis OR 97330

Written Testimony:

Dear Benton County Planning Commissioners,

First, I want to acknowledge and appreciate your willingness to serve in a volunteer capacity to ensure Benton County continues to be a healthy, thriving place to live and work well into the future.

I have served in unpaid, elected fiduciary and voluntary advisory roles for different community groups. With this context, I am writing to ask you to support the Benton County Environment and Natural Resource Advisory Committee (ENRAC's) recommendation to deny the conditional use permit (CUP) application for expansion of Coffin Butte Landfill LU-24-027. Listening to their deliberations, reinforced how seriously they took on the extra role to fill in for another voluntary group that had been disbanded by Benton County.

Many of the questions raised in the prior Coffin Butte Landfill expansion application, which led to the unanimous denial of the CUP, still have not been addressed by the applicant. The cancer clusters amongst landfill neighbors, impacts on water, soil and air (some of which are beginning to be quantified by members of the community) were all raised in 2021 and continue to be examples of the undue burdens to Benton County residents that are still unanswered by the applicant. The current EPA enforcement against Coffin Butte Landfill is but one symptom of the many larger risks that should be answered by Republic Services and Valley Landfills before any CUP is considered.

Thank you again for your service to Benton County,
Faye Yoshihara
37461 Soap Creek Rd.
Corvallis, OR 97330

--
This is a notification that a contact form was submitted on your website (Community Development, Benton County, Oregon https://cd.bentoncountyor.gov).
Submitter's IP Address: 206.192.248.74

From:	Ann Yost
To:	Benton Public Comment
Subject:	Fwd: OPPOSITION LU-24-027
Date:	Monday, April 21, 2025 3:46:52 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:
From: Ann Yost

Date: April 21, 2025 at 3:44:34 PM PDT
To: yostie_ann@yahoo.com
Subject: OPPOSITION

To: publiccomment@bentoncountyor.gov
Subject: Oppose/Deny LU-24-027
Body:
Dear Benton County Planning Commissioners,

My name is Ann Yost and I live in North Albany, Oregon, in often direct SMELL of the fumes/toxic air emitted from Coffin Butte landfill. I drive on Highway 20 on a daily basis during the workweek and see all the GARBAGE littering the roadways and drainage areas! I pass the semi's with the toxic PFAS being transported from the landfill to be dumped in our waterways?

Every day we live to minimize waste, we compost, we avoid buying plastic, and for the most part our trash container has little if anything in it. We work hard every day to make that happen, that is to not create waste, to recycle, to avoid purchasing things that will be used once and then becoming trash. There are other things that we do – we grow our food, hang out laundry, etc.

I am very disappointed that Benton County is receiving money in exchange for Republic Services removing and transporting toxic

sludge, PFAS to dump in our waterways. This seems criminal and already presents a public health nuisance.

I strongly oppose Republic Services' Conditional Use Permit application LU-24-027 to expand the Coffin Butte landfill. I urge the Planning Commission to immediately DENY this application.
The proposed expansion would **seriously interfere with the character of the surrounding area** and impose **an undue burden on public resources**, in violation of Benton County Code 53.215 (1) and (2). Specifically, this expansion raises major concerns that are already happening including but not limited to:

- **ALREADY - Air and water pollution** threaten our local ecosystems and community health
- **Traffic increases** that pose safety risks on nearby roads and pathways
- **ALREADY Odor and noise issues** that degrade quality of life for residents and visitors
- **ALREADY Negative impacts on wildlife, recreation, and property values**
- **NOW Long-term climate and environmental consequences** for future generations

The proposed expansion does nothing to align with *Benton County's 2040 Thriving Communities Initiative*. This expansion undermines our shared goals for responsible environmental stewardship, prioritizing public health, and sustainable waste management.
I believe Benton County should invest in waste reduction, recycling, and circular economy solutions, not expanding landfills that perpetuate pollution and place a long-term burden on local communities!
Please reject LU-24-027. Thank you for your consideration and for protecting the health and future of Benton County.
Sincerely,
Ann Yost
Benton County
97321

_ _ _ _

From: Erin Bradley
To: Benton Public Comment
Subject: Oppose LU-24-027
Date: Tuesday, April 22, 2025 7:25:43 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Erin and Lowell Bradley
38578 Hwy 99W
Oppose Lu-24-027

Benton County Planning Commissioners,

I respectfully request the Benton County Planning Commissioners to deny LU-24-027. This proposed expansion would move the landfill even closer to our property line. We are one of the closest southern neighbors. The buffer land is no longer sufficient due to the growing pile of debris. This proposal seriously interferes with the use of our property. Republic Services is currently in violation of County code 53.12. The last few years we have suffered through noise outside business hours, plastic bags blowing from the landfill, over the trees, onto our property, along with strange plumes of dust like material. Some days the odor is unbearable. The proposed expansion does nothing to align with Benton County's 2040 Thriving Communities Act.

Sincerely,
Erin and Lowell Bradley
38578 Hwy 99W Corvallis, Oregon 97330

From: Erin Bradley
To: Benton Public Comment
Subject: Oppose LU-24-027
Date: Tuesday, April 22, 2025 7:30:02 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Benton County Planning Commissioners,

July 24th, 2024, at approximately 7:30 pm Republic Services had a fire directly behind their building with the burn off stack. After hearing the Adair Village siren, I turned on the public scanner. To my horror I leaned not only of the fire, but that the fireman could not get in the gate or reach anyone to unlock it. In addition, the fire was right next to the propane storage. I am so grateful for our public responders who extinguished the 1/4-acre fire quickly. If they had not, the unmaintained Republic Services forest that boarders our land would have caught fire. I can throw a stone from my property line onto their forest land. At the time I had 18 head of livestock. I do have 2 livestock trailers but that is not sufficient for an emergency evacuation with NO warning.

May 18th, 2024, two hydraulic lifts caught fire on equipment. Two people driving by called it in. With the amount of methane in the trash pile you would think you would think Republic Services would have staff monitoring 24 hours a day?

There have been many fire alarms due to the burn off stack in the last two years. This made dispatchers question if calls were valid. Our counties resources have been wasted by false alarms. We have lived on edge due to the lack of diligence on Republic Services part. Our property is one of the closest to the proposed expansion. We respectfully request that the Benton County Planning Commissioners Deny LU-24-027

Erin and Lowell Bradley
38578 Hwy 99W Corvallis

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