



Jeffrey G. Condit
Partner
Jeff.Condit@millernash.com
503.205.2305 (direct)

June 20, 2025

Benton County Planning Commission
c/o Petra Schuetz, Community Development Director
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97330-1139

Subject: File No. LU-24-027

Dear Benton County Planning Commission:

We represent Valley Landfills, Inc., the Applicant for above-referenced conditional use permit. This letter responds to the June 10, 2025, submittal filed by Valley Neighbors for Environmental Quality and Safety (VNEQS). Many of the issues raised in this submittal are addressed in the Applicant's June 6, 2025, and June 10, 2025, submittals and the attendant reports of the Applicant's technical experts. The Applicant nonetheless asked its technical consultants to address the "Detailed Comments" in the VNEQS submittal. Accordingly, please accept the following document into the record of this proceeding:

A June 18, 2025, memorandum from the Greenbusch Group, Inc. (Applicant's Exhibit 52) responding to the VNEQS comments relating to noise.

A June 19, 2025, memorandum from SCS Engineers (Applicant's Exhibit 53) responding to the VNEQS comments relating to odor.

A June 17, 2025, memorandum from Transight Consulting LLC (Applicant's Exhibit 54) responding to the VNEQS comments relating to traffic.

A June 19, 2025, memorandum from Geologic Associates and Tuppan Consultants LLC (Applicant's Exhibit 55) responding to the VNEQS comments relating to groundwater and PFAS/Leachate.

A June 20, 2025, memorandum from SCS Engineers (Applicant's Exhibit 56) responding to the VNEQS comments relating to Fire Risk.

A June 19, 2025, memorandum from Turnstone Environmental Consultants (Applicant's Exhibit 57) responding to the VNEQS comments relating to wildlife habitat.

The Applicant relies on its previous submittals with regard to VNEQS other “Detailed Comments.”

Response to VNEQS “General Criticisms.” The Applicant has the following response to the VNEQS general criticisms.

- **Quarry.** The move into the quarry will increase the lifespan of the landfill but will not increase the intensity of the operation. The working face will move from its existing location to the quarry area but will be approximately the same size and will be operated at the same level and thus have the same impacts on the surrounding area. The same will happen when the working face moves from the quarry area to the expansion area. There will be a short transition period between the moves, but there will never be more than one working face.¹
- **Increase in Waste Volume.** We assume that the volume figures cited by VNEQS come from reports submitted to DEQ as part of the Title V air quality permitting process. For purpose of that review, the Applicant errs on the high side. Further, the Applicant has had and may have to take in higher volumes of waste in emergency situations (such as from the wildfires several years ago) but otherwise expects organic growth in volume levels over time.

VNEQS’s comment that the Applicant is proposing to expand landfill operations to twenty-four hours is untrue. The Applicant is proposing exactly the same hours it is open to commercial haulers and the public as it has operated under for the last twenty years.

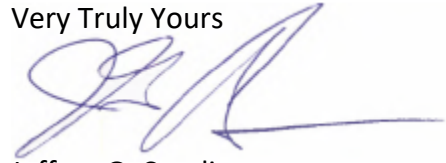
- **Landfill Lifespan.** VNEQS essentially argues that the expansion is ipso facto a “substantial interference” because it extends the life and increases the ultimate size of the landfill. The LS Zone and County Code expressly permit the landfill and allow it to expand. To deny the expansion because it expands the landfill would be a de-facto

¹ VNEQS refers to the move into the quarry as an “unpermitted.” It is fully permitted. When Benton County amended the Comprehensive Plan and Development Code in 1983 to create the LS zone for landfill use and expansion, it also approved landfilling on most of the LS zone north of Coffin Butte Road, including the quarry area. This issue was examined in 2002, resulting a memorandum of understanding between the County and Valley Landfills concluding that no further county land use permits were needed for landfill expansions north of Coffin Butte Road. The issue was also extensively researched during the BCTT process, resulting in the same conclusion that the County approved landfill operations in the LS zone north of Coffin Butte Road, including the quarry area. Finally, the Applicant’s current approved DEQ waste disposal permit includes the quarry territory. The issue is outside of the scope of the CUP, but the Applicant wants to clarify the record in light of the this and similar comments during the hearing process.

repeal of the Comprehensive Plan and Code. As the Applicant has testified previously, the Comprehensive Plan and Code may only be amended through the statutory and code required legislative processes. The question under the Code is whether the impacts of the expansion itself would “seriously interfere with uses on adjacent properties” or “seriously interfere with the character of the Area.” Contrary to VNEQS’s assertion, all of the Applicant’s analyses consider that question in the context of the impacts of the current landfill operation.

Thank you for your consideration.

Very Truly Yours



Jeffrey G. Condit