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January 15, 2025

Petra Schuetz, Interim Community Development Director
Benton County Community Development
4500 SW Research Way
Corvallis, OR 97330-1139

Subject: File No. LU-24-027

Dear Ms. Schuetz:

As you know, we represent Valley Landfills, Inc. ("VLI"). Please accept the attached electronic copy of our revisions to the above-noted application. These revisions are intended to address Benton County's comments and suggestions with regard to the revised application and exhibits that VLI submitted on October 30, 2024. New or amended documents are as follows:

- A revised Burden of Proof ("BOP"). This document replaces the current document on file with the County.
- An Addendum to Exhibit 20 (Fire Risk Assessment). This document should be appended to the current document on file with the County.
- A revised Exhibit 21 (Applicant Proposed Conditions of Approval). This document replaces the current document on file with the County.
- A revised Exhibit 27 (Leachate Management Summary). This document replaces the current document on file with the County.
- An Addendum to Exhibit 28 (Methane Emissions). This document should be appended to the current document on file with the County.
- An Addendum to Exhibit 29 (Arsenic). This document should be appended to the current document on file with the County.

- A new Exhibit 31 (farm lease between VLI and Agri-Industries, Inc., dated January 15, 2020).
- A new Exhibit 32 (photos of Farm and Forest Uses on Adjacent Properties).

In addition to the above-noted documents, attached is a letter dated January 15, 2025, from Jeff Shepherd of Civil & Environmental Consultants, Inc. (“CEC”) responding to technical issues raised by the County’s engineering consultant, Maul Foster Alongi.

Following is a brief response to the land use follow-up items prepared by the County’s consultant, Winterbrook Planning, that we received on Friday, December 27, 2024. These follow-up items are addressed in detail in the revised BOP.

Follow-up Item A.1. There was some question in the BOP as to the location and nature of the proposed shop/maintenance area. The shop/maintenance area will include an enclosed structure and will be located on Tax Lot 1200 and not on Tax Lot 1101. *See* Ex. 2, Sheet 5. The revised BOP has been amended to remove the inconsistent references, and Section V has been amended to address this use more fully.

Follow-up Item A.2. Winterbrook asked VLI to confirm that the land use map attached as Exhibit 2, Sheet 2, accurately shows the location of properties owned by VLI. The map is accurate but is not complete. We should have also included three properties owned by Peltier Real Estate Company, a wholly owned subsidiary of Republic Services, Inc. Those properties are shown on Exhibit 2, sheets 2 and 2A. The Peltier properties are managed by VLI as buffer areas but are not currently used or proposed to be used for landfill operations. We have revised Section III of the BOP to clarify ownership and use and will update the land use map to reflect the Peltier properties during the 150-day waiver period requested below.

Follow-up Item B.1. Winterbrook asked for some revisions to Applicant’s Exhibit 14 odor modeling maps to make them easier to read. Applicant will revise these exhibits during the 150-day waiver period requested below.

Follow-up Item C.1. Winterbrook asked for some additional information regarding the uses of adjacent properties and to correct some incomplete or inaccurate references to tax lots. Applicant has revised BOP Section III to do so.

Follow-up Item C.2. Winterbrook asked for additional information about how changes to the Project site would affect farm and forest use on site and on adjacent properties. Applicant has revised BOP Section V to address these issues.

With the submittal of the above information, it is the Applicant's position that the application is complete for purposes of review within the meaning of ORS 215.427. Please consider this letter Applicant's written notice under ORS 215.427(2)(b) that no additional completeness information will be submitted. Applicant requests that that the County initiate review of the application.

Although the application is complete for the purposes of review, Applicant requests a 58-day extension of the 150-day local action deadline as authorized under ORS 215.427 to allow Applicant to make some of the technical adjustments noted above and in the CEC letter. Applicant will further provide additional information on odor modeling and other issues. This extension would expire on March 14, 2025. The Benton County Code permits Applicant to submit new information up until close of the record and then again on appeal, if necessary, to the Board of Commissioners. Taking time to submit these documents before the start of the local hearings process, rather than submitting them during that process, will give the County and interested parties more opportunity to review any new information.

VLI would be pleased to answer any questions that you may have. Thank you for your consideration.

Very truly yours,



Jeffrey G. Condit

Attachment: January 15, 2025, letter from CEC Responding to Maul Foster comments

January 15, 2025

Benton County

Dear Ms. Petra Schuetz:

Subject: Response to Comments
Maul Foster Alongi
Coffin Butte Conditional Use Permit
CEC Project No.: 322-142

This letter represents Civil & Environmental Consultants (CEC) response to comments from Maul Foster Alongi (MFA) concerning a third-party completeness review of the Conditional Use Permit (CUP) Application for the Coffin Butte Landfill. For convenience, we have listed the comment from MFA (*italics*) and then our response directly below.

Exhibit 2: Engineering Plans

MFA has the following comments on this exhibit:

- *Multiple Sheets:*
 - *Grading and other proposed landfill-related improvements are shown extending past the property lines of the Applicant's site and into what appears to be the right-of-way of Coffin Butte Road. All landfill-related improvements and ground-disturbing activities should be completely contained on the Applicant's site, including adequate room for the temporary erosion and sediment controls and best management practices that would be needed during future construction. Any drainage components or conveyance features needing to be in the road right-of-way to maintain the existing drainage patterns—such as culverts, ditches, or swales—would need to be coordinated and approved through the appropriate County permit process.*

Response: CEC will correct the drawings that show landfill improvements in the Coffin Butte Road right of way. However, the application is proposing to expand the width of a portion of Coffin Butte Road to include a left turn lane so the expanded width of Coffin Butte Road includes some items that will be constructed within the expanded Coffin Butte right of way. Coffin Butte Landfill, when working on the improvements to Coffin Butte Road, will work with Benton County to follow all applicable regulations and requirements and will follow the appropriate permitting process.

- *Drawing No. 6:*
 - *The detail shows a 6-inch-thick gravel underdrain layer meant to collect and convey groundwater away from the rest of the liner system. An analysis for determining this thickness was not provided. As hydrostatic pressures can cause damage to the liner system, this analysis should be completed and provided in the revised engineering plans.*

Response: CEC will provide a detailed engineering analysis and calculation brief for the underdrain system to the Oregon Department of Environmental Quality (ODEQ) during the solid waste permitting process.

- *Information on the extent of the bottom liner and liner termination (i.e., anchor trench alignment, section) details are missing in the submittal package.*

Response: CEC will provide these details with the updated CUP application drawings.

- *Information on the material type and thickness for the proposed geomembrane was not provided.*

Response: CEC will provide the material type and thickness in the updated CUP application drawings.

- *Specifications for the underdrain and leachate collection and recovery layer gravel were not provided.*

Response: CEC will provide the material type and thickness in the updated CUP application drawings.

- *Drawing No. 9:*
 - *This drawing shows a proposed septic tank; however, no supporting information (test holes, calculations, etc.) was provided in the material supplied to MFA to evaluate the feasibility, sizing, or location of this proposed septic tank.*

Response: CEC will provide a detailed design of the septic holding tank when Coffin Butte Landfill applies for a building permit to construct or install the proposed employee building.

- *Drawings Nos. 11 and 12:*
 - *The total surplus cut volume presented on these drawings is approximately 3.5 million cubic yards and the notes state that this excess material will be hauled to the neighboring quarry and stockpiled for future use. A more detailed soil management plan should be developed for the site using the estimated volumes. The soil stockpile location as shown on Drawing No. 19 does not appear to represent the volumes stated in stated in Drawings Nos. 11 and 12. Also, Exhibit 16, Environmental and Operational Considerations, quotes a much smaller amount on page 13. A more detailed description of how surplus soils will be managed would help the County better understand how the stockpile plan will work.*

Response: CEC will show an additional stockpile area in the quarry area and will also increase the area shown on Drawing 19. We will also provide a detailed stockpile plan

during the solid waste permitting process and will submit that plan to the ODEQ for their review and approval. Furthermore, Exhibit 16 will be corrected with the correct estimate of the excavation quantity.

- *Additional information on the Applicant's plans for upgrading the existing landfill gas (LFG) management facility should be provided. This would include detailing any proposed connections to the existing LFG management facility as well as the LFG collection and conveyance for the proposed expansion area.*

Response: The current LFG management facility will continue to operate as shown on the CUP application drawings. During the detailed design of the new leachate storage ponds, which will be submitted to the ODEQ during the solid waste permitting process, all leachate piping and landfill gas piping will be shown on drawings to ensure that they meet the requirements of the ODEQ.

- *Drawing No. 17:*
 - *The Applicant should provide additional information on the anticipated capacities of the drainage pathways indicate by the series of flow arrows on this sheet. Erosion protection, such as riprap, may be necessary and should be sized appropriately.*

Response: CEC will adjust the CUP drawings and remove the drainage pathways as shown. A detailed stormwater design will be completed during the solid waste permitting process and the drainage system design will be submitted to the ODEQ for review and approval.

- *Calculations supporting the sizing of the riprap protection for the emergency overflow and the Manhole No. 1 (MH-1) discharge should be provided.*

Response: CEC will adjust the CUP application drawings.

- *Drawing No. 21:*
 - *The Applicant should provide additional information as to how the pond outlet is intended to function with pipes running to and from MH-1 and the single valve on the lower pipe. In addition, the rim elevation of MH-1 is several feet lower than the detention pond maximum water surface elevation. There may be additional detail needed to determine whether there is a potential for slope erosion downhill from the rim of MH-1.*

Response: CEC designed the stormwater pond, including using the correct rainfall intensity, in accordance with the Benton County requirements. CEC will review the design calculations and make the appropriate corrections based on our engineering judgement. Furthermore, all design work will be submitted to ODEQ for review and approval during the solid waste permitting process and will further be submitted to the County.

Exhibits 5, 6, and 30

A review of this group of documents was provided by Columbia West Engineering, Inc. (CWE), as a geotechnical subconsultant to MFA. MFA's and CWE's comments are summarized below, while the entire CWE letter is provided as Attachment A.

- *Exhibit 5:*
 - *The scope of the subsurface exploration and laboratory testing programs described is generally aligned with the planned analysis. However, we recommend completing at least one seismic survey at the site to evaluate shear wave velocity to a minimum depth of 100 feet below ground surface. Collecting this additional data will help the design team perform a more accurate assessment of the seismic hazard at the site.*

Response: The following is a response from our Geotechnical Engineering subconsultant, Wallace Group.

We assumed that the seismic site class is D. Site class D is based on a range of shear wave velocities (V_s) between 600 to 1,200 ft/s in the upper 100 feet. Our CPT V_s measurements of the upper 20-ft (soil) ranged from 833 to 1,393 ft/s and we do not have V_s measurements in rock below. We expect that the V_s in the rock will be in the range of 1,200 ft/s (soft rock). Based on these assumptions, the geometric mean of V_s in the upper 100-ft is approximately 1,080 ft/s. If we do a ReMi V_s test, we expect that it will confirm our site class assumption. A change in site class from D to C will not change our slope stability calculations since a site class D is more conservative.

- *Exhibit 6:*
 - *This exhibit appears to be sufficiently complete for proceeding with technical review. Note that CWE does not recommend using these logs to estimate parameters for geotechnical engineering analysis or design. MFA, however, finds that these logs are useful for reviewing existing groundwater conditions from a land use perspective.*

Response: Noted.

- *Exhibit 30:*
 - *The landfill seismic design memorandum provides a high-level overview of the proposed seismic design methodology sufficient for a pre-design review process.*

Response: Noted.

Exhibit 11: Noise Study

MFA has the following comments on this exhibit:

- *This exhibit appears to be sufficiently complete for proceeding with technical review. The report does not explicitly state that the noise sampling methods conform with the Oregon Department of Environmental Quality (DEQ) Sound Measurement Procedures Manual*

(NPCS-1) per OAR 340- 035-0035(3)(a). The content appears generally consistent with the rules; however, NPCS-1 is over 40 years old and doesn't consider modern technology. MFA recommends that the Applicant verify that the proposed noise study methodology is consistent with DEQ's protocols and requirements and state that in the report.

Response: The measurements made were generally consistent with NPCS-1. However, as noted, NPCS-1 is old and portions of NPCS-1 are no longer applicable due to the use of modern equipment. Measurements were not made 25 feet from noise sensitive buildings as noted in NPCS-1 4.2.1 because we did not have permission to access these properties. Our subconsultant will not be updating the noise report based on the comment and their response.

Exhibit 12: Findings on Odor

This exhibit appears to be sufficiently complete for proceeding with technical review, with any updates needed to reflect comments provided for Exhibit 14.

Response: Noted.

Exhibit 13: Memo Regarding Odor, Methane, and Hydrogen Sulfide Control

This exhibit appears to be sufficiently complete for proceeding with technical review.

Response: Noted.

Exhibit 14: Odor Dispersion Modeling Study for Landfill Expansion

MFA has the following comments on this exhibit:

- *AERMOD dispersion model input, (*.ADI), output (*.ADO file), and plot (*.PLT) files are required to verify the setup and results of the Study.*
- *Raw surface and upper air meteorological data files for the on-site weather station, Corvallis Municipal Airport, and the Salem-McNary Regional Airport for the period from January 1, 2018, to December 31, 2023, are required to verify the completeness of the meteorological datasets included in the study.*

The following elements in Exhibit 14 require further review and analysis:

- *Although there are no regulatory frameworks or required protocols for odor evaluations in Oregon, MFA disagrees with the odor emission rates included in the study. The odor emission rates included in the study were derived by multiplying a conservative dilutions-to-threshold ratio of 500 by an estimated LFG fugitives flow rate of 0.0001 meters per second. The resulting value (0.05 meters per second) does not represent an emissions rate that can be modeled to predict off-site concentrations that can be compared to published odor detection thresholds by individual compound. MFA recommends the study be reevaluated using actual/predicted emission rates in units of grams per second for volatile organic compounds and potentially odorous toxic air contaminants from each of the permitted emission units included in the Title V Operating Permit issued to the landfill. Using actual/predicted emission rates will result in predicted off-site concentration*

isopleths that can be directly evaluated against published odor detection thresholds by individual compounds to determine whether emissions from the landfill may be detectable in residential or commercial land use areas.

- *Only LFG fugitives from the working face were included in the study. MFA recommends the study incorporate emissions from each permitted emissions unit at the landfill, including, but not limited to, the LFG flares, the diesel-fueled tipper, leachate ponds, and petroleum contaminated soils.*
- *Each emissions unit added to the study will require new source parameters to be modeled. If point source representations are added (e.g., the LFG flare and/or diesel-fueled tipper) to the dispersion model, nearby buildings and structures will need to be evaluated for potential downwash impacts.*
- *MFA recommends correlating the meteorological data collected from the on-site weather station to historical odor complaints to identify potential correlations and trends in weather patterns leading to past odor complaints.*

Response: Applicant believes that its submitted odor analysis is sufficient for purposes of completeness review but is working with its odor consultant to review these comments and recommendation and anticipates providing responses to the County during the application review process.

Exhibit 16: Environmental and Operational Considerations
MFA has the following comments on this exhibit:

- *As noted above, the Applicant should address the discrepancy in the reported volume of excavated material to be stockpiled.*

Response: This will be corrected in the updated version.

- *Page 3: There are multiple references to Tampico Ridge in this document. However, Tampico Ridge is not shown on Figure 4. It would be helpful to show this location in the figure.*

Response: The figures will be updated accordingly.

- *Pages 7–9: Water Quality Monitoring Program.*
 - *The expanded monitoring network section in Chapter 8 lists multiple new monitoring networks and shows them in Figure 4. The section also discusses leak detection sampling locations beneath the leachate ponds but does not provide nomenclature for them nor show them on Figure 4. Consider either including this information or adding a sentence clarifying that the locations of these are yet to be determined.*

Response: Noted.

Exhibit 17: Preliminary Drainage Report

MFA has the following comments on this exhibit:

- *The comments noted on Exhibit 2 above should also be addressed in this document.*

Response: Noted.

- *The pond design elevations noted in Exhibit 2 (specifically Drawings Nos. 17 and 20) do not match the elevations presented in this report and should be revised to be consistent throughout.*

Response: CEC will update the drainage report accordingly.

- *The drainage discussion does not address what happens with excess water from storms larger than the 25-year 24-hour design storm. The plans show a riprap slope leading to a natural drainage system but there is no discussion about the downstream capacity of the drainage system leading to a proposed 12-inch culvert under Coffin Butte Road. Considering the likelihood that rain events will exceed the design storm, this should be addressed in the application.*

Response: The stormwater drainage pond was designed in accordance with the Benton County requirements using a 25-year 24-hour design storm. The Benton County requirements do not address any design storm greater than that. The elevations shown in the pond and the layout of the pipes to MH-1 are, again, in accordance with the Benton County requirements. CEC will continue its design work in accordance with the Benton County requirements will adjust the drawings accordingly as appropriate.

- *A drainage basin map should be provided to clarify the evaluated drainage basins. It would be helpful to include similar relevant information in the Current Surface Water Drainage section of Exhibit 16.*

Response: Noted.

- *Hydrological calculations should be provided for the estimation of run-on flow (from upstream of the proposed expansion area) as well as for the sizing of the culvert (24-inch) to demonstrate that there is available capacity in the conveyance swale that is proposed to divert run-on flow from the expansion footprint and routing it to the proposed stormwater pond.*

Response: Noted.

Exhibit 18: Aerial Renderings of Coffin Butte Landfill

This exhibit appears to be sufficiently complete for proceeding with technical review.

Response: Noted.

Exhibit 20: Fire Risk Assessment of Coffin Butte Landfill

MFA and our subconsultant, Dr. Tony Sperling of Landfill Fire Control Inc. (LFCI), have the following comments on this exhibit:

- *Page 2: History of Prior Landfill Fires*
 - *This report only references three fire events occurring at the landfill since 1999. However, the County has indicated that there have been at least two additional fire events on this site in the past year or so. The cause of these recent fires and the actions taken should be included in this portion of the document.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *Page 3: Fire Mitigation Plans*
 - *The first paragraph indicates that water would be used as the primary means of extinguishing a fire. LFCI notes that the most effective and current industry standard for the primary method of fire suppression for a landfill fire is smothering with 12 inches of soil. The Applicant should provide justification for the primary use of water for their initial response.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *With consideration to the preceding comment, LFCI recommends that the second paragraph describe the action plan in the case of a landfill fire to first control the fire (using soil or water), then assess and take further steps to extinguish the fire.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *The document refers to the availability of public water on site, but the narrative does not indicate the amount of on-site stored volume and/or refilling capacity of the water system available for fire suppression activities. This information should be included to better understand the firefighting capabilities of the existing system, as no improvements appear to be proposed. LFCI recommends a minimum sustained flow of 1,000 gallons per minute be available for fire suppression and further information be provided on how the Applicant will provide the logistics for maintaining this flow rate (e.g. available hydrant connections, tanker shuttles).*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *Page 4: Landfill Fire Sources, Risk Profiles, and Specific Mitigation Measures*
 - *Battery fires are increasingly becoming a source of landfill fires and should be addressed in this document. Reactive and banned materials should be identified.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *For Working Face Fires, LFCI recommends the inclusion of bar hole punch for monitoring the subsurface carbon monoxide (CO) and temperature, as well as infrared camera inspections.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *For Grassland Fires, LFCI recommends that this document specify a measurable fire buffer distance between the landfill and surrounding grasslands. This fire buffer should be adequately maintained at all times. In addition, fire watch provisions or infrared monitoring should be implemented to manage ignition risks during off hours.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *For Gas Well Fires, LFCI recommends preventive monitoring, including monitoring for CO levels, targeted maximum oxygen concentrations, and balancing gas levels to prevent aerobic decomposition. In addition, the Applicant should provide standard operating procedures for handling high-temperature wells and specify operating temperature thresholds.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *Other recommendations from MFA and LFCI include the following:*
 - *Spontaneous combustion fires are not addressed in this document, except in relation to gas wells. LFCI notes that spontaneous combustion on slopes is a fire risk that should be included.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *Typical landfill construction has an inherent risk of capturing LFG at the edges of geomembrane sheets and should be addressed in this document.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *Smoking should only be allowed in designated areas and prohibited elsewhere on site.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *The use of bird deterrent flares should be avoided.*

Response: Applicant's revised Fire Assessment report addresses these comments.

- *Annual fire safety and firefighting training should be undertaken for all employees who would respond to a fire along with regular cross-training with Adair Rural Fire & Rescue.*

Response: Applicant's revised fire assessment report addresses these comments.

Exhibit 22: Reclamation Plan for Expansion Area

This exhibit appears to be sufficiently complete for proceeding with technical review, other than that the comments provided for Exhibit 2 above still apply and may require revisions to the sheets provided with this document.

Response: Noted.

Exhibit 27: Leachate Management Summary

MFA has the following comments on this exhibit:

- *The summary does not address the quantitative aspects of leachate generation, storage, and disposal. The addition of a new cell and new leachate storage ponds should be addressed with specific information on peak generation, storage requirements, transportation capacity, and disposal.*

Response: We have updated Exhibit 27 to include this information.

- *Discussion on decommissioning of the existing leachate collection and treatment system, rerouting of the existing leachate collection/conveyance system, and construction of the new facility is missing. Provide details for proposed sequencing for leachate storage ponds, rerouting of the leachate conveyance, and then the decommissioning of the existing facilities.*

Response: We have updated Exhibit 27 to include this information.

- *While the document references agreements with local wastewater treatment plants in Corvallis and Salem, Oregon, to take the excess leachate, the terms of those agreements are not included in the document. The Applicant should specifically note any expiration dates or limitations on quantity in these agreements and address any further contingency plan that would be needed for leachate disposal.*

Response: We have updated Exhibit 27 to include this information.

- *Page 2:*
 - *Paragraph 1: The text of reads "since MSW leachate is not found on any of the four [listed waste] lists, it would have to be characterized as a listed hazardous waste."*

Please confirm whether the statement should be rewritten to say, “it would not have to be characterized as a listed hazardous waste.”

Response: Exhibit 27 will be updated accordingly.

- *Paragraph 3: The referenced toxicity sample is from August 2023. It would be helpful if the Applicant provided a more recent data point or data trend from prior tests noting any exceedances.*

Response: Exhibit 27 will be updated using sampling data from September 2024.

*Exhibit 28: Letter to County Regarding Methane Emissions
MFA has the following comments on this exhibit:*

- *At the time of the 2022 U.S. Environmental Protection Agency inspection (EPA), Coffin Butte Landfill was in the middle of a construction project to install new horizontal and vertical collection wells. It would be helpful to provide a list or figure showing how many of the 61 exceedances documented by the EPA during the inspection were in the construction area.*

Response: During the 2022 EPA inspection, the Coffin Butte Landfill was undergoing a landfill gas collection and containment system (GCCS) expansion. Out of the 61 exceedances documented, approximately 10 of these exceedances were within the construction area. It is important to note that during GCCS construction, portions of the GCCS system outside of the construction can be temporarily impacted due to isolation of certain sections landfill gas header and lateral piping to allow piping tie-ins and commissioning of new vertical and horizontal gas extraction wells.

Further, the Applicant will submit an addendum to Exhibit 28.

*Exhibit 29: Letter to County Related to Arsenic
MFA has the following comments on this exhibit:*

- *Consider including a table comparing background concentrations for this constituent to the exceedances discussed throughout the letter.*
- *The letter states that MW-59 was due to be sampled in calendar year 2024. If this sampling has taken place, consider discussing the findings.*

Response: Applicant believes that “MW-59” was a typographical error by the Reviewer and is instead referencing “MW-9S” which is has a quintennial sampling schedule (every 5 years). Groundwater monitoring samples were collected and sent to a third-party laboratory to be analyzed in accordance with the State Groundwater Regulations in 2024, however data compilation

and statistical analyses of the results is currently being completed and will be submitted in March of 2025 as part of the Annual Environmental Monitoring Report (AEMR) per State Regulations.

Further, the Applicant will submit an addendum to Exhibit 29.

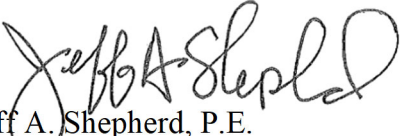
General Observations

DEQ would be expected to require an update to the current Operations Plan as part of any solid waste permit modification process. The document provides detailed information about the facility's proposed solid waste operations in the landfill expansion area and could be valuable for the County to review in assessing compliance with the permitted use and in understanding the potential impacts on neighboring properties as a result of operational changes. It was not included in the review package provided to MFA. In lieu of submitting a draft Operation Plan, a narrative description of the proposed changes to the Operation Plan could be prepared by the Applicant for review and concurrence with the County.

Response: MFA is correct in that the ODEQ will require an updated Operations Plan be submitted with the solid waste permit application. CEC will complete a new Operations Plan that will be reviewed and approved by the ODEQ.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



Jeff A. Shepherd, P.E.
Senior Principal