



Benton County Planning Commission
4500 SW Research Way
Corvallis, OR 97333

Submitted in person on July 8th, 2025

Subject: Public Comment for LU-24-027

To the Benton County Planning Commission,

Beyond Toxics, an environmental justice organization that works to address air quality concerns throughout the state of Oregon, and one that has been long involved in the community concerns surrounding the Coffin Butte landfill, strongly urges you to deny the proposed expansion of the landfill. This Planning Commission is tasked with ensuring that this landfill does not seriously interfere with uses of adjacent property to the site. Based on this County's findings, evidence in the record, and strong community input, an approval of this expansion would not meet that task.

The expansion project should be denied because it does not comply with the Benton County Code. The expansion development area extends to lots zoned Landfill Site (LS) and Forest Conservation (FC). The expansion was first proposed in 2021, and was denied by the Benton County Planning Commission.¹ Landfill expansions are conditional uses in the LS zone and the FC zone.² The proposed uses must meet both the general conditional use criteria under BCC 53.215 and the additional criteria for each respective zone. It fails to do so for the reasons included below, and those provided by other commenters.

Please include this comment in the record for this application and please provide Beyond Toxics with notice of any further hearings or processes related to this application.

¹ LU-21-047 Planning Commission Findings, Benton County Community Development Department, December 7, 2021.

² BCC 77.305 (Any proposal to expand the area approved for a landfill within the Landfill Site Zone is allowed by conditional use permit. . .); BCC 60.215(11) (Conditional uses include disposal site for solid waste approved by the Benton County Board of Commissioners and the Oregon Department of Environmental Quality together with equipment, facilities, or buildings necessary for its operation).

A. BCC 53.215: Conditional Use Criteria

The approval of a conditional use permit must 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; (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 the code.

The County's findings and the evidence in the record do not support that the proposed use will not seriously interfere with uses on adjacent property, the character of the area, or the purpose of the zone. As the record shows and as other commenters have highlighted and provided evidence in support of, the expansion of the landfill, which also extends the life of the landfill, seriously interferes with uses on adjacent property and the character of the area.³ As discussed in greater detail below, Beyond Toxics is deeply concerned about noise, odor, traffic, soil/water quality and air quality impacts, in addition to climate and public health concerns, from the proposed use.

The evidence in the record also does not support that the proposed use does not impose undue burden on public improvements, facilities, utilities, and other services available to the area. As the record shows and as other commenters have highlighted and provided evidence in support of, the expansion of the landfill, which also extends the life of the landfill, imposed an undue burden in conflict with BCC 53.215(2).⁴ Beyond Toxics is particularly concerned about recreation, traffic, and fire risk.

Finally, as discussed below, the proposed use does not comply with the additional criteria required for the use FC zone. Because the proposed use does not comply with the BCC's criteria for conditional uses, it should be denied.

B. BCC 60.220: Forest Conservation Zone Conditional Use Criteria

The findings and evidence in the record do not support that the proposed use meets the conditional use criteria for the FC zone.

- 60.215(11) Conditional Uses: Disposal site for solid waste approved by the Benton County Board of Commissioners and the Oregon Department of Environmental Quality together with equipment, facilities, or buildings necessary for its operation.

It is not clear based on the record that this threshold criterion has been met. It is not clear whether the expansion has been or needs to be approved by DEQ based on the supplemental staff

³ See, e.g., VNEQS comment (BC8.2).

⁴ See, e.g., VNEQS comment (BC8.2).

report or the BOP and its exhibits.⁵ DEQ Permit #306 expressly requires approval of a work plan for any expansion beyond the current footprint of the landfill.⁶ Exhibits 24 and 25 indicate that the Applicant received DEQ approval of a work plan in 2021 related to a potential expansion, but it is not clear that subsequent DEQ approval of the site characterization was received.⁷ The Applicant appears to suggest that whether or not the expansion requires additional DEQ approval is not relevant to this section of the code because “Whether serving the existing or proposed disposal site, the proposed Project elements on the FC-zoned land fall into the category of equipment, facilities, or buildings necessary” for the operation of either the existing or proposed site. But the Applicant has not supported that displacing the current buildings and leachate ponds, or building the maintenance area onto FC-zoned land would be necessary but for the expansion of the landfill site. Therefore, the County should ensure that all required DEQ approval has been obtained before approving the expansion.

- 60.220: A use allowed under 60.215 may be approved only upon finding 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;

The proposed use involves building an 1,800-square-foot employee building and parking, modifying access roads, relocating leachate ponds and infrastructure, cut activities, and a shop/maintenance area (at least 10,000 square feet).⁸ The staff report also does not consider or describe in detail the size of the parking lot or road modifications. The Applicant has not supported how these developments, which involve cut activities and displacement of buildings, parking, and leachate management infrastructure towards the perimeters of the development area,⁹ will not seriously interfere with the purpose of the zone or force a significant change in accepted farming or forest practices. Evidence in the record supports the contrary conclusion that these developments, particularly the replacement of leachate ponds further towards the south, will significantly affect surrounding agricultural and forest uses.¹⁰

- (b) will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and

The findings and evidence in the record do not support that the proposed use will not significantly increase fire hazard or fire suppression costs and risks.¹¹ The findings do not

⁵ Supplemental Staff Report at 101.

⁶ Exhibit 23 at 16.

⁷ Exhibit 23 at 16.

⁸ Supplemental Staff Report at 104 indicates that Applicant clarified the proposal includes a 10,000 square-foot maintenance building and a 400-gallon septic tank, but the BOP at Exhibit 2 notates a 28,000 square-foot area.

⁹ Supplemental Staff Report at 104.

¹⁰ See, e.g., Supplemental Staff Report at 102-103.

¹¹ Supplemental Staff Report at 104-105.

sufficiently address the Adair Rural Fire Protection District's recommendation to deny the application, including because the proposal may increase traffic and associated emergency response demands and present elevated fire risk, burdening the volunteer-based fire department.¹² Exhibit 20 is primarily based on landfill staff interviews, not a systematic review or record of fire events at the landfill site. Even so, the report indicates that the frequency of both landfill face and grass fires has increased in the past several years. Additionally, the assessment does not appear to provide an analysis of how the expansion project itself (i.e., its new location to the south of Coffin Butte Road, and the new position of the leachate system and buildings adjacent to, rather than across the road from, the working face) has changed the fire risk of the use.¹³

- (c) complies with criteria set forth in BCC 53.215 and 53.220.

The proposed use does not comply with the code's general conditional use criteria as discussed above. Most significantly, the record supports that the proposed use will seriously interfere with the purpose of the FC zone in violation of BCC 53.215(1). BCC 60.005(1) states that "[t]he purpose of the zone is to The Forest Conservation Zone shall conserve forest lands, promote the management and growing of trees, support the harvesting of trees and primary processing of wood products, and protect the air, water, and wildlife resources in the zone." The development of built infrastructure and the placement of leachate ponds and systems, and a 400 gallon septic tank on FC land seriously interferes with and conflicts with the conservation purpose of the zone.

Based on the County's findings and the evidence in the record, the expansion project does not comply with the County Code's requirements for conditional uses and should be denied.

Beyond the project's conflicts with the County's land use code, Coffin Butte is a site with a long history of mismanagement and environmental concerns. This site has been emitting dangerously high levels of methane for years, with the United States EPA concluding after two recent compliance inspections that the landfill has "wide spread shortcomings" in the site's monitoring practices. Landfills, which produce methane as bacteria decompose waste, are the third largest source of human-related methane emissions in the United States. Methane plumes created at landfills also release health-harming pollutants that are present in the trash as it breaks down over time.¹⁴ These toxins, such as nitrogen oxides, sulfur dioxide, hydrogen sulfide, toluene and PFAS, or "forever chemicals," escape with the methane. Some estimates indicate that volatile organic compound (VOC) emissions from landfills account for 10% of total VOC emissions in

¹² Supplemental Staff Report at 18, 70-71, 104.

¹³ See Exhibit 20 (historic review).

¹⁴ <https://rmi.org/methane-a-threat-to-people-and-planet/#:~:text=Methane%20is%20a%20risk%20to,shortens%20lives%20in%20affected%20regions>

the United States.¹⁵ These compounds are associated with many negative public health impacts to workers and neighboring residents, including smog formation and release of particulate matter and carcinogens. Additionally, methane emissions, and the additional toxins they contain, are still understudied and often go undetected.

Recent studies by federal agencies such as the EPA and NASA have shown that landfill methane emissions far exceed previous estimates, in some places by as much as 100 times the regulatory limit. EPA inspections have uncovered these kinds of methane exceedances at Oregon landfills, including “explosive” levels at Benton County’s Coffin Butte landfill.¹⁶

Furthermore, Coffin Butte’s excessive methane emissions is also a significant climate change driver for the area. Methane is a powerful greenhouse gas that is 80 times more potent than carbon dioxide in short-term climate warming. Landfills, which produce methane as bacteria decompose waste, are the third largest source of human-related methane emissions in the United States. In 2022 alone, Oregon landfills emitted methane equal to an estimated 2 million metric tons of carbon dioxide. That is the same as 466,000 cars on the road for one-year.

It would be extremely irresponsible to approve the expansion of a landfill that is already struggling to keep up with its environmental requirements. Community members already experience these impacts, smelling gases that they have no knowledge of the contents or the short and long term effects on their health. This Commission must consider the current, ongoing impacts of the site before allowing these issues to only be further exacerbated by an expansion.

Sincerely,

Mason Leavitt GIS Analyst & Programs Coordinator
Beyond Toxics
120 Shelton McMurphy Blvd Suite 280
Eugene, OR 97403

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<https://www.sciencedirect.com/science/article/abs/pii/S0957582018307572#:~:text=It%20is%20estimated%20that%20VOC,et%20al.%2C%202009>

¹⁶ <https://www.documentcloud.org/documents/24040319-coffin-butte-epa-inspection-06-23-22/>

