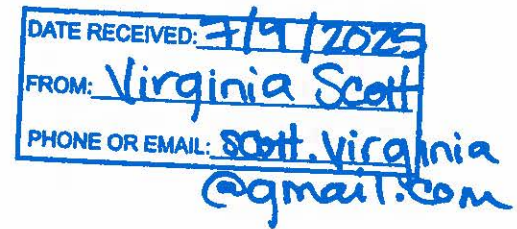


Benton County Planning Commissioners c/o Planning Division

4500 SW Research Way, Corvallis, OR 97333

July 9, 2025



RE: LU-24-027 Conditional Use Permit Application Regarding Landfill Expansion: Fire

Dear Chair Fowler 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 proposes to start what amounts to a new landfill on the north end of Tampico Ridge, south of Coffin Butte Road. I would like to respond to some of the comments in the applicant's rebuttals, both verbal and written, to fire risk.

Republic Services continues to define risk events to the community as "impossible". Every time Republic Services says "impossible" I hear Inigo Montoya in *The Princess Bride* say, "You keep using that word. I do not think it means what you think it means".

Several of our neighbors have testified that landfill refuse sails through the air to descend on their properties. A fence or series of fences will not contain flammable refuse that is airborne due to high winds or "dust devils".

We have documented two flare fires, at least one of which occurred after Republic Services claims to have fenced in the flares and surrounded them with gravel before declaring that a flare fire is "impossible".

Now let's consider wind driven flammable debris flying across the flares heat and flame, igniting and then the now flaming debris being blown into the nearby tree canopy, a dry field, dry berry cane clumps, or a neighbor's property. As we have learned from the Lahaina fire, the LA fires and several other fires in our own state, there is no fire break in the world that will stop a wind event with fire situation.

Republic Services states that the field around the flares was recently mowed before the fires. Shall we consider the scenario above with a hay devil in the hot dry field? Dust/hay devils can be more than 30 feet wide and more than half a mile tall. Are we saying that it is "impossible" for burning material from any source (dump surface fire, dump grass fire, a nearby fire, or flare fire of airborne refuse cannot get over a 12 foot fence, or fly into the canopy of forest conservation zone trees, or jump a fire break, or rain down embers on a neighbor's property?

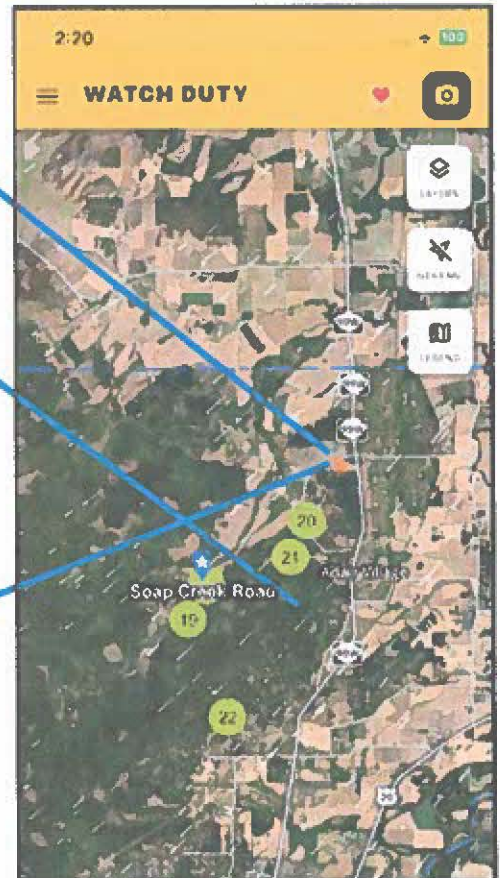
Shown below are two screen shots from the Watch Duty app with the Satellite Hotspots tracker layer turned on. These images clearly show that the heat from the flares is visible from space. The Wind Direction – Surface option is also activated in these images.



Note that heat signature is shifted SW of the flares by the prevailing winds.

Note that on this day the wind is blowing towards neighboring properties, trees, and the Soap Creek Valley

Flares



On a tangential note, refilling a 4,000 gallon water truck from a municipal water supply can take anywhere from 15 minutes to a few hours, depending on the water pressure and the size of the fill connection. With a good water pressure and a large fill hose, it could take as little as 15-20 minutes. However, if the pressure is low or the fill hose is small, it could take upwards of an hour or even longer. Republic Services stated that their hose is not “fire hose size”. So, how efficiently can Republic Services fight a grass fire, drive into Adair Village, refill their water truck, drive back to the landfill without flashing lights, and continue to fight a fire?

I will also remind you that per our Oregon State Fire Marshalls and the teams fighting the LA fires, in a wind event with fire, it is not a matter of “putting the wet stuff on the red stuff” because the water is blown away and evaporates before hitting the fire in these situations. Oregon is experiencing record Red Flag days with low humidity, high winds, and excessive heat. This, by the way, could not possibly be the result of excessive greenhouse gas emissions from sources like the Coffin Butte Landfill, she says facetiously.

A two year old 4,000 gallon water truck, that may or may not be full when a fire erupts, a fire break, fencing to capture flying liter, gravel around flares, etc., are not “conditions” that will save our service providers from toxic fumes, risk to their lives, long term health effects, utilities, businesses, properties, forest conservation land, wildlife, historic buildings, or the “unburnt” character of the area from the undue burden of fire from the Coffin Butte landfill expansion.

Counsel says that the current failure of Republic Services to meet current conditions cannot be considered because it is hearsay and not adjudicated. However, Republic Services is currently required to report all fires to the Oregon DEQ and a records request to ODEQ show only two of thirteen known fires between January 1, 2022 and June 2025. (See 2008_07012025_SCOTT_Virginia01 for full details). This is not hearsay; this is fact as provided by ODEQ. This is only one self-monitoring condition that is not hearsay. This does not need adjudicating because if Republic Services had done their reporting to ODEQ as required, the record of those reports would be at ODEQ, but they are not. Case closed.

Self-monitoring by Republic Services is like the fox guarding the hen house. Thus approval with conditions is exactly the same as approval without conditions. These conditions will never be met, no monitoring will be done, no repercussions to Republic Services will occur, all bad current behavior will continue unabated on a larger scale, and the community, environment, businesses, forest, land, people, health, air, water, wildlife, etc., will suffer (dead hens in the hen house). This is the very the definition of undue burden.

Please do not approve this CUP application, with or without conditions. As we have heard, the county and the state lack the resources, people, expertise, and funding to monitor for conditions, there is no penalty for failure to meet conditions, and Republic Services has proved, beyond a shadow of a doubt, their inability or unwillingness to self-monitor.

Thank you for your time and consideration.

Best Regards,

Virginia Scott