



COMMUNITY DEVELOPMENT DEPARTMENT

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BENTON COUNTY
Disposal Site Advisory Committee (DSAC)
January 26, 2022 Minutes
6:00 pm to 7:50 pm

Members Present: Linda Brewer, Fred Penning, Ken Eklund, John McEvoy, Deborah Gile
Republic Services Present: Broc Keinholz, Ian McNab, Julie Jackson
Staff Present: Greg Verret (Benton County Community Development), Daniel Redick (Benton County Solid Waste and Water Quality Coordinator), Linda Ray (Benton County Community Development)

Call to Order/Introductions

Linda Brewer, Vice Chair called the meeting to order at 6:00 pm.

Approval of Minutes

Debie made a **MOTION** to approve the October 13, 2021 minutes. Seconded by Fred, the **MOTION** was approved 4-0, 1 abstained.¹

Community Member Comments

- Paul Nietfeld shared a presentation with DSAC (**Exhibit A**). He covered 3 topics; tonnage cap, the Coffin Butte Landfill lifespan, and revenue to Benton County
- Joel Geier commented on concerns about the Republic Service trucks that are expelling greenhouse gases along with the debris escaping the trucks and littering the roadway. He encouraged DSAC to discuss cleaner and more climate friendly solutions including transfer stations.
- Nancy Whitcombe expressed her concern about the council meetings process and lack of providing an opportunity for public feedback on the CUP application to expand the landfill at the DSAC and SWAC meetings prior to the public hearings.
- Mark Yeager encouraged DSAC in their role as a representative of the county and to take a long term critical thinking approach to the landfill, garbage hauling, and issues related to solid waste management. He asked them to look forward to the future and how they can help by changing the approach to solid waste management.
- Kevin Kenaga asked if the most recent work session included putting policy into place and expressed his concern that the meeting wasn't "closed". He encouraged the committee to follow Roberts Rules of Order and to make policies at a meeting and not work session.

¹ This is the first DSAC meeting for new member, Ken Eklund so he was not on the committee for the July meeting and abstained from voting on the minutes.

DSAC Election of Officers

Jay Simpkins' term as the DSAC Chair expired on December 31, 2021. Fred Penning nominated Linda Brewer as the new Chair of DSAC. Linda nominated Ken Eklund as Vice Chair of DSAC. The committee unanimously voted Linda as the new Chair of DSAC and Ken as the new Vice Chair.

Coffin Butte Landfill Update

Broc gave an update on the activities taking place at the Coffin Butte Landfill. He stated that Griffolyn rain tarps have been 85-90% deployed across the landfill. By Spring they hope to open up more of the landfill and create another lift. Things have slowed down due to the winter months.

Ian gave an update on three construction projects going on at the landfill.

- Finalization of burn dump removal project (unlined to lined cell) – will wrap up starting around April depending on weather
- Cell 5b was constructed last year and waste was placed up against it. They will install the protective operations layer (gravel layer) to protect it against damage as waste is initially placed into the cell.
- Expansion of landfill gas collection system is being designed and preliminary it looks like they will be digging 12 vertical wells with pumps to remove liquids and 11 horizontal wells.

Fred asked about an area where trucks can clean out and not leave so much debris. Broc stated that Republic Services has a clean out area for their trucks that is available at the landfill. Republic Services requires their drivers to clean their trucks before leaving the landfill. The public is provided sufficient room where they dump their waste to have the space to clean out their trucks before leaving the landfill.

Community Concerns Update

Daniel stated that the annual report for 2020 concerns is one of the duties of DSAC. It summarizes concerns that came from the community. Last year they used the Coffin Butte Annual report, complaints that were documented by program staff and items that came up in DSAC/SWAC about the disposal site. He will use those sources as well to compile the report for 2021.

Ken referred to a portion of the franchise agreement that discusses reports from Republic Services on complaints from the public. The committee requested quarterly reports in the future from Republic Services on these complaints rather than annually.

Differences between DSAC meetings and work sessions

Daniel noted the bylaws state that DSAC is required to meet quarterly throughout the year. A work session would be called outside of those regular scheduled meetings. It is however, still considered a meeting. Ken expressed his concern that decisions about meeting procedures were made in a work session on January 17th and were since implemented in this DSAC meeting. At that work session, Linda gave each committee member time to give feedback on what virtual platform to use and the time allotted for public comment when hosting the DSAC meetings.

Ken expressed his opposition to making those decisions and implementing them without a vote. Ken expressed concern about Go To Webinar requiring more restrictions and limiting interaction with the public. Greg explained the county's decision to use Go To Webinar is to strive to emulate an in-person meeting, but also allow for more control in avoiding disruptions which in turn enables the committee to focus on their work. Linda explained that the conditions are in place to prevent distraction from productivity of the meeting.

Ken made a **MOTION** to move future DSAC meetings via Go To Meeting instead of Go To Webinar. Fred seconded with a caveat that DSAC have the option to go back to using Go To Webinar if there is disruption from the public in the Go To Meeting platform. The vote was **DENIED 3-4**.

Agenda Items for Meeting

- Community Member Concerns Report
- Dumpstoppers
- Coffin Butte Landfill Update
- Quarterly Community Member Concerns regarding the landfill

Approval of Minutes for October 21, 2021 work session (Appendix A)

Debi Gile was the only voting member in attendance and gave her approval of the October 21, 2021 minutes.

The meeting was adjourned at 7:50 pm.

Jan. 26, 2022
Benton County Solid Waste
Advisory Council

Statement Re: LU-21-047 and supporting SWAC meeting of Oct. 19, 2021

Paul Nietfeld

37049 Moss Rock Dr.

9005/9007 NW Arboretum Rd.

File: Nietfeld_BentonCountySWAC_26Jan2022_final.pdf

Comments on Oct. 19, 2021 SWAC Consideration of LU-21-047

Overview

- Some critical points appear to have been misunderstood or inadequately considered in the Oct. 19, 2021 deliberations
 1. Annual tonnage cap
 2. Landfill life
 3. Revenue

The comments on these topics are provided in the spirit of clarification, common agreement on facts and awareness of potential ramifications.

- Suggested actions for SWAC

Annual Tonnage Cap

- The 2020 Landfill Franchise Agreement defines an intake limit (“cap”) of 1,100,000 (1.1M) tons/yr. (*see below*)
- Cap only applies unless or until landfill expansion is fully approved
- If expansion is approved, the cap is removed; NO INTAKE LIMIT WILL APPLY

This mechanism was confirmed by Benton County Council Vance Croney

- Ramifications:
 - Potential for large increase in an annual volume of inflow (2020 inflow = 863,210 tons)
 - **Landfill lifetime would be correspondingly decreased** – see next page
 - Significant (1.5x? 2x?) heavy truck traffic increase likely
 - Wear & tear on roads
 - Noise, traffic congestion, litter, and accident risk increased, perhaps significantly

*** If expansion is approved, Benton County loses control over landfill inflow volume ***

“The parties agree that *until Franchisee’s governmental applications to expand the landfill are granted...* the total tonnage of Solid Waste deposited by Franchisee at the Landfill during any calendar year shall not exceed One Million One Hundred Thousand (1,100,000) tons...” [emphasis added] 2020 Landfill Franchise Agreement, Section 5(b)

Landfill Life

- In the October 19 SWAC meeting multiple council members expressed confidence that approval of LU-21-047 would result in extended landfill life.
- Counterintuitively, because of the cap elimination, expansion approval could result in a decrease in landfill life.

2020 Coffin Butte Annual Report:

Estimated life from Dec. 31, 2020 = 18.8 – 21.85 Years

→ **Landfill End of Life = Late CY2038 – Late CY2041
WITH NO EXPANSION**

Vol. (T/yr.)	Estimated Life (yr.)	
	Without Cell 7	With Cell 7 ¹
750,000	20.8	32.8
850,000	18.3	28.9
1,100,000	14.2	22.3
1,700,000	N/A	14.5
2,550,000	N/A	9.6

20.8 agrees with the 21.8 life estimate in the 2020 Coffin Butte Annual Report (-1 yr.)

Approximate CY2020 rate (CY2021 approx. 966,000 tons)

Cap in 2020 Franchise Agreement **if CUP not approved**

Double CY2020 rate

Triple CY2020 rate.

Note 1: The volume of the new Cell 7 is estimated from Applicant's statements; see Backup Material below for calculation. Applicant declined repeated requests to provide their volume projection, as was previously the practice for similar CUP applications (see 2003 Valley Landfills Inc. CUP application Table 3-1).

*** Expansion does not guarantee additional landfill life ***

Revenue

- In the October 19 SWAC meeting council members commented on the importance of landfill revenue in the Benton County budget and expressed concern that denial of the LU-21-047 CUP would result in a shortfall in revenue to Benton County.
- Worth noting:
 1. Per the 2020 Franchise Agreement, approval or denial of the landfill expansion will make no difference in terms of Benton County landfill revenue in calendar years 2021, 2022 and 2024 (see Fee Schedule chart below – note Host Fee anomaly in 2023)
 2. Intake volumes required to generate \$3.5M/yr. **without expansion:**
 - CY2024: 877,193 tons (~2021 volume – 9.2%)
 - CY2025 and later: 1.02M tons (~2021 volume + 5.6%)
 3. Estimated 2023-2025 budget cycle landfill revenue at 1.1MT/yr. **without expansion:**
\$7.92M
 4. Expansion of the landfill will likely have impact on Benton County expenses (e.g. road maintenance) and non-landfill revenue (e.g. diminished tax revenue resulting from a decrease or suppressed increase in property values in the area around the landfill)

*** ≥ \$3.5M/yr. in future budget cycles (2023-2025+) at likely intake volumes without expansion ***

Note: Revenue figures subject to CPI adjustment per the 2020 Franchise Agreement.

Revenue Calculation Basis



Fee Schedule derived from the 2020 Franchise Agreement:

	<u>Year</u>	<u>CUP approved 2023 or earlier:</u>		<u>CUP denied:</u>	
Franchise Fee	2021	\$2,000,000	Per year	\$2,000,000	Per year
	2022	\$2,040,000	Per year	\$2,040,000	Per year
	2023	\$2,080,000	Per year	\$2,080,000	Per year
	2024	\$3,500,000	Per year	\$3,500,000	Per year
	2025	\$3,570,000	Per year	\$2,500,000	Per year
Host Fee	2021	\$2.87	Per Ton	\$2.87	Per Ton
	2022	\$2.93	Per Ton	\$2.93	Per Ton
	2023	\$3.91	Per Ton	\$2.99	Per Ton
	2024	\$3.99	Per Ton	\$3.99	Per Ton
	2025	\$4.07	Per Ton	\$3.43	Per Ton



Suggested Actions for SWAC Working Group(s)

1. Investigate potential mechanisms for obtaining more timely data on landfill intake by weight (perhaps monthly reports compiled directly from the scale data).
2. Require franchisee to provide detailed estimates for expected cell volume in any future proposals.
3. Consult with Benton County legal staff to understand enforcement options for the 1.1MT/yr. intake cap.
4. Request advance information on Franchisee's next expected expansion request.
5. Recommend that Benton County allocate funds for regular methane monitoring (aerial surveys). Request that franchisee provide all available data on methane escape volumes.
6. Evaluate current conditions in the landfill area relative to the 2001 baseline study and advise county Commissioners on mitigation and/or corrective measures, including future code changes.
7. Recommend that Benton County fund a comprehensive review of solid waste disposal options similar to studies conducted by Oregon counties such as Marion and Deschutes.
8. Begin planning for landfill End of Life or next expansion phase in 10-15 years regardless of whether or not this expansion is approved.

Benton County Republic Services

Thank you to the local Republic Services office and personnel, particularly Steve Peters, for your assistance in modifying the Moss Rock trash collection route to minimize wear on our local road.

Questions?

Thank you

Backup Information

Life Calculation Detail

Basis:

From Republic Services's Coffin Butte 2020 Annual Report:

Total permitted capacity: 38,443,830yd³
 Consumed to date: 20,455,706yd³

Remaining (calc using R's #s above): 17,988,124yd³

Remaining (per R 2020 annual report): 17,621,208yd³
 Less estimated 2021 use of 863,210yd³
 Est. remaining, start of 2022: 16,757,998yd³

Estimates for proposed new cell [Cell 7]:

Estimated life (per Ian Macnab 10/13): 12yr
 Weight capacity at 750,000 T/yr: 9,000,000T
 Volume capacity at 0.93 T/yd³: 9,677,419yd³

→ **Assumed Cell 7 Volume: 9,677,419yd³**

Density assumption:
 DENSITY 0.93T/yd³

Vol. (T/yr)	Life (yr)	
	W/O Cell 7	With Cell 7
400,000	39.0	61.5
450,000	34.6	54.6
500,000	31.2	49.2
550,000	28.3	44.7
600,000	26.0	41.0
650,000	24.0	37.8
700,000	22.3	35.1
750,000	20.8	32.8
800,000	19.5	30.7
850,000	18.3	28.9
900,000	17.3	27.3
950,000	16.4	25.9
1,000,000	15.6	24.6
1,050,000	14.8	23.4
1,100,000	14.2	22.3
1,150,000	13.6	21.4
1,200,000	13.0	20.5
1,250,000	12.5	19.7
1,300,000	12.0	18.9
1,350,000	11.5	18.2
1,400,000	11.1	17.6
1,450,000	10.7	17.0
1,500,000	10.4	16.4
1,550,000	10.1	15.9
1,600,000	9.7	15.4
1,650,000	9.4	14.9
1,700,000	9.2	14.5
1,750,000	8.9	14.0
1,800,000	8.7	13.7
1,850,000	8.4	13.3
1,900,000	8.2	12.9
1,950,000	8.0	12.6
2,000,000	7.8	12.3

20.8 agrees with the 21.8 life est in 2020 Coffin Butte Annual Report (Less 1 yr for 2021 vs. 2020)

Approximate current (2020) rate

Cap in 2020 Franchise Agreement if CUP not approved

Double current rate

Revenue Projection Detail: Assumptions & Extrapolated Fee Rates

Fee Schedule from the 2020 Franchise Agreement:

	Year	CUP approved 2023 or earlier:	CUP denied:	
Franchise Fee	2021	FF2021APPVD \$2,000,000	FF2021DENY	\$2,000,000
	2022	FF2022APPVD \$2,040,000	FF2022DENY	\$2,040,000
	2023	FF2023APPVD \$2,080,000	FF2023DENY	\$2,080,000
	2024	FF2024APPVD \$3,500,000	FF2024DENY	\$3,500,000
	2025	FF2025APPVD \$3,570,000	FF2025DENY	\$2,500,000
Host Fee	2021	HF2021APPVD \$2.87 Per Ton	HF2021DENY	\$2.87 Per Ton
	2022	HF2022APPVD \$2.93 Per Ton	HF2022DENY	\$2.93 Per Ton
	2023	HF2023APPVD \$3.91 Per Ton	HF2023DENY	\$2.99 Per Ton
	2024	HF2024APPVD \$3.99 Per Ton	HF2024DENY	\$3.99 Per Ton
	2025	HF2025APPVD \$4.07 Per Ton	HF2025DENY	\$3.43 Per Ton

Volume assumptions:

VOLUME0	500,000 T/yr
VOLUME1	880,000 T/yr
VOLUME2	1,700,000 T/yr

CPI assumed for 2025 - 2040:

CPI	2.00% Per year
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Density assumption:

DENSITY	0.93 T/yr*3
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Benton Co. Population:

BCPOP	95000 Residents
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Annual Fees, calculated from fee schedule table with CPI:

Year	CUP Approved		CUP Denied	
	Franchise	Host	Franchise	Host
2021	\$2,000,000	\$2.8700	\$2,000,000	\$2.8700
2022	\$2,040,000	\$2.9300	\$2,040,000	\$2.9300
2023	\$2,080,000	\$3.9100	\$2,080,000	\$2.9900
2024	\$3,500,000	\$3.9900	\$3,500,000	\$3.9900
2025	\$3,570,000	\$4.0698	\$2,500,000	\$3.4300
2026	\$3,641,400	\$4.1512	\$2,550,000	\$3.4986
2027	\$3,714,228	\$4.2342	\$2,601,000	\$3.5686
2028	\$3,788,513	\$4.3189	\$2,653,020	\$3.6399
2029	\$3,864,283	\$4.4053	\$2,706,080	\$3.7127
2030	\$3,941,568	\$4.4934	\$2,760,202	\$3.7870
2031	\$4,020,400	\$4.5833	\$2,815,406	\$3.8627
2032	\$4,100,808	\$4.6749	\$2,871,714	\$3.9400
2033	\$4,182,824	\$4.7684	\$2,929,148	\$4.0188
2034	\$4,266,480	\$4.8638	\$2,987,731	\$4.0992
2035	\$4,351,810	\$4.9611	\$3,047,486	\$4.1812
2036	\$4,438,846	\$5.0603	\$3,108,436	\$4.2648
2037	\$4,527,623	\$5.1615	\$3,170,604	\$4.3501
2038	\$4,618,176	\$5.2647	\$3,234,017	\$4.4371
2039	\$4,710,539	\$5.3700	\$3,298,697	\$4.5258
2040	\$4,804,750	\$5.4774	\$3,364,671	\$4.6163

North Benton County: Adair + Arboretum

- Nice area: much is rural to semi-rural, pleasant natural environment yet close to Corvallis and medical center
- Historically zoned FC/EFU/RR-10/RR-2
- Area is experiencing high growth in upper mid-range homes. However:
 - Landfill currently not visible from most sites or main highway (99W)
 - Air pollution, noise and trash truck traffic loads tolerable
 - No obvious encroaching water pollution from the landfill
- Expansion of Coffin Butte could impact this growth
 - Cell 7 (“new cell”) proposed would clearly be visible from 99W
 - Likely increase in truck traffic resulting in more air pollution, noise, accident risk etc.
 - Increased threat of toxic chemical pollution, including to water wells
- 100’s of new homes → \$100k – \$200k+ per year of NEW tax revenue

Coffin Butte expansion risks slowdown or loss of this new tax revenue growth in Benton County



On offer for \$509,900

10/31/2021

7100 SE Andrea Ln., 0.13ac

Calloway Creek subdivision

Approx. 2.5 mi. south of Coffin Butte

Approx. 250’ west of Hwy 99W

One of >150 new homes in this area

Expected **Benton County** tax pmt:

Approx. \$1000/yr

(Formerly approx. \$0.30/yr as EFU)

Major new revenue for Benton county

CUP Factual Deficiencies and Misunderstandings in DSAC/SWAC Analysis

- Basic information deficiencies in CUP LU-21-047:
 - Lack of detailed cell size & use data
 - Lack of airspace estimate & life calc. for proposed new Cell 7
 - See example (right) from previous application
- Ambiguity in CUP narrative document:
 - The 20-25 years of volume is from NOW, not 2003 (Section G, Page 8); see 2020 Coffin Butte Annual Report for confirmation
- No official DSAC public meeting to consider this CUP
 - 10/13/21 did not have quorum; no DSAC on 10/19/21
- Misunderstandings in 10/19/21 SWAC meeting:
 - Misunderstanding of expected lifetime (34:45 in mtg record)
 - Misstatement of the terms of the Franchise Agreement regarding tonnage cap automatic expiration in 3 years (42:00)
 - Undocumented/unsubstantiated fear of trash rate incr. (57:20)
 - Misleading claim of budgetary component of Host Fees: 7% claimed, but this is of General Revenue, not overall (1:16:23)
 - Implication that a vote to deny this CUP would eliminate this revenue stream completely for the county → tax increase (1:17:40)
 - **No discussion of the effect of the elimination of the tonnage cap, which is a contractual effect of approving this CUP**

Previous Valley Landfill CUP Application PC-03-11:

Table 3-1: Summary of Estimated Landfill Cell Areas and Capacities (as of October 1999)

Cell No.	Capacity ³ (cubic yards)	Plan-View Footprint Area (acres)	Actual Estimated Area to be Lined (accounting for slopes) (acres)	Estimated Cell Life (years) ⁴
2	1,337,000	31.3	N/A	2.7
3A	841,000	7.8	N/A	1.7
3B	457,000	5.3	5.4	0.9
3C	2,849,000	9.9	10.0	5.7
3D	1,827,000	10.8	11.0	3.7
4	1,567,000	13.9	14.0	3.1
5 (Y2K Plan)	4,256,000	20.7	22.8	8.5
6	13,397,000	59.9	74.5	26.8
SUBTOTAL	26,531,000	159.6	137.7	53.1
Additional capacity with CUP for West Triangle	3,400,000	4.7	9.3	6.8
Additional capacity with CUP for East Triangle	5,600,000	6.5	6.5	11.2
REVISED TOTAL	35,531,000	170.8	153.5	71.1