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# Benton County Talks Trash Workgroup Report

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  - ii. "character of the area,"
  - iii. "purpose of the zone,"
  - iv. "undue burden,"
  - v. "any additional criteria which may be required for the specific use by this code."

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## SECTION A: Develop Common Understandings

### I) A chronological history of key Coffin Butte Landfill topics

#### 1) History of Solid Waste, Disposal, and Materials Management in Benton County

*Presented below are:*

- A) major themes that emerged from a review of the timeline*
- B) a detailed timeline of events (1910-2022)*

##### **A) Major Themes**

*This section begins with major themes which direct your attention to specific time periods for more detailed review.*

*Solid waste management in Benton County had been an ongoing challenge for residents, business, and local governments from 1910-1975. The Corvallis area had experienced extensive illegal dumping and improper storage of solid waste materials. The Corvallis riverfront and Benton County roads were particularly impacted by illegal dumping. One issue leading to illegal dumping was that solid waste collection services were not regulated until 1925 at which point, in response to some haulers dumping waste materials improperly or illegally, a city license was required to haul garbage. Many residences did not take advantage of garbage hauling services and either chose to haul materials to dump sites themselves or illegally dump the materials. Another major issue was the city dump sites, which were challenging to locate, maintain, and inform the public about.*

*Pests and environmental quality issues led the City of Corvallis to search for improved methods and locations for garbage disposal. Garbage was dumped at various riverfront sites in Benton County and Linn County. From 1940-1967, garbage was generally burned at dump sites. From 1967-present, garbage has typically been landfilled, using “sanitary landfill” practices of covering solid waste materials daily.*

##### **Major Theme Summary**

- Unsanitary/nuisance garbage and dumping conditions – 1910-1950
- Pest issues (rats and flies) with solid waste – 1948-1951
- Illegal dumping – 1912-1973

- Search for disposal sites – 1910-1975
  - o Dump site search – 1910-1950
  - o Incinerator search – 1922-1933, 1950-1953
  - o Landfill site search – 1970-1975

## B) Detailed Timeline of Events (1910-2022)

#	Date	Highlights	Source
1	1910	Garbage in Corvallis was to be dumped along the Willamette river banks adjacent to the Crystal Lake Cemetery. Much of the garbage ended up dumped along the road leading to Crystal Lake Cemetery.	(Corvallis Gazette-Times (Corvallis, Oregon) 10 May 1910, Tue Page 1). (Corvallis Gazette-Times, n.d.)
2	1910	The city council instructed the public to dump garbage across the Willamette river on city property in a specific section of gravel bar.	(Corvallis Gazette-Times (Corvallis, Oregon) 10 May 1910, Tue Page 1).
3	1911	Marys River Flat ferry to transport garbage across the Willamette.	(Corvallis Gazette-Times (Corvallis, Oregon) 15 May 1911, Mon Page 3)
4	1912	County Judge orders that county roads should not be used for garbage dumping, warning any teamsters that violate the order of arrests and fines.	(The Weekly Gazette-Times (Corvallis, Oregon) 20 Dec 1912, Fri Page 9)
5	1916	High waters wash away dump heap at the east approach of the Willamette steel bridge	(Corvallis Gazette-Times (Corvallis, Oregon) 11 Feb 1916, Fri Page 3)
6	1919	City No longer has a designated place to dump garbage	(Corvallis Gazette-Times (Corvallis, Oregon) 09 Apr 1919, Wed)
7	1919	Corvallis city council secured a “depression” in John Beach property across the Willamette River to dump garbage, as a 5 year contract.	(Corvallis Gazette-Times (Corvallis, Oregon) 06 May 1919, Tue)
8	1922	Beach gravel pit filled, further dumping forbidden. State forbids dumping on river banks.	(Corvallis Gazette-Times (Corvallis, Oregon) 19 Sep 1922, Tue Page 1)

9	<b>1922</b>	Looking into another John Beach property contract for another dumping hole.	(Corvallis Gazette-Times (Corvallis, Oregon) 19 Sep 1922, Tue Page 1)
10	<b>1922</b>	Looking into the unlikely possibility of incinerator.	(Corvallis Gazette-Times (Corvallis, Oregon) 19 Sep 1922, Tue Page 1)
11	<b>1924</b>	Eastsides road from Corvallis to Albany (Linn County) experiences extensive illegal roadside dumping.	
12	<b>1925</b>	City dump in poor condition due to poor dumping practices. City looks in to licensing garbage gatherers.	(Corvallis Gazette-Times (Corvallis, Oregon) 13 Jan 1925, Tue Page 1)
13	<b>1925</b>	License required for garbage hauling in Corvallis.	
14	<b>1925</b>	City desires a suitable dump ground, more than ½ mile from a county road. Some garbage haulers refuse to provide services, and trash accumulates on private property.	
15	<b>1925</b>	City finance researching options for incinerator	(Corvallis Gazette-Times (Corvallis, Oregon) 05 May 1925, Tue Page 4)
16	<b>1925</b>	City dumping grounds past Fischer's flouring mill (no organics allowed).	(Corvallis Gazette-Times (Corvallis, Oregon) 05 May 1925, Tue Page 4)
17	<b>1925</b>	Garbage dump in the river bank at the foot of Washington street.	(Corvallis Gazette-Times (Corvallis, Oregon) 05 May 1925, Tue Page 4)
18	<b>1927</b>	City dump is included in city budget in 1927+	(Corvallis Gazette-Times (Corvallis, Oregon) 07 Dec 1928, Fri Page 9)
19	<b>1928</b>	Old automobiles not allowed in city dump or to be dumped in the river, and Chevrolet agent is advised to find private dump ground for vehicles.	(Corvallis Gazette-Times (Corvallis, Oregon) 22 May 1928, Tue Page 1)
20	<b>1930</b>	Milk bottles end up in garbage dumps, impacting the dairy industry. 20,000 bottles sent to the dump monthly in one Oregon city.	(Corvallis Gazette-Times (Corvallis, Oregon) 30 Dec 1930, Tue Page 1)
21	<b>1933</b>	Proposal for incinerator to be constructed in between Corvallis and Albany, and proposal for both cities to draft and adopt ordinances allowing garbage to be disposed in the incinerators.	

22	<b>1933</b>	City uses a dump site south of Corvallis along the Willamette river.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Sep 1933, Tue Page 1)
23	<b>1933</b>	Cooperative incinerator proposal abandoned, and council orders a garbage study/investigation.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Sep 1933, Tue Page 1)
24	<b>1936</b>	Plans to change city dump location from the river bank near Kiger Island to a new location. Proposed site in the hills two miles north of Corvallis along the highway running north past the old airport site. Residents of the area protested.	(Corvallis Gazette-Times (Corvallis, Oregon)22 Sep 1936, Tue Page 1)
25	<b>1937</b>	Illegal dumping continues, possibly due to lack of knowledge about the dump site, located just south of Kiger Island Road east of pacific highway. Illegal dumping can result in a fine.	(Corvallis Gazette-Times (Corvallis, Oregon)07 May 1937, Fri Page 2)
26	<b>1940</b>	City dump site inspected by State sanitation authority, found hogs illegally consuming garbage outside of state regulations. City ordered to follow regulations.	(Corvallis Gazette-Times (Corvallis, Oregon)07 May 1940, Tue Page 1)
27	<b>1940</b>	City of Philomath dump site on Peak Road.	(Corvallis Gazette-Times (Corvallis, Oregon) 11 May 1940, Sat Page 7)
28	<b>1940</b>	Hogs removed from Corvallis Dump site, and all garbage ordered to be burned.	(Corvallis Gazette-Times (Corvallis, Oregon) 21 May 1940, Tue Page 8)
29	<b>1941</b>	National Defense program "Save Aluminum" campaign, along with fewer salvageable materials in dump, made it less profitable for the care-taker of the dump site.	(Corvallis Gazette-Times (Corvallis, Oregon)05 Aug 1941, Tue Page 1)
30	<b>1942-1945</b>	Landfilling/disposal at Coffin Butte first began in the 1940s by the Army as part of waste disposal for Camp Adair. Waste was placed in a quarry on the southwest flank of Coffin Butte, where the landfill operated as an open burn dump (referred to as the "Closed Landfill"). Wastes were received in that area until approximately 1975, when VLI purchased the Coffin Butte site. Subsequent landfill development progressed eastward across the site.	(Benton County & Valley Landfills, Inc., 2002)
31	<b>1942-1945</b>	Camp Adair also operated three incinerators at a site near the intersection of Camp Adair Rd. and NW Independence HWY.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Mar 1952, Wed Page 4)
32	<b>1943</b>	Some garbage from Camp Adair military operation sent to City Dump site.	(Corvallis Gazette-Times (Corvallis,

			Oregon)22 Apr 1943, Thu Page 1)
33	<b>1944</b>	Corvallis purchased 225 acres of Fulton Farm south of Corvallis near 99W as possible future dump site, selling 154 of the acres.	(Corvallis Gazette-Times (Corvallis, Oregon)18 Jul 1944, Tue Page 1)
34	<b>1945</b>	– In response to high volume of tin cans in the garbage, monthly county tin-can collection quotas for each county set by state of Oregon salvage committee for the war effort: five tons/month for Benton County.	(Corvallis Gazette-Times (Corvallis, Oregon)02 Jan 1945, Tue Page 6)
35	<b>1945</b>	Waste paper is also requested and collected to be salvaged for the war effort. Collected separately in tied bundles with regular garbage collection.	(Corvallis Gazette-Times (Corvallis, Oregon) 08 Jan 1945, Mon Page 6)
36	<b>1945</b>	City enters into contract with City Garbage company for maintenance of the city dump grounds.	(Corvallis Gazette-Times (Corvallis, Oregon)03 Apr 1945, Tue Page 5)
37	<b>1947</b>	Alsea residential garbage dump established on Frances Kay property, dumping garbage off the high bridge toward Lobster on the Kay place.	(Corvallis Gazette-Times (Corvallis, Oregon)13 Mar 1947, Thu Page 10)
38	<b>1947</b>	Dump site to raise rent, City investigates option of using Fulton Farm property as dump or requiring collectors to establish their own dump site.	(Corvallis Gazette-Times (Corvallis, Oregon) 16 Dec 1947, Tue Page 2)
39	<b>1948</b>	City approves Two year Franchise with Corvallis Disposal Company, where the company would exclusively haul material from residents and businesses, and would furnish its own dump site.	
40	<b>1948</b>	Corvallis to vacate the city dump site beginning April 1, 1948.	
41	<b>1948</b>	Rat population at the dump site was extremely high, requiring long term extermination.	(Corvallis Gazette-Times (Corvallis, Oregon)06 Jan 1948, TuePage 1)
42	<b>1948</b>	Revision of Corvallis Garbage Ordinance, regulating garbage collection, banning burning, and setting rates for collection and dumping.	(Corvallis Gazette-Times (Corvallis, Oregon)09 Jul 1948, Fri Page 1)
43	<b>1949</b>	Willamette Grange filed complaints of illegal dumping along county roads, and requested that the city re-establish a free dump site.	(Corvallis Gazette-Times (Corvallis, Oregon)08 Mar 1949, Tue Page 4)
44	<b>1949</b>	Garbage dumps still present on the river front	(Corvallis Gazette-Times (Corvallis,

			Oregon)15 Mar 1949, Tue Page 2)
45	1949	Leaf collection offered to city residents for a limited time through Corvallis Disposal Company as part of college homecoming bonfire event. As part of the event, Corvallis Disposal Company offered reduced rates for collection and self-hauling	(Corvallis Gazette-Times (Corvallis, Oregon)17 Oct 1949, Mon Page 1)
46	1949	Corvallis Disposal Company disposal site located at the dump site near Kiger Island.	(Corvallis Gazette-Times (Corvallis, Oregon)17 Oct 1949, Mon Page 1)
47	1949	Corvallis Disposal Company purchase Philomath Disposal Company, and added to the company's operation for providing services to a "radius of from three to five miles in all directions from Corvallis"	(Corvallis Gazette-Times (Corvallis, Oregon)08 Nov 1949, Tue Page 5)
48	1949	City Garbage Company changes name to Corvallis Disposal Company.	(Corvallis Gazette-Times (Corvallis, Oregon)08 Nov 1949, Tue Page 5)
49	1950	New dump site being opened near Coffin Butte, planning for free public dumping. The dump site south of Corvallis had poison spread to exterminate rats, with an estimated population of 200,000 rats at the site.	(Corvallis Gazette-Times (Corvallis, Oregon)28 Feb 1950, Tue Page 1)
50	1950	Farms and residents in the area concerned about smoke, rodents and drainage	(Corvallis Gazette-Times (Corvallis, Oregon)15 Mar 1950, Wed Page 8)
51	1950	North Benton Farm Bureau voted to build an incinerator at the Coffin Butte site or finding other garbage disposal options.	(Corvallis Gazette-Times (Corvallis, Oregon)01 Apr 1950, Sat Page 5)
52	1950	DA warns of illegal dumping along public roads, encouraging the community to use the free public dump site at Coffin Butte.	(Corvallis Gazette-Times (Corvallis, Oregon)05 Apr 1950, Wed Page 6)
53	1950	Extensive illegal dumping on Goodnight Lane	(Corvallis Gazette-Times (Corvallis, Oregon)17 May 1950, Wed Page 6)
54	1951	Linn county creates objective to secure public dump grounds for some communities that were unserved.	(Corvallis Gazette-Times (Corvallis, Oregon)18 Apr 1951, Wed Page 11)
55	1951	Flies become a public health issue, and Benton County Health calls for clean-up of garbage dumps.	(Corvallis Gazette-Times (Corvallis, Oregon)20 Jun 1951, Wed Page 12)

56	1951	<p>Garbage Disposal Report by F.J. Burgess, junior Sanitary Engineer for Oregon in response to complaints received by the state, citing</p> <ul style="list-style-type: none"> <li>- several roadside dumps around Corvallis,</li> <li>- garbage accumulation at residences and businesses,</li> <li>- nuisance conditions at Monroe city dump, requiring two feet of earth cover and closure to further dumping</li> <li>- recommends compulsory collection,</li> <li>- The Camp Adair incinerators used by Oregon State college is the only fully adequate garbage disposal facilities in the county,</li> <li>- recommends incineration of city waste is trialed and studied,</li> <li>- The old south Corvallis dump site is hazardous and requires two feet of earth cover as well as an insect control program,</li> <li>- the Coffin Butte site meets state standards but has rodent and insect issues,</li> <li>- Calls for a need for a complete garbage storage, collection, and disposal program for Benton County.</li> </ul>	(Corvallis Gazette-Times (Corvallis, Oregon)31 Jul 1951, Tue Page 4)
57	1951	To combat garbage issues, County Health Dept offers possible options of a joint three-county incinerator operation at Camp Adair incineration plant (suitable for 30,000 residents), or using the “sanitary fill” method of disposal, which had been seen as impractical due to the wet conditions.	(Corvallis Gazette-Times (Corvallis, Oregon)06 Oct 1951, Sat Page 2)
58	1951	Quarry site of Coffin Butte dump is seen to reduce ground water seepage.	
59	1951	Enforcement problem with the City of Corvallis’ garbage ordinance, leading to rat issues.	
60	1951	Municipal compost systems are studied and reported in other jurisdictions in the country.	(Corvallis Gazette-Times (Corvallis, Oregon)24 Oct 1951, Wed Page 11)
61	1951	Benton County develops reputation for being “tough” on illegal dumping, which shows to make progress in slowing the rate of illegal dumping	(Corvallis Gazette-Times (Corvallis, Oregon)29 Nov 1951, Thu Page 1)
62	1952	County explores option to use incinerators at Camp Adair, one of which used by the college, and two are available of the total three incinerators. The county also explores the option to have compulsory garbage collection ordinances passed in the county and city, due to some not subscribing to collection services and contributing to illegal dumping.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Mar 1952, Wed Page 4)
63	1953	County staff urge towns to develop their own garbage disposal programs to address the expected population	(Corvallis Gazette-Times (Corvallis,

		growth, and growing concerns for disease outbreaks associated with sanitation.	Oregon)28 Jan 1953, Wed Page 1)
64	<b>1953</b>	County explores acquisition of Camp Adair incinerators, under supervision of the General Service Administration.	(Corvallis Gazette-Times (Corvallis, Oregon)25 Feb 1953, Wed Page 7)
65	<b>1954</b>	Corvallis Disposal has 4000 subscribers and eight garbage trucks (three “packer-type”), servicing the Corvallis area, Philomath, Adair. “Open dump”, burn dump at Coffin Butte maintained with constant fire. Packer-type trucks compact the materials, reducing odor and escaping debris, and are considered cutting edge for the time, and Corvallis Disposal uses these trucks more than other areas in Oregon (including Portland, Eugene, Salem). Corvallis Disposal requests customers do not separate waste for ease of handling.	(Corvallis Gazette-Times (Corvallis, Oregon)28 Apr 1954, Wed Page 11)
66	<b>1954</b>	Oregon State College operated burn dump at 35 <sup>th</sup> and Philomath Road.	(Corvallis Gazette-Times (Corvallis, Oregon)23 Nov 1954, Tue Page 5)
67	<b>1955</b>	Sheriff warns that state law prohibits loads to leak or spill, for those who haul to Coffin Butte, after receiving a number of complaints.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Jan 1955, Wed Page 6)
68	<b>1955</b>	City newly acquired depot property.	(Corvallis Gazette-Times (Corvallis, Oregon)17 Feb 1955, Thu Page 4)
69	<b>1955</b>	West river bank off of First street in Corvallis has extensive dumping.	(Corvallis Gazette-Times (Corvallis, Oregon)11 Apr 1955, Mon Page 5)
70	<b>1955</b>	West river bank from Corvallis Lumber company (south) to one mile north generally used as illegal garbage dump, with the largest accumulation immediately south of Van Buren bridge (junk vehicles, debris). Beautification committee planning to clean up the riverfront.	(Corvallis Gazette-Times (Corvallis, Oregon)02 Jun 1955, Thu Page 1)
71	<b>1956</b>	Willamette park (future park site adjacent to water treatment plant, formerly “Hout’s Grove”, experiences frequent illegal dumping.	(Corvallis Gazette-Times (Corvallis, Oregon)29 Mar 1956, Thu Page 7)
72	<b>1956</b>	Warnings that Illegal dumping and litter in Willamette park will result in prosecution, and warning signs to be placed on the property.	(Corvallis Gazette-Times (Corvallis, Oregon)17 May 1956, Thu Page 6)
73	<b>1956</b>	Monroe City Dump continues operation.	(Corvallis Gazette-Times (Corvallis,

			Oregon)11 Oct 1956, Thu Page 1)
74	<b>1956</b>	Corvallis City offers free leaf load delivery to Corvallis residents for compost piles.	(Corvallis Gazette-Times (Corvallis, Oregon)09 Nov 1956, Fri Page 2)
75	<b>1957</b>	Local Goodwill accepting and recycling old and unusable materials.	(Corvallis Gazette-Times (Corvallis, Oregon)11 Oct 1957, Fri Page 4)
76	<b>1957</b>	Smoke and Odor nuisance caused the State Air Pollution Authority to issue abatement orders to eight refuse and garbage dumps north of Corvallis.	(Corvallis Gazette-Times (Corvallis, Oregon)17 Dec 1957, Tue Page 11)
77	<b>1957</b>	Coffin Butte dump location is difficult for some to find due to the disappearance of signage on highway 99W.	(Corvallis Gazette-Times (Corvallis, Oregon)21 Dec 1957, Sat Page 2)
78	<b>1958</b>	City Sanitation Superintendent requests improvement to city dump grounds.	(Corvallis Gazette-Times (Corvallis, Oregon)10 Jul 1958, Thu Page 6)
79	<b>1958</b>	State offers to pay for dumping garbage on the Monroe dump grounds.	(Corvallis Gazette-Times (Corvallis, Oregon)11 Aug 1958, Mon Page 5)
80	<b>1958</b>	Garbage and franchise ordinances approved for City of Corvallis, making the franchise with Corvallis Disposal Company non-exclusive, and other haulers may obtain a license.	(Corvallis Gazette-Times (Corvallis, Oregon)08 Sep 1958, Mon Page 6)
81	<b>1959</b>	Corvallis Sand and Gravel property contained illegal trash dump along the Willamette river.	(Corvallis Gazette-Times (Corvallis, Oregon)02 Jun 1959, Tue Page 7)
82	<b>1961</b>	Oregon State Highway Department warns of the potential removal of "litter barrels" along highways, due to household trash and illegal dumping.	(Corvallis Gazette-Times (Corvallis, Oregon)10 Apr 1961, Mon Page 5)
83	<b>1961</b>	State highway litter law enforced.	(Corvallis Gazette-Times (Corvallis, Oregon)29 Jun 1961, Thu Page 12)
84	<b>1961</b>	Salem dump site, Salem Sanitary Service Co, exploring new dump site options after ordered to cease burning by State Sanitary Authority for air quality reasons.	(Corvallis Gazette-Times (Corvallis, Oregon)29 Jun 1961, Thu Page 12)

85	<b>1961</b>	OSU Dump site located west of 35 <sup>th</sup> street at Washington Way.	(Corvallis Gazette-Times (Corvallis, Oregon)14 Jul 1961, Fri Page 13)
86	<b>1962</b>	Starker requests garbage fills at strategic points in the county due to illegal dumping near Summit, Alesa, and Mary's Peak.	(Corvallis Gazette-Times (Corvallis, Oregon)13 Jun 1962, Wed Page 1)
87	<b>1964</b>	Effort to extend garbage collection to all areas of the county. Alesa and Blodgett-Summit areas are without services. Junction City firm serves Monroe-Bellfountain area, Albany firm serves up to Independence road. New larger steel bins offered for commercial accounts.	(Corvallis Gazette-Times (Corvallis, Oregon)16 Mar 1964, Mon Page 7)
88	<b>1964</b>	T.J. Starker works with county to identify eight locations of dumps for clean-up: Prairie Mountain Rd, Mary's Peak road south of Blodgett, West of Summit, east of Hoskins, at Wren hill, South of Glenbrook, along the Blodgett-summit highway, and at Summit near Nashville Junction. Corvallis Disposal plans to clean up dump sites.	(Corvallis Gazette-Times (Corvallis, Oregon)16 Mar 1964, Mon Page 7)
89	<b>1964</b>	Beautify Corvallis week clean-up campaign, Corvallis Disposal offers free debris collection and free self-hauling to Coffin Butte.	(Corvallis Gazette-Times (Corvallis, Oregon)19 May 1964, Tue Page 3)
90	<b>1964</b>	Alesa Valley gets garbage collection services for first time, as Corvallis Disposal company extended its services. An effort by Benton County to decrease illegal dumping.	(Corvallis Gazette-Times (Corvallis, Oregon)03 Oct 1964, Sat Page 1)
91	<b>1967</b>	Editorial on local air pollution. Photo of Coffin Butte burn dump.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Jul 1967, Wed Page 5)
92	<b>1967</b>	County Court and City work towards planning a landfill operation at Coffin Butte instead of burning.	(Corvallis Gazette-Times (Corvallis, Oregon)07 Sep 1967, Thu Page 1)
93	<b>1967</b>	Sanitary landfill operation at Coffin Butte	(Corvallis Gazette-Times (Corvallis, Oregon)14 Dec 1967, Thu Page 4)
94	<b>1968</b>	Mid Willamette Valley Air Pollution Authority orders Corvallis Fire Department to deny further burning permits to Evans Products, as Oregon law prohibited open burn dumps. Coffin Butte meets state standards, but still burns Demolition materials as permitted.	(Corvallis Gazette-Times (Corvallis, Oregon)22 Jan 1968, Mon Page 4)
95	<b>1969</b>	Monroe Dump site closed by the Mid-Willamette Air Pollution Authority. Transfer station arranged at dump site through Corvallis Disposal Co.	(Corvallis Gazette-Times (Corvallis,

			Oregon)09 Dec 1969, Tue Page 1
96	<b>1970</b>	Disposal ordinance for collection franchise being drafted.	(Corvallis Gazette-Times (Corvallis, Oregon)08 Sep 1970, Tue Page 1)
97	<b>1970</b>	Landfilling proving to be a challenge for Corvallis Disposal Co, with seepage at Soap Creek. Landfill has 5-6 year lifespan, with another landfill site being explored. Corvallis Disposal Company says recycling may be shipped to Portland, and regional disposal necessary as recycling catches on.	(Corvallis Gazette-Times (Corvallis, Oregon)08 Sep 1970, Tue Page 1)
98	<b>1970</b>	Marion County Regional Solid Waste Plan being drafted.	(Corvallis Gazette-Times (Corvallis, Oregon)08 Sep 1970, Tue Page 1)
99	<b>1970</b>	Blodgett Transfer station (operating from 1968-1970) closed due to construction.	(Corvallis Gazette-Times (Corvallis, Oregon)20 Jun 1970, Sat Page 15)
100	<b>1971</b>	Blodgett-Summit area provided collection services, and Lobster Valley is only area not served for solid waste collection. Corvallis Disposal Co. has the largest share of customers, with Albany Disposal Co serving North Albany and Harrisburg Sanitation Co. serving Monroe.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Mar 1971, Fri Page 5)
101	<b>1971</b>	10 year expected lifespan at Coffin Butte. Demolition waste going to a Linn County site (no organics allowed). Leaching is major issue at Coffin Butte, so Corvallis Disposal dug trenches to catch storm water and keep it away from the landfill. Catch basin lake constructed and pumped regularly as well. Not enough volume to justify large scale recycling separation at Coffin Butte, but a future regional facility north would help.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Mar 1971, Fri Page 5)
102	<b>1971</b>	Approximately 11 established dumping sites in Benton county, and many residential junk piles. County proposed Solid Waste Ordinance to help reduce unlicensed dump sites.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Mar 1971, Fri Page 5)
103	<b>1971</b>	County entered into 5-county study of regional solid waste collection and disposal options. 1969 state study finds 4.5 lbs/person/day wasted in person, 1,647,221 tons/year.	(Corvallis Gazette-Times (Corvallis, Oregon)19 Mar 1971, Fri Page 5)
104	<b>1971</b>	Benton County adopted the Solid Waste Franchising and Nuisance Abatement Ordinance (Ordinance #1).	(Ordinance #1)
105	<b>1971</b>	BOC grants Solid Waste Disposal Site Franchise to Corvallis Disposal Company (expiring 12/31/74), allowing continued use of Coffin Butte Landfill.	(Corvallis Gazette-Times (Corvallis, Oregon)26 Nov 1971, Fri Page 1)

106	<b>1972</b>	Corvallis Disposal Company merges with Spady-Redfield Corp. (Albany Sanitation Co). Albany has a landfill operation 1.5 miles from Albany on the Calapooia River. "Granger Site" proposed as possible regional landfill site Off Hwy 20 across from Independence Road (Hector Property), with a 99 year lease option. DEQ to review application by Corvallis Disposal, with concerns for leachate and Willamette river proximity.	(Corvallis Gazette-Times (Corvallis, Oregon)26 Aug 1972, Sat Page 1)
107	<b>1973</b>	1973 – Oregon DEQ makes decision on disposal and treatment of waste from OSU Dairy and Animal Disease Isolation Research Facility.	
108	<b>1973</b>	1973 – Granger landfill site delayed for further study by the Chemeketa Solid Waste Management Board (Benton, Linn, Polk, Marion, Yamhill). Coffin Butte scheduled to close once another site is found, due to water pollution to a stream and poor soil conditions. Granger landfill site may require moving two Willamette river intake plants.	( Corvallis Gazette-Times (Corvallis, Oregon)01 Feb 1973, Thu Page 2)
109	<b>1973</b>	Polk County using Coffin Butte landfill after fire at its dump site.	( Corvallis Gazette-Times (Corvallis, Oregon)01 Feb 1973, Thu Page 2)
110	<b>1973</b>	Chemeketa Region Solid Waste Management Plan in development	(Corvallis Gazette-Times (Corvallis, Oregon)26 Feb 1973, Mon Page 3)
111	<b>1973</b>	Benton County calls for increased recycling effort	(Corvallis Gazette-Times (Corvallis, Oregon) 05 Mar 1973, Mon Page 4)
112	<b>1973</b>	Albany Public Info Meeting for Chemeketa Region Solid Waste Plan, proposing to close 14 disposal sites in the region, and establish four regional landfill sites. Proposed possibility of Resource Recovery Center at Granger Site. County Planning opposes the Granger site due to use of dwindling farm land resource, and the site is on a floodplain.	(Corvallis Gazette-Times (Corvallis, Oregon)14 May 1973, Mon Page 1)
113	<b>1973</b>	Coffin Butte landfill expected to close by 1975, due to difficulties with wind, soil, and daily covering. The challenging dichotomy of increasing rates to cover transportation costs of further disposal sites, and the increased illegal dumping due to the higher rates. State goal of 90% reclaimed garbage by 1982.	(Corvallis Gazette-Times (Corvallis, Oregon)21 May 1973, Mon Page 4)
114	<b>1973</b>	Further study of the Granger site feasibility required	(Corvallis Gazette-Times (Corvallis, Oregon)16 Jun 1973, Sat Page 1)

115	<b>Prior to 1974</b>	The Coffin Butte Landfill operated within the land use laws of Benton County	(Benton County & Valley Landfills, Inc., 2002).
116	<b>1974</b>	Chemeketa Region Solid Waste Management Program releases a plan for the region's waste management.	(Stevens, Thompson & Runyan, Inc., 1974a)
117	<b>1974</b>	Coffin Butte Landfill was operated by Corvallis Disposal Company. In 1974, Corvallis Disposal Company applied for and was granted a Conditional Use Permit. That permit was finally granted by action of the Benton County Board of Commissioners on May 15, 1974.	(Benton County & Valley Landfills, Inc., 2002)
118	<b>1974</b>	The 1974 approval had allowed all landfill activities, including but not limited to the placement of solid waste, on 184 acres north of Coffin Butte Road.	(Benton County & Valley Landfills, Inc., 2002)
119	<b>1974</b>	Benton County constructed and operated the Lobster Valley Transfer Station on County property, which was successful in its attempt to reduce illegal dumping of garbage in the rural and forested areas of Lobster Valley. The site was operated as a free service to the area's residents, however, over time the site was used heavily by residents of other areas taking advantage of the limited monitoring. This increased the cost to the county.	
120	<b>1975</b>	VLI purchased the Coffin Butte site.	(Oregon Department of Environmental Quality, 2005)
121	<b>1977</b>	Since 1975, VLI has filled in Cells 1A and 1, with most waste being placed in Cell 1 beginning in 1977.	
122	<b>1977</b>	The "Closed Landfill" was officially capped with soil and closed.	
123	<b>1977</b>	One of the conditions of the 1974 approval was that a "Solid Waste Management Plan for Benton County" (Waste Control Systems, Inc., 1977) be submitted for review to the Planning Commission. This condition was met on March 29, 1977. From then until 1983, Coffin Butte Landfill was operated in compliance with the approved Management Plan.	(Waste Control Systems, Inc., 1977)
124	<b>1980</b>	Benton County has a Solid Waste Advisory Council (SWAC) which reviews the operations of the landfill, and other matters of public interest. The Solid Waste Advisory Council, hereinafter referred to as SWAC), has continually monitored the operations of VLI since 1980.	
125	<b>1980</b>	The Solid Waste Franchising and Nuisance Abatement Ordinance (Ordinance #1), was amended to be the Nuisance Abatement Ordinance (Ordinance #1A).	(Ordinance #1A)
126	<b>1980</b>	The Solid Waste Management Ordinance (Ord. 23) was adopted, and separated from the Solid Waste Franchising and Nuisance Abatement Ordinance (Ordinance #1).	BCC 23

127	<b>1981</b>	Coffin Butte Landfill Franchise issued by the Board of Commissioners, for a duration of 25 years (subject to change).	1981 Landfill Franchise Agreement (M-32614-81)
128	<b>1981</b>	Residential door-to-door recycling is offered to customers in the City of Corvallis by Corvallis Disposal Co.	
129	<b>1982</b>	Corvallis Disposal Co. proposed to provide Residential door-to-door recycling services to customers within the Benton County franchise.	
130	<b>1983</b>	1983 - VLI applied to Benton Co. for the creation of a Landfill Zone, other amendments to the Comprehensive Plan and the application of the new Landfill Zone to the Coffin Butte Landfill within Benton County. After hearings before the Planning Commission and the Board of Commissioners, the requests were granted. (PC-83-7, LD-83-40, LD-83-41)	(Benton County & Valley Landfills, Inc., 2002)
131	<b>1983</b>	The 1983 approval added 10 more acres for landfill activities, including but not limited to the placement of solid waste, north of Coffin Butte Road, or a total of 194 acres. Non landfill activities such as leachate treatment and irrigation were allowed south of Coffin Butte Road. The 1983 approval specifically did not allow for the placement of solid waste south of Coffin Butte Road.	(Benton County & Valley Landfills, Inc., 2002)
132	<b>1983</b>	Activities continued under the 1983 approval until 1995.	
133	<b>1984</b>	Lobster Valley Solid Waste Transfer Station Closed by BOC approval and without significant opposition, due to needed repairs to the facility not being cost effective, and franchised collection services offered to area residents. (Order adopted March 21, 1984).	Board Order adopted March 21, 1984)
134	<b>1988</b>	Cell 1A no longer used for disposal. Cell 1A (approximately 4 acres) primarily handled waste from Teledyne Wah Chang and was not used for disposal after 1988.	
135	<b>1988</b>	LD-88-11 Lot Line adjustment approved.	LD-88-11
136	<b>1992</b>	Oregon DEQ begins a series of groundwater investigations to further characterize the hydrogeology and groundwater quality down gradient of inactive and active areas of the landfill where volatile organic compounds had been detected, in response to a number of Oregon Department of Environmental Quality (DEQ) solid waste permit requirements.	
137	<b>1992</b>	Benton County BOC Order establishing the Disposal Site Advisory Committee (DSAC)	Board Order April 1, 1992
138	<b>1993</b>	1993 – Cell 2B constructed, and placement of waste in Cell 1 stopped.	
139	<b>1993</b>	Cell 1 (approximately 30 acres) has a clay bottom liner and leachate collection system that conveyed the leachate to an adjacent holding pond	

140	<b>1994</b>	In 1994 and 1995, VLI submitted applications to Benton Co. Those applications would have expanded the allowed activities south of Coffin Butte Road. Because of opposition at that time, VLI withdrew its applications. (PC-94-10, PC-94-11, PC-94-12)	(Benton County & Valley Landfills, Inc., 2002)
141	<b>1994</b>	A conditional use permit for a 2.2 megawatt power generation facility was approved by the Development Department. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source (PC-94-03).	(PC-94-03)
142	<b>1994</b>	Covered Loads Ordinance went into effect, with two separate fees for covered and uncovered loads brought to the landfill.	
143	<b>1996</b>	Since 1996, Benton Co. has signed the Land Use Compatibility Statements, indicating to DEQ that the landfill was being operated in compliance with Benton County Ordinances.	(Benton County & Valley Landfills, Inc., 2002)
144	<b>1997</b>	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill was approved by the Community Development and Parks Department. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW (S-97-58).	(S-97-58)
145	<b>1998</b>	Lane County meets with Benton County SWAC to explain how Lane County waste is being brought to Coffin Butte Landfill for favorable rates, impacting Lane County's solid waste system. (Oct 8 <sup>th</sup> , 1998 BOC Meeting).	(Oct 8 <sup>th</sup> , 1998 BOC Meeting)
146	<b>1999</b>	PC-99-6, CUP approval for quarrying operations on VLI property	PC-99-6
147	<b>1999</b>	Lane County requests Benton County to require monthly reports of Lane County users of the landfill, so that Lane County may accurately impose a System Benefit Fee to those haulers who bring Lane County waste to Coffin Butte Landfill.	
148	<b>2000</b>	VLI, the owner and operator of the landfill facility commonly known as the Coffin Butte Landfill, and was acquired by Allied Waste Industries.	
149	<b>2000</b>	Approval from DEQ was granted in 2000 based upon the LUCS statement, DEQ has reviewed and found that the operations of the landfill are in compliance with the state law.	
150	<b>2002</b>	Benton County Waste Recovery Plan for 2005-2009, prepared as required by HB 3744 (ORS 459A.101 (6) (d))	(Benton County, 2002)
151	<b>2002</b>	Memorandum of Understanding between Benton County and Valley Landfills, Inc. relating to Land Use issues.	(Benton County & Valley Landfills, Inc.,

			2002) , D15286, 01-00048
152	<b>2002</b>	A Conditional Use Permit for landfilling of an area on VLI property that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions (also known as the West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site. (PC-02-07)	(PC-02-07)
153	<b>2003</b>	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone (also known as the East triangle) (PC-03-11).	(PC-03-11).
154	<b>2003</b>	Oregon DEQ Solid Waste Reduction Grant Application for OSU Beverage Container Redemption Center, not approved.	
155	<b>2005</b>	First year that haulers (Allied Waste) offered to submit annual reports as a way to keep the county informed (not a requirement).	
156	<b>2005</b>	Record of Decision for Coffin Butte Landfill prepared by Oregon DEQ, presenting the selected remedial action to address the presence of volatile organic compounds (VOCs).	(Oregon Department of Environmental Quality, 2005)
157	<b>2006</b>	Wren Recycling depot closed due to illegal dumping and contamination.	
158	<b>2006</b>	Rural Recycling Meeting at the Wren Community Center (12/5/06)	
159	<b>2007</b>	Implementation of an automated co-mingle cart collection system for curbside recycling	
160	<b>2007</b>	Oregon DEQ Solid Waste Reduction Grant Application for First Alternative Co-Op South Corvallis Community Recycling Depot, not approved.	
161	<b>2008</b>	Allied Waste and Republic Services merged.	
162	<b>2008</b>	Oregon DEQ Solid Waste Reduction Grant Application for Benton Furniture Share (BFS) not approved.	
163	<b>2009</b>	Oregon DEQ Solid Waste Reduction Grant Application for Benton Furniture Share (BFS) not approved.	
164	<b>2009</b>	Oregon DEQ Solid Waste Reduction Grant Application for Benton Habitat for Humanity Deconstruction Materials Clearinghouse not approved.	
165	<b>2009</b>	Oregon DEQ Solid Waste Reduction Grant Application for Uncovered Loads, not approved	
166	<b>2011</b>	Benton County Wasteshed Waste Recovery Plan Update and 2011 Technical Review of Waste Recovery Policies and Programs, as required by Oregon Administrative Rule 340-090-0040 (7)	(Benton County, 2011)

167	<b>2011</b>	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone – approved by Planning Commission with conditions (LU-11-016).	(LU-11-016)
168	<b>2013</b>	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure, approved by the Planning Commission with conditions (LU-13-061).	(LU-13-061)
169	<b>2014</b>	School Lab Cleanout	
170	<b>2015</b>	Alteration of a nonconforming use to continue and enhance a stormwater treatment facility in the Exclusive Farm Use Zone, associated with Coffin Butte Landfill, approved by the Community Development Department with conditions (LU-15-001).	(LU-15-001)
171	<b>2018</b>	\$2/month/customer recycling fee added to address increased contamination standards in recycling markets.	
172	<b>2021</b>	Conditional Use Permit to expand Coffin Butte Landfill. Republic Services proposed: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way*) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures. Closing Coffin Butte Road will likely require improvement of at least one other roadway in the area to accommodate increased traffic—potentially Tampico Road or Wiles and Robison Roads, denied by the Planning Commission and the appeal was withdrawn by the applicant (LU-21-047).	(LU-21-047)

## 2) Landfill Size and Development History

The following table details development history at Coffin Butte Landfill, as reported in various landfill annual reports.

<b>Year</b>	<b>Development Activity Reported</b>
<b>1977</b>	Old burn dump site adjacent to existing quarry officially closed in 1977 (Benton County, 1997)
<b>1993</b>	Asbestos disposal cell west of Cell 1 constructed (5 year capacity) (Benton County, 1994)

	Cell 2B constructed (11 acres) (Benton County, 1994)
<b>1995</b>	Cell 2C constructed (14.4 acres) (Benton County, 1994)
<b>1996</b>	Cell 1A Closed and capped (Benton County, 1997)
	Leachate storage lagoon capacity expanded (Benton County, 1997)
	Landfill Gas pipeline expansion (Benton County, 1997)
<b>1997</b>	Cell 2D constructed (Benton County, 1998)
<b>1999</b>	Replaced Cell 2 12mil plastic interim cover material. (Benton County, 2000)
	Cell 3A constructed (7.5 acres) (Benton County, 2000)
	Landfill Gas main line below ground loop completed (Benton County, 2000)
	Added southbound turn land on Coffin Butte Road and deceleration and acceleration lanes to Hwy 99W. (Benton County, 2000)
<b>2002</b>	Temporary sump infrastructure for Cell 3A installed (Allied Waste Industries, Inc., 2002)
	Public tipping area constructed in 2002 (Allied Waste Industries, Inc., 2002)
	New landfill gas flare installed in 2002, expanding flare capacity to 2000 standard cubic feet per minute (Allied Waste Industries, Inc., 2002)
<b>2004</b>	Cell 3B constructed (Allied Waste Industries, Inc., 2004)
	Final closure of Cell 2 South Slope (Allied Waste Industries, Inc., 2004)
	Leachate storage pond demolished and replaced (Allied Waste Industries, Inc., 2004)
<b>2005</b>	Cell 3C constructed (Valley Landfills, Inc., 2005)
	Major landfill gas system upgrades (Valley Landfills, Inc., 2005)
	Construction of Vegetation visual screen along Hwy 99W completed (Valley Landfills, Inc., 2005)
<b>2006</b>	Cell 3D Phase 1 constructed (Valley Landfills, Inc., 2006)
	Four acres of wetlands developed at southwest corner of Hwy 99W and Coffin Butte rd. to meet Wetland Mitigation Plan requirements (Valley Landfills, Inc., 2006)
	Major landfill gas system upgrades (Valley Landfills, Inc., 2007)
<b>2007</b>	Cell 3 closure phase 1 completed (Valley Landfills, Inc., 2007)
	Wetland development east of Soap Creek, south of Coffin Butte rd. to meet Wetland Mitigation Plan requirements (Valley Landfills, Inc., 2007)
	Gas-to-Energy facility expansion completed (Valley Landfills, Inc., 2007)
<b>2008</b>	Cell 3D phase 2 constructed (Valley Landfills, Inc., 2008)
	Wetland development completed east of Soap Creek, south of Coffin Butte rd. to meet Wetland Mitigation Plan requirements (Valley Landfills, Inc., 2008)
<b>2010</b>	Cell 3 closure phase 2 completed (Valley Landfills, Inc., 2010)
<b>2011</b>	Cell 4 constructed, northern half of 14 acres (Valley Landfills, Inc., 2011)
	Stormwater enhancements, increasing capacity and adding bioswale (Valley Landfills, Inc., 2011)
	Cell 3 South Slope closure completed (Valley Landfills, Inc., 2011)
<b>2012</b>	Cell 4 constructed, southern half of 14 acres (Valley Landfills, Inc., 2012)
	Cell 5A excavation (east Triangle area) (Valley Landfills, Inc., 2012)
	Stormwater sedimentation pond constructed. (Valley Landfills, Inc., 2012)

<b>2013</b>	Cell 5A Construction completed (Republic Services, 2013)
	New public tipping area completed (Republic Services, 2013)
	Landfill entrance resurfaced from Coffin Butte Road to the scale house (Republic Services, 2013)
<b>2014</b>	Cell 2 buttress constructed (Republic Services, 2014)
	Installation of an additional 1,000 standard cubic feet per minute (SCFM) flare (Republic Services, 2014)
	Both incoming and outgoing scales were replaced (Republic Services, 2014)
<b>2015</b>	Cell 5 Excavation – Excavation of approximately 130,000 yards of rock/soil for future cell development (Republic Services, 2015)
<b>2016</b>	Cell 5 Excavation – Excavation of approximately 380,000 yards of rock/soil for future cell development (Republic Services, 2016)
	Construction of additional stormwater settling pond (Republic Services, 2016)
	Planted row of trees along the eastern perimeter of the landfill property to help screen the site from Hwy 99W (Republic Services, 2016)
<b>2017</b>	Cell 5B construction began, 11 acres (Republic Services, 2017)
<b>2019</b>	Cell 5C – Construction of the liner system for the next phase of the landfill. This cell will be approximately 5.5 acres. (Republic Services, 2019)
	Burn Dump Relocation – Begin the first phase of moving historic waste material into a lined portion of the landfill. (Republic Services, 2019)
<b>2020</b>	Burn Dump Relocation – Begin the second phase of moving historic waste material into a lined portion of the landfill. (Republic Services, 2020)
<b>2021</b>	Cell 5D – Construction of the liner system for the next phase of the landfill. This cell will be approximately 4.5 acres. (Republic Services, 2021)
	Burn Dump Relocation – Begin the third and final phase of moving historic waste material into a lined portion of the landfill. (Republic Services, 2021)
<b>2022</b>	Burn Dump Relocation – Complete final phase of moving historic waste material into a lined portion of the landfill. (Republic Services, 2022)
	Paving – Paving of the entrance road from the scale house to the public area. (Republic Services, 2022)

### 3) Specific Landfill Locations and Cell Size

The following table details landfill cell capacity, as reported in various site development plans from 2000-2021. This information generally reflects remaining capacity at the time of the site development plan publication. The year 2000 development plan data includes details on cells 2-5, the 2011 development plan includes details on cells 2-3 and 5-6, and the 2021 development plan includes details on cells 5D/5E-6. Cells 5E-6 are designated as future cells to be developed as part of the 2021 Site Development Plan. Cell 6 overlaps with the existing area of the Knife River quarry operation.

Coffin Butte Landfill Cell Capacity							
		2000		2011		<u>2021</u>	
Cell No.	Site Development Plan Source	Reported Capacity (Cubic Yards)	Reported Plan View Footprint Area (Acres)	Reported Capacity (Cubic Yards)	Reported Plan View Footprint Area (Acres)	Reported Capacity (Cubic Yards)	Reported Plan View Footprint Area (Acres)
2	2000	1,337,000	31.3				
3A	2000	841,000	7.8				
3B	2000	457,000	5.3				
3C	2000	2,849,000	9.9				
3D	2000	1,827,000	10.8				
2-3	2011			360,000	10.2		
4	2000	1,567,000	13.9				
5	2000	4,256,000	20.7				
5A	2011			1,725,400	6.7		
5B PH I	2011			729,700	4.7		
5B PH II	2011			4,668,400	5		
5C	2011			3,042,900	8.2		
5D	2011			1,983,400	6.9		
5D/5E	2021			4834330	6.1		
6	2011			14,078,900	42.6		
6A	2021					1,482,260	19.8
6B	2021					1,029,430	11.3
6C	2021					1,742,130	4.3
6D	2021					1,859,820	11
6E	2021					1,078,420	3.9
6F	2021					1,686,070	5.1
6G	2021					2,015,260	2.4
6H	2021					1,295,450	1.1
6I	2021					1,622,130	1.2

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#### 4) Conditions and Compliance of past land use approvals

The following tables summarize Benton County land use applications, decisions, conditions, and status of conditions for land use processes associated with Coffin Butte Landfill.

Note regarding identified decision-maker of individual land use decisions shown in the “Result” column: The Development Code specifies that certain types of land use decisions are made by the Planning Official (i.e., staff), the Planning Commission, or the Board of Commissioners. Additionally, a decision of the Planning Official may be appealed to the Planning Commission and a decision of the Planning Commission may be appealed to the Board of Commissioners. A zone change application is reviewed by the Planning Commission who then either recommends approval to the Board of Commissioners (in which case there is automatically a hearing before the Board) or denies the application (which is a final decision unless someone appeals the Planning Commission’s denial).

PC = Planning Commission  
BOC = Board of Commissioners

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#	Date	File #	Request	Result
1	1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report <sup>1</sup> and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved
2	1983	PC-83-02/L-83-07	Amendments to the Benton County Comprehensive Plan and Plan Map (Ordinance 251), and amendments to the Zoning Ordinance and Zoning Map (Ordinance 261). Amendments to the Comprehensive Plan Text and Map, amendments to the Zoning Ordinance and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

<sup>1</sup> The [Chemeketa Regional Solid Waste Program Report](#) was produced in 1974 as part of a regional collaborative effort between Benton, Marion, Linn, Polk, and Yamhill counties (Stevens, Thompson & Runyan, Inc., 1974a). This report details recommendations and options for disposal sites, collection strategies, and other materials management approaches.

#	Date	File #	Request	Result
3	1988	LD-88-11	A Lot line adjustment with a transfer of 37.94 acres from parcel A to parcel B.	Development Department Approved
4	1994	PC-94-03	A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.	Development Department Approved
5	1994	PC-94-10	Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site	BOC Denied
6	1994	PC-94-11	A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan. An exception to the Statewide Planning Goal 4. A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	PC Approved; PC Decision Appealed; Application Withdrawn
7	1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved
8	1999	PC-99-06	A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.	Planning Commission approved
9	2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

#	Date	File #	Request	Result
10	2003	PC-03-11	A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).	Planning Commission approved
11	2011	LU-11-016	Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.	Planning Commission approved
12	2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved
13	2015	LU -15- 001	Alteration of a nonconforming use to continue and enhance a stormwater treatment facility in the Exclusive Farm Use Zone, associated with Coffin Butte Landfill.	Community Development Department Approved
14	2021	LU-21-047	Conditional Use Permit to expand Coffin Butte Landfill. Republic Services proposed: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way*) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures. Closing Coffin Butte Road will likely require improvement of at least one other roadway in the area to accommodate increased traffic—potentially Tampico Road or Wiles and Robison Roads.	Planning Commission Denied; PC Decision Appealed; Appeal Withdrawn

Date	File #	Request	Result
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1974	CP-74-01	Designating Coffin Butte Landfill as a regional sanitary landfill site as recommended in the Chemeketa Regional Solid Waste Program Report <sup>2</sup> and Sanitary Landfill expansion.	PC Approved PC Decision Appealed BOC Approved
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Conditions of Approval	Status
<p><i>Note: It is uncertain whether any of these conditions of approval remain in effect or have been superseded by subsequent land use decisions, including the adoption of the LS zone and approval of Coffin Butte Landfill under that new zoning designation in 1983. County staff is researching this question.</i></p> <p>1. The service area to be served by the Coffin Butte Site should be defined and the approval should be confined to serving only areas MI, WS, DA, KV, MI, CO, AL, LV, and MH, as defined on the enclosed map<sup>3</sup>. Expanding Coffin Butte to service additional areas should require a re-review by the Planning Commission.</p>	Additional Research Needed
<p>2. The site management activities conducted at Coffin Butte should be reviewed periodically by the County Sanitarian (ex-officio member of the Planning Commission). A report of compliance to all state and local standards should be made at least once annually to the Planning Commission by the Sanitarian.</p>	1 <sup>st</sup> report submitted on 8-12-75 to the Planning Commission
<p>3. Efficient leachate collection and treatment, including the old site, should be maintained by the applicant to insure against pollution of nearby waterways. In addition, wells should be established on the periphery of the solid waste site to monitor any potential seepage into underground aquifers (groundwater pollution).</p>	In first year, per the status report, a collection-retention lagoon was installed to treat leachate from the old site.  No longer relevant, replaced with later conditions for run-off.
<p>4. The scars that erode the face of Coffin Butte, when plans meet DEQ approval, shall be filled and compacted to a condition permitting re-seeding and eventual visual reclamation of the area and including screening with natural vegetation that portion of the subject property abutting the county road.</p>	No longer relevant, this area will be covered by a disposal cell and be part of the overall site reclamation

<sup>2</sup> The [Chemeketa Regional Solid Waste Program Report](#) was produced in 1974 as part of a regional collaborative effort between Benton, Marion, Linn, Polk, and Yamhill counties (Stevens, Thompson & Runyan, Inc., 1974a). This report details recommendations and options for disposal sites, collection strategies, and other materials management approaches.

<sup>3</sup> The [Chemeketa Regional Solid Waste Program Report](#) labels specific Chemeketa Region Service Areas, including the general areas of Monmouth/Independence (MI), West Salem (WS), Dallas (DA), Kings Valley (KV), Corvallis (CO), Albany (AL), Lobster Valley (LV), and Monroe/Harrisburg/Halsey (MH), which are mapped and detailed on Figure IV-7 of the Report (Stevens, Thompson & Runyan, Inc., 1974b).

Conditions of Approval	Status
5. That by July 1, 1976, a plan including detailed elements on design, location, management, and financing of a solid waste resource recovery system be prepared and submitted to the Planning Commission for further consideration. Until such a plan is completed, the conditional use approval shall be limited to only the sanitary landfill method of waste disposal.	Complete, 1977 Waste Control Systems, Inc. Solid Waste Management Plan
6. The landfill operation shall be phased so that only a small acreage is used for full at one time and then this acreage shall be returned to grazing, another farm-type operation or other permitted use as approved by the Planning Commission and the Board of County Commissioners.	No longer relevant, was over-ridden by the DEQ approved reclamation plan.
7. That efforts be made to encourage voluntary separation of recoverable materials such as tin, aluminum, paper, glass, etc. to reduce the amount of landfill materials.	Cardboard being recovered by the collection firm. More items are being recycled currently.

Date	File #	Request	Result
1983	PC-83-02/L-83-07	Amendments to the Benton County Comprehensive Plan and Plan Map (Ordinance 251), and amendments to the Zoning Ordinance and Zoning Map (Ordinance 261). Amendments to the Comprehensive Plan Text and Map, amendments to the Zoning Ordinance and Zoning Map, and a Site Development Plan (M-48615-83, PC-83-07-C(1)).	BOC Approved.

Conditions of Approval	Status
1. Cross reference the narrative and the map in both documents.	The narrative was updated to provide information related to all of these conditions.
2. Expand the narrative statement, section (1.a.ii), on reclamation to include the physical configuration of the completed landfill areas and method of maintenance of the proposed pasture uses. Include a statement regarding the effects of methane and internal heat generation on the long term maintenance of the pasture, and include irrigation plans if proposed.	The narrative was updated to provide information related to all of these conditions.

Conditions of Approval	Status
3. Describe in more detail in the narrative, the method of screening: include a description of the location, height, width, depth and physical composition of the berm; and include the type and location of vegetative screening; and include a statement regarding the long term maintenance of the berm and vegetative screens.	The narrative was updated to provide information related to all of these conditions.
4. Include in the narrative the anticipated chemical composition of any leachate material to be used for irrigation south of Coffin Butte Road; and include documentation that the material to be utilized as irrigation meet federal and state standards for any run-off that may leave the property lines.	The narrative was updated to provide information related to all of these conditions.
5. Include in the narrative review of the Environmental and Operational Factors in Art.XXX.05.A.1.(f) for the approximately 10 acres proposed for addition to the landfill area.	The narrative was updated to provide information related to all of these conditions.
6. Provide a detailed reclamation plan that sets form the anticipated physical characteristics of the “terracing” including an average height and width of the terracing, provide documentation that the site is physically available to be reclaimed in this manner.	The narrative was updated to provide information related to all of these conditions.
7. Submit for review by the Development Director a plan detailing the proposed method Valley Landfills shall use to protect the small ponds found in the Northeast corner of the property.	The narrative was updated to provide information related to all of these conditions.
8. The current DEQ operational permit will expire on January 31, 1984. Valley Landfills, Inc. has been requested to submit an updated, long-term leachate control plan as part of the permit renewal process. This plan must contain provisions for a leachate storage facility so leachate irrigation will not occur on pasture lands from November 1 through May 1 of each year. The control plan must also provide for a soil study that designates present and future leachate irrigation areas. This plan must show that the amount of irrigation area available is compatible with future leachate generation volumes so metal or nutrient accumulations in the soils will remain fat below any toxicity levels.	Overseen by DEQ. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.
9. As the site expands eastward, additional monitoring wells will be required. Depending on DEQ budget limitations, the permittee may have to share in the responsibility for sampling and monitoring of these wells.	Overseen by DEQ. The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant

Conditions of Approval	Status
	could not continue the use and would be out of compliance.
10. Screen the landfill operation with fencing or berms so it cannot be seen from the County Road or adjacent properties.	Not completed.
11. Daily cover of refuse with earth is not possible at this site due to the clay soils. The current (and future) permit addresses requiring daily compaction of refuse and require exposed refuse areas to not exceed 2 acres during the periods of October 15 to June 1 and to not exceed ¼ of an acre during all other periods. This shall be adhere to.	The landfill uses an alternative daily cover approved by DEQ, which includes Covanta Ash material. The landfill also uses temporary cover
12. Occasionally, leachate seeps through the site berms during heavy rainfall periods. If these occur in the future, a requirement to channel these flows into the leachate collection system within a timely period (i.e., 3 days) may be added.	Overseen by DEQ.
13. DEQ permits are normally issued for a maximum of 5 years. As part of the permit renewal process, DEQ requires updated operational and construction plans to reflect the current permit period. As such, changes in environmental controls may be required to incorporate new technology into the landfill operation.	This is an advisory to the applicant rather than a condition that needed to be met.

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Date	File #	Request	Result
1988	LD-88-11	A Lot line adjustment with a transfer of 37.94 acres from parcel A to parcel B.	Development Department Approved

Date	File #	Request	Result
1994	PC-94-03	A conditional use permit for a 2.2 megawatt power generation facility. The facility would utilize the gas generated from the decomposing refuse in the landfill as the fuel source.	Development Department Approved

Conditions of Approval	Status
1. The facility shall be housed in a structure approximately 50 by 100 feet or less in size, as described in the application materials.	Superseded by subsequent expansion approval. Original generator building 3,900 square feet
2. Noise levels shall comply with the New Industrial and Commercial Noise Standards (OAR 30403-355)-as measured at the nearest dwellings existing on the date of approval of this conditional use permit.	Noise testing completed in 1997.
3. The applicant is responsible for ongoing monitoring of noise levels. Upon request of the Planning Official, the applicant shall provide the County with sufficient information to determine whether the facility is in compliance with Condition 2 of this permit.	Available records do not indicate any such requests by the Planning Official.
4. The applicant shall obtain and comply with all applicable permits from Oregon Department of Environmental Quality (DEQ). The applicant shall provide copies of all DEQ permits to the County.	This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

Conditions of Approval	Status
5. Expansion of the generating capacity of the facility is authorized under this permit as long as all conditions of approval, including those specifying building size and noise levels, are met. The Planning Official may require that the applicant obtain a new conditional use permit in order to expand the facility if, in his judgment, conditions existing at the time of the proposed expansion warrant a conditional use review.	A new CUP was submitted and approved to expand the size of the facility.
6. Lighting shall be located so that it does not face directly, shine or reflect glare onto an adjacent street or property.	Monitoring of this condition is complaint driven.
7. Obtain all required septic, access, building, plumbing, mechanical, electrical, and other applicable permits prior to construction.	Electrical - C9500565, C9501197, C9600514, C9600852

Date	File #	Request	Result
1994	PC-94-10	Zone change from Rural Residential to Landfill Site Zone, Comprehensive Plan change from Rural Residential to Landfill Site	BOC Denied

Date	File #	Request	Result
1994	PC-94-11	A conditional use permit to expand the area approved for a landfill within the Landfill Site Zone and update the site development plan. An exception to the Statewide Planning Goal 4. A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	PC Approved; PC Decision Appealed; Application Withdrawn

Date	File #	Request	Result
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1997	S-97-58	A conditional use permit to expand the generating capacity of the existing electric generation plant that is served by the gas produced at the Coffin Butte Landfill. Phase I of the expansion would increase the capacity of the plant from the current 2.2 MW to 5 MW and Phase II would increase the capacity to 10 MW.	Community Development and Parks Department Approved
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Conditions of Approval	Status
1. The Phase I generation facility shall be located in a structure approximately 75 by 85 feet; as shown in the application. The Phase 2 expansion shall be located in a building approximately 120 by 200 feet, as shown in the application materials. The Phase 2 expansion shall be located at least 300 feet from State Highway 99W, as shown in the application materials.	The expansion added 4,300 square feet to the original building.
2. Both the Phase 1 and Phase 2 expansions shall be constructed in accordance with the application materials. In addition, the siting standards of BCC 60.405 (2) and (3) and BCC 60.415(4), (5), (9), and (11) shall be met.	Permit B0700147 Phase I expansion Permits B0700323, B0700416, B0700415, F0600068, B1400497
3. Noise levels for both Phase I and Phase 2 expansions shall comply with the Noise Control Regulations for Industry and Commerce in Oregon Administrative Rules 340-035- 0035 as measured at the nearest dwellings existing on the date of approval of this conditional use permit.	Noise Compliance Monitoring memorandum submitted on June 11, 1997 by Pacific Northwest Generating Cooperative. Subsequent to the compliance monitoring memorandum, the County would require additional testing only if there was reason to believe the noise standards were no longer being met (such as through a noise complaint received from an adjacent dwelling).
4. The applicant is responsible for ongoing monitoring of noise levels. Upon request of the Planning Official, the applicant shall provide the County with sufficient information to determine whether the facility is in compliance with Condition 3 of this permit.	Available records do not indicate any such requests by the Planning Official.

Conditions of Approval	Status
<p>5. The applicant shall continue to provide sanitation facilities for the generation plant employees that are located on site. The facilities shall include:</p> <ul style="list-style-type: none"> <li>a) Drinking water within the generating plant building by a potable water container, refilled periodically;</li> <li>b) A portable toilet located at the generating plant site;</li> <li>c) Plumbed restroom facilities, with water closets and hot and cold running water shall be available for use by employees at the Coffin Butte Landfill office;</li> <li>d) Generating plant employees shall have vehicles available for trips to the Coffin Butte Landfill office restroom facilities;</li> <li>e) The maximum number of generating plant employees shall be five (5).</li> </ul>	<p>OSHA letter from September 29, 1997 included relating to the toilet facilities and drinking water being compliant with OSHA standards for sanitation.</p>
<p>6. The application shall obtain and comply with all applicable permits from the Oregon Department of Environmental Quality (DEQ). The applicant shall provide copies of all DEQ permits for the generation facility to the Community Development and Parks Department.</p>	<p>This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.</p>
<p>7. Lighting shall be located so that it does not face directly, shine, or glare onto an adjacent road or property.</p>	<p>Monitoring of this condition is complaint driven.</p>
<p>8. The property owner shall submit a declaratory statement to be recorded in the Benton County Deed Records for the subject property that recognizes the rights of adjacent forest uses, consistent with BCC 620.220().</p>	<p>Completed.</p>
<p>9. The applicant shall prepare a site specific development plan addressing emergency water supplies for fire protection. The plan shall be submitted to the local fire protection agency for review. The plan approved by the local fire protection agency shall be shall submitted to the Community Development and</p>	<p>Additional Research Needed</p>

Conditions of Approval	Status
<p>Parks Department prior to the issuance of building permits for the structure for Phase 1. A revised site specific development plan shall be completed prior to issuance of construction permits for the Phase 2 expansion. The site development plan shall address:</p> <ul style="list-style-type: none"> <li>a) Emergency access to the local water supply in the event of a wildfire or other fire-related emergency;</li> <li>b) Provision of an all-weather road or driveway to within 10 feet of the edge of identified water supplies which contain 4,000 gallons or more and exist within 100 feet of the driveway or road at a reasonable grade (e.g. 12 percent or less);and</li> <li>c) Emergency water supplies shall be clearly marked along the access route with a Fire District approved sign.</li> </ul>	
<p>10. The applicant shall obtain all required septic, road approach, building, plumbing, mechanical, electrical, and other applicable permits prior to commencement of construction for both the Phase I and Phase 2 expansion. Contact the Permits Clerk and Building Official at the Community Development and Parks Department regarding permits and fees.</p>	<p>Completed for Phase 1.</p>

Date	File #	Request	Result
1999	PC-99-06	<p><b>A Conditional Use Permit for mining and processing of mineral and aggregate resources. The proposed area consists of 1.43 acres adjacent to the existing quarry operation.</b></p>	<p><b>Planning Commission approved</b></p>

Conditions of Approval	Status
<p>1. Obtain approval of a reclamation plan from the Oregon Department of Geology and Mineral Industries or the Oregon Division of State Lands. Operation and reclamation plan shall demonstrate consistency with the intended subsequent site use.</p>	<p>This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.</p>
<p>2. if the mining is the primary cause of traffic on the unpaved public road, that road shall be kept dust-free by the applicant if dwellings are located within 300 feet of the roadway. The applicant and lease-holding operator shall endeavor to use only those public roads designated for truck usage, unless making local deliveries of mineral and aggregate resources to residential areas serviced by roads not designated for truck usage.</p>	<p>Public roads serving primarily quarry traffic are paved.</p>
<p>3. The applicant or lease-holding operator shall provide screening to partially obscure the mining site from view by adjoining occupied property and public roads in Soap Creek Valley and north Benton County to the extent reasonable and practicable to do so. The screening shall consist of an ornamental fence or wall, a vegetated berm, or preservation of vegetated natural slope in character with the natural landscape of Soap Creek Valley.</p>	<p>Additional Research Needed</p>
<p>4. The applicant or lease-holding operator shall ensure that the mining operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality. The applicant or lease-holding operator shall monitor noise generated by mining activities on one randomly selected day per month when noise complaints are received, notwithstanding a minimum of one time per year. Noise data and reports of findings from this monitoring shall be placed on file, in a timely way with the Benton County Community Development Department for public inspection. A berm, or other sound-absorbing construction materials such as acoustical cinder blocks or other similar methods may be used to reduce the sound off-site to levels at or below those permitted by the Oregon Department of Environmental Quality. Any sound-reduction construction will be consistent with the visual buffering required in Condition #3 above. The applicant or lease-holding</p>	<p>Additional Research Needed</p>

Conditions of Approval	Status
operator shall limit blasting to the hours of 9:00 a.m. to 5:00 p.m., Monday through Friday.	
5. Provide on-site parking for employees, customers, and visitors to the mining site.	Additional Research Needed
6. Maintain a security fence between the mining operation and the public road when such road is located within 200 feet of the mining operation.	Additional Research Needed
7. Not excavate in a manner which would result in disturbance of perimeter fencing or screening, or would impair the intent of the reclamation plan.	Additional Research Needed
8. The quarry operation hours shall occur only between 7:00 a.m. and 5:00 p.m. Monday through Friday, and 7:00 a.m. and 3:00 p.m. on Saturdays. Quarrying operations shall not be conducted on Sundays.	Additional Research Needed
9. The applicant shall retain the dual-access road system to provide for emergency service access to the subject site.	Additional Research Needed
10. the quarrying activity shall be limited to the 600 foot contour elevation and below, as show by the applicant on Attachment 2 to the application.	Additional Research Needed

Conditions of Approval	Status
11. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.	Additional Research Needed
12. Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection.	Additional Research Needed

Date	File #	Request	Result
2002	PC-02-07	A Conditional Use Permit for landfilling of an area that will be excavated for mining of mineral and aggregate resources Approved by the Planning Commission with Conditions. (West Triangle Expansion). The proposed area consists of 1.43 acres adjacent to the existing quarrying and landfill operation, and is designed to fulfill the reclamation plan for the previously approved quarry on this site.	Planning Commission approved

Conditions of Approval	Status
1. Obtain approval from the Oregon Department of Environmental Quality for landfill operations on this site.	This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.

Conditions of Approval	Status
2. In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant.	No longer applicable. Coffin Butte Road is entirely paved.
3. The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality.	County monitoring of this condition is complaint-based.
4. Provide on-site parking for employees, customers, and visitors to the landfill site.	Completed.
5. Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation.	Security fence is present
6. The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers.	<p>Per Ian McNab: Monday through Friday internal operations begin at approximately 4:30am. The site opens to commercial vehicles starting at 5am and to public vehicles starting at 8am. The site closes to both commercial and public vehicles at 5pm with onsite operations wrapping up around 5:30pm. The hours are self-imposed and can be extended based on a customer's needs.</p> <p>On Saturday internal operations begin at approximately 7:30am. The site opens to commercial and public traffic at 8am and closes to both at 5pm. Internal operations finish around 5:30pm. The site is closed on Sunday.</p> <p>The contractors constructing landfill infrastructure are allowed to operate outside of normal landfill hours, however, typically do not start before 6am and typically end by 7pm. Occasionally they also work on Sunday.</p>
7. The applicant shall retain the dual-access road system to provide for emergency service access to the subject site.	Additional Research Needed
8. The landfill activity shall be limited to the 600 foot contour elevation and below, as shown by the applicant on the Site Development Plan in the application.	Additional Research Needed

Conditions of Approval	Status
9. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.	The county regularly receives copies.
10. Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection.	The county regularly receives copies.

Date	File #	Request	Result
2003	PC-03-11	<b>A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation, approved by planning commission with conditions. This portion of the landfill would represent an addition to the existing, previously approved, Landfill Site Zone. (East triangle).</b>	<b>Planning Commission approved</b>

Conditions of Approval	Status
1. The applicant shall continue to operate within the approval of the Oregon Department of Environmental Quality Solid Waste Disposal Permit No 306.	The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.
2. In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant.	No longer relevant.

Conditions of Approval	Status
3. The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality.	County monitoring of this condition is complaint-based.
4. Provide on-site parking for employees, customers, and visitors to the landfill site.	Complied with.
5. Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation.	Complied with.
6. The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers.	<p>Per Ian McNab: Monday through Friday internal operations begin at approximately 4:30am. The site opens to commercial vehicles starting at 5am and to public vehicles starting at 8am. The site closes to both commercial and public vehicles at 5pm with onsite operations wrapping up around 5:30pm. The hours are self-imposed and can be extended based on a customer's needs.</p> <p>On Saturday internal operations begin at approximately 7:30am. The site opens to commercial and public traffic at 8am and closes to both at 5pm. Internal operations finish around 5:30pm. The site is closed on Sunday.</p> <p>The contractors constructing landfill infrastructure are allowed to operate outside of normal landfill hours, however, typically do not start before 6am and typically end by 7pm. Occasionally they also work on Sunday.</p>
7. The applicant may relocate the eastern haul road, and shall retain the dual-access road system to provide for emergency service access to the subject site.	Additional Research Needed
8. Copies of water quality, stormwater runoff, and air quality permits; and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way with the Benton County Community Development Department for public inspection.	The county regularly receives copies.

Conditions of Approval	Status
<p>9. A plan for a landscape buffer to mitigate visual impacts shall be approved by the Community Development Department. Landscape screening in the form of deciduous trees between the east triangle and Highway 99W, and a mixed deciduous/evergreen buffer shall be planted and maintained in good health by the applicant.</p>	<p>Not completed</p>
<p>10. Approval shall be obtained from the Oregon Division of State Lands for any activities on the subject property that affect designated wetlands.</p>	<p>This is a standard type of condition that ties a County permit to a permit issued by another agency. The County does not actively monitor compliance with outside agency permitting requirements, but if the outside agency determines that their permitting requirements have not been met then the applicant is also out of compliance with the Benton County permit.</p>

Date	File #	Request	Result
<p>2011</p>	<p>LU-11-016</p>	<p>Conditional Use Permit for the construction of a new public recycling and refuse transfer facility at Coffin Butte Landfill. The request also includes enhancements to the stormwater conveyance and detention system, as well as a container and drop box storage area, and a landfill construction staging and storage area in FC zone.</p>	<p>Planning Commission approved</p>

Conditions of Approval	Status
<p>1. Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment 'A' except as modified by the approval or the conditions below. Modifications to the operation of the facility other than those addressed through this decision, including, but not limited to, the relocation of additional activities, or the configuration of relocated activities in a manner not substantially in conformance with the submitted conceptual site plan, shall require approval through a Modification of a Conditional Use Permit request (BCC 53.225).</p>	<p>Standard condition requiring the applicant to implement the conditional use permit as described in their application. Compliance is not actively monitored.</p>
<p>2. As required by BCC 60.220 (2) the applicant shall record a declaratory statement acknowledging the rights of adjacent and nearby property owners to conduct forest operations consistent with the Forest Practices Act and Rules prior to issuance of building permits.</p>	<p>Completed.</p>
<p>3. The applicant shall demonstrate compliance with the applicable siting standards specified in BCC 60.405 through materials submitted for issuance of building permits.</p>	<p>In compliance.</p>
<p>4. All new facilities constructed under this approval shall comply with the applicable provisions of Building Code, Electrical Code, Plumbing Code, Mechanical Code, Fire Code, and rules and regulations imposed by state and federal agencies.</p>	<p>In compliance.</p>
<p><i>Conditions of Approval from PC-03-11 that remain applicable and should be continued (as of the time of this decision):</i></p>	
<p>1. Obtain necessary approvals from the Oregon Department of Environmental Quality for landfill operations on this site.</p>	<p>The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.</p>
<p>2. In cases where landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust-free by the applicant.</p>	<p>No longer applicable. Coffin Butte Road is entirely paved.</p>
<p>3. The applicant or lease-holding operator shall ensure that the landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality.</p>	<p>County monitoring of this condition is complaint-based.</p>

Conditions of Approval	Status
4. Provide on-site parking for employees, customers, and visitors to the landfill site.	In compliance.
5. Maintain a security fence between the landfill operation and the public road when such road is located within 200 feet of the landfill operation.	In compliance.
6. The landfill operation hours shall occur between 8:00 a.m. and 5:00 p.m. Monday through Saturday, and 12:00 p.m. through 5:00 p.m. on Sundays, with 24-hour access for commercial customers.	<p>Per Ian McNab: Monday through Friday internal operations begin at approximately 4:30am. The site opens to commercial vehicles starting at 5am and to public vehicles starting at 8am. The site closes to both commercial and public vehicles at 5pm with onsite operations wrapping up around 5:30pm. The hours are self-imposed and can be extended based on a customer's needs.</p> <p>On Saturday internal operations begin at approximately 7:30am. The site opens to commercial and public traffic at 8am and closes to both at 5pm. Internal operations finish around 5:30pm. The site is closed on Sunday.</p> <p>The contractors constructing landfill infrastructure are allowed to operate outside of normal landfill hours, however, typically do not start before 6am and typically end by 7pm. Occasionally they also work on Sunday.</p>
7. The applicant shall retain the dual-access road system to provide for emergency service access to the subject site.	Additional Research Needed
8. <i>OMITTED</i>	N/A
9. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.	The county regularly receives copies.
10. Copies of storm-water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection.	The county regularly receives copies.

Date	File #	Request	Result
2013	LU-13-061	Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure.	Planning Commission approved

Conditions of Approval	Status
1. Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment 'A', except as modified by the approval or the conditions below. Modifications to the operation of the facility other than those addressed through this decision, including, but not limited to, the relocation of additional activities, or the configuration of relocated activities in a manner not substantially in conformance with the submitted conceptual site plan, shall require approval through a Modification of a Conditional Use Permit request (BCC 53. 225).	Complied with.
2. As required by BCC 60.220 (2), the applicant shall record a declaratory statement acknowledging the rights of adjacent and nearby property owners to conduct forest operations consistent with the Forest Practices Act and Rules prior to issuance of building permits.	Additional Research Needed
3. Any new access to a county road or change to an existing access shall require a permit issued through the Benton County Public Works Department.	Advisory
4. Disturbance of 1 Acre or More. A National Pollutant Discharge Elimination System (NPDES) permit is required for all construction activities that disturb one acre or more. The NPDES permit must be obtained through Benton County Public Works and the Oregon Department of Environmental Quality.	Advisory
Conditions of Approval from prior approvals that remain in effect ( <i>as of the time of this decision</i> ):	
1. Obtain necessary approvals from the Oregon Department of Environmental Quality for Landfill operations on this site.	The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit

Conditions of Approval	Status
	then the applicant could not continue the use and would be out of compliance.
2. In cases where Landfill operations are the primary cause of traffic on unpaved public roads in the area, those roads shall be kept dust -free by the applicant.	No longer applicable. Coffin Butte Road is entirely paved.
3. The applicant or lease - holding operator shall ensure that the Landfill operation does not exceed the maximum sound level permitted by the Oregon Department of Environmental Quality.	County monitoring of this condition is complaint-based.
4. Provide on-site parking for employees, customers, and visitors to the Landfill site.	In compliance.
5. Maintain a security fence between the Landfill operation and the public road when such road is located within 200 feet of the Landfill operation.	In compliance.
6. The Landfill operation hours shall occur between 8: 00 a.m. and 5: 00 p.m. Monday through Saturday, and 12: 00 p.m. through 5: 00 p.m. on Sundays, with 24 - hour access for commercial customers.	<p>Per Ian McNab: Monday through Friday internal operations begin at approximately 4:30am. The site opens to commercial vehicles starting at 5am and to public vehicles starting at 8am. The site closes to both commercial and public vehicles at 5pm with onsite operations wrapping up around 5:30pm. The hours are self-imposed and can be extended based on a customer's needs.</p> <p>On Saturday internal operations begin at approximately 7:30am. The site opens to commercial and public traffic at 8am and closes to both at 5pm. Internal operations finish around 5:30pm. The site is closed on Sunday.</p> <p>The contractors constructing landfill infrastructure are allowed to operate outside of normal landfill hours, however, typically do not start before 6am and typically end by 7pm. Occasionally they also work on Sunday.</p>
7. The applicant shall retain the dual - access road system to provide for emergency service access to the subject site.	Additional Research Needed
8. <i>OMITTED</i>	N/A

Conditions of Approval	Status
9. Copies of water quality and air quality permits, and data produced from associated monitoring programs, required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file, in a timely way, with the Benton County Community Development Department for public inspection.	The county regularly receives copies.
10. Copies of storm -water runoff permits and data produced from associated monitoring programs required of the applicant by the Oregon Department of Environmental Quality, shall be placed on file in a timely way, with the Benton County Community Development Department for public inspection.	The county regularly receives copies.

Date	File #	Request	Result
2015	LU -15- 001	Alteration of a nonconforming use to continue and enhance a stormwater treatment facility in the Exclusive Farm Use Zone, associated with Coffin Butte Landfill.	Community Development Department Approved

Conditions of Approval	Status
1. Development shall substantially comply with the plans and narrative in the applicant' s proposal identified as Attachment A. Significant modifications to the construction or operation of the stormwater system other than those addressed through this decision shall require additional approval.	The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.
2. The applicant shall obtain and maintain compliance with the terms of all necessary federal, state, and local permits for construction and operation of the stormwater system described in this application.	The Comm. Dev. Department does not confirm and inspect records to ensure that conditions such as these are completed. It is a DEQ permit and if the DEQ does not approve the permit then the applicant could not continue the use and would be out of compliance.

Date	File #	Request	Result
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2021	LU-21-047	<b>Conditional Use Permit to expand Coffin Butte Landfill. Republic Services proposed: to create a new disposal cell for the Coffin Butte Landfill which will extend from the current cell south of Coffin Butte Road; close Coffin Butte Road to public traffic (vacate the right-of-way*) so the new cell can cover the road; relocate a replacement roadway (for landfill and quarry traffic only) around the area of the new disposal cell; relocate the leachate ponds south of Coffin Butte Road, and move some other structures. Closing Coffin Butte Road will likely require improvement of at least one other roadway in the area to accommodate increased traffic—potentially Tampico Road or Wiles and Robison Roads.</b>	<b>Planning Commission Denied; PC Decision Appealed; Appeal Withdrawn</b>
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## 5) Reporting requirements

#	Authority	Reporting Requirement	
1	<a href="#">Landfill Franchise Agreement:</a>	Operational Reports	
2		Capacity Reports	
3		Other Reports: copies relative to the operation of the landfill (Benton County & Valley Landfills, Inc., 2020)	
4	<a href="#">OAR Chapter 340, Divison 94: "(13) Records"</a> (Oregon Secretary of State, 2022)	(A) Daily listing by load of the volume or weight of solid waste received;	
5		(B) Monthly and quarterly accumulations of amounts of daily waste received."	
6	<a href="#">DEQ Solid Waste Permit Reporting Requirements</a> (Geo-Logic Associates, 2021)	Operating Record	
7		Daily amount of each waste type received and approved alternative daily cover	
8		If applicable, every quarter, record the amount of each material recovered for recycling or other beneficial purpose.	
9		Solid Waste Disposal Report/Fee Calculation form.	
10		Washed Reporting (as part of the Opportunity to Recycle Reporting)	
11		Retain copies of all records and reports for 10 years after their creation.	
12		Update all records to reflect current conditions at the facility	
13		Annual Environmental Monitoring Report (AEMR)	
14		Statement of compliance	
15		Annual leachate treatment report	
16		Split sampling submittal	
17		<a href="#">DEQ NPDES Permit</a> (Geo-Logic Associates, 2021)	Quality Assurance and Quality Control (QA/QC)
18			Monthly monitoring results
19	<a href="#">Federal Fish and Wildlife Depredation Permit</a> (Geo-Logic Associates, 2021)	Annual Report	
20	<a href="#">Oregon Title V Operating Permit for Site Air Emissions</a> (Geo-Logic Associates, 2021)	Excess emissions reporting	
21		Permit deviations reporting	
22		Semi-annual and annual reports	
23		Monthly reports	

## 6) Assumptions

## A) When will the landfill close?

Current landfill lifespan estimates assume full excavation of existing quarry, which is not expected to occur based on the current rate of excavation, site development plan and existing cell capacity. This creates a discrepancy between the reported lifespan of the landfill and existing conditions.

- i. Republic Services estimates that the site will reach capacity between 2040-2043 (Republic Services, 2022)

Current landfill lifespan estimates assume a disposal rate at Coffin Butte Landfill of 750,000 tons/year (Republic Services, 2022), which is significantly less than the latest five-year average of 979,303.93 tons/year, approximately 30% above the assumed tonnage. If Coffin Butte Landfill continues to accept waste above the estimate of 750,000 tons/year, the landfill capacity will likely be reached before the estimated timeframe.

## B) Can Benton County prohibit solid waste generated outside the county from being deposited at Coffin Butte landfill?

**Answer: No.**

The Commerce Clause, Art. I, §8, Cl. 3 of the U.S. Constitution, explicitly gives Congress the power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.” Implicit in this grant of authority is the prohibition on states (and local governments) against passage of legislation which discriminates or burdens interstate commerce. This is referred to as the “dormant Commerce Clause.”

The dormant commerce clause was the basis of a decision by the United States Supreme Court in which it ruled unconstitutional a Michigan law barring out-of-state solid waste from being deposited in landfills located in Michigan counties.

In *Fort Gratiot Sanitary Landfill, Inc. v. Michigan Dept. of Natural Resources*, 504 U.S. 353, 112 S.Ct. 2019 (1992), Michigan enacted legislation which prohibited private landfill operators from accepting solid waste originating outside the county where the facility was located, unless otherwise authorized by the county’s waste management plan. *Id.* at 353. In its challenge to that law, the landfill operator argued “that requiring a private landfill operator to limit its business to the acceptance of local waste constituted impermissible discrimination against interstate commerce.” *Id.* at 357.

As part of its analysis, the Supreme Court reexamined its holding in *Dean Milk Co. v. Madison*, 340 U.S. 349, 71 S.Ct. 295 (1951) in which the petitioner challenged a Wisconsin city ordinance “that made it unlawful to sell any milk as unpasteurized unless it had been processed at a plant ‘within a radius of five miles from the central square of Madison.’” *Dean*, at 350. That local ban, as it applied to adjacent Illinois dairy producers, was found to be unconstitutional under the Commerce Clause. *Id.* But, significantly, the Court also emphasized the intrastate unconstitutionality of the ban:

The fact that the ordinance also discriminated against all Wisconsin producers whose facilities were more than five miles from the center of the city did not mitigate its burden on interstate commerce. As we noted, it was ‘immaterial that Wisconsin milk from outside the Madison

area is subjected to the same proscription as that moving in interstate commerce. *Dean* at 345, n. 4.

*Fort Gratiot*, 504 U.S. at 362-63.

Relying on *Dean* and *Philadelphia v. New Jersey*, 437 U.S. 617, 98 S.Ct. 2531 (1978), the Court found Michigan's ban "unambiguously discriminate[s] against interstate commerce and [is] appropriately characterized as protectionist measures that cannot withstand scrutiny under the Commerce Clause." *Fort Gratiot*, 504 U.S. at 367-68.

Pursuant to the holding in *Fort Gratiot*, and the precedent cited by the U.S. Supreme Court, Benton County may not prohibit a private landfill operator from accepting solid waste from outside Benton County.

### **C) Is Coffin Butte a Regional Disposal Site?**

**Answer: Yes.**

Oregon Revised Statute (ORS) 459.005(23) defines a Regional Disposal Site as follows:

"Regional disposal site" means a disposal site that receives, or a proposed disposal site that is designed to receive more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located. As used in this subsection, "immediate service area" means the county boundary of all counties except a county that is within the boundary of the metropolitan service district. For a county within the metropolitan service district, "immediate service area" means the metropolitan service district boundary.

The immediate service area of Coffin Butte is Benton County. To constitute a regional disposal site, Coffin Butte must have been designed to "receive more than 75,000 tons of solid waste a year" from outside Benton County.

The definition set forth in ORS 459.005(23) was enacted in 1987, but at that time, limited the 75,000-ton threshold to solid waste received from commercial haulers. In 1993, the definition of regional disposal site was amended to remove the reference to commercial haulers and has remained substantively unchanged since that time.

The 1994 annual report submitted by Benton County's Environmental Health Department showed solid waste received at Coffin Butte from outside Benton County in 1993 totaled 250,655 tons. In every year thereafter, Coffin Butte has received solid waste in excess of 75,000 tons from outside Benton County.

So, while the statute uses the term "designed to receive" rather than "receives," Coffin Butte has received more than 75,000 tons of out-of-county solid waste per year and the facility is clearly designed to accommodate those volumes. Its annual out-of-county solid waste volume exceeds the statutory threshold for meeting the definition of a regional disposal site.

Before the Oregon legislature defined regional disposal sites, Benton County established Coffin Butte as a regional disposal site through the land use process. The Board order dated May 15,

1974, declared “that the proposed Coffin Butte landfill be and is hereby approved as a regional sanitary landfill site as recommended by the Chemeketa Regional Solid Waste Program Report.” The staff report accompanying that order identifies Polk, Yamhill, Marion and Linn Counties as being served by the regional sanitary landfill. Benton County Comprehensive Plan Policy 6.5.8 identifies Coffin Butte as a “Regional Sanitary Landfill.”

The Chemeketa Report designated Coffin Butte as a regional landfill. Report, pg. 24. Pursuant to the Chemeketa Report, the region to be served by Coffin Butte included Polk, Yamhill, Marion, Linn and Benton Counties.

In 1988, by Board Order, Benton County included Tillamook County among the counties to be served by Coffin Butte. In 1993-94, the Board authorized the inclusion of Lincoln County in the region.

**D) Is DEQ prohibited from permitting another landfill west of the Cascades?**

This item requires a response from Oregon DEQ.

**7) Economics**

County fees collected from landfill and collection franchises

**A) Landfill Fees**

- (i) Host fees are a credit against Franchise Fees (Benton County & Valley Landfills, Inc., 2020)

Year	Host Fee (\$ per ton)	Franchise Fee
<b>2021</b>	\$2.87	\$2,000,000
<b>2022</b>	\$2.93	\$2,040,000
<b>2023</b>	\$2.99	\$2,080,800
<b>2023</b> <i>(If landfill expansion occurs prior to 2024)</i>	\$3.91	\$2,080,800
<b>2024</b>	\$3.99	\$3,500,000
<b>2024</b> <i>(If landfill expansion occurs prior to 2024)</i>	\$3.99	\$3,500,000
<b>2025+</b>	\$3.99*	\$3,500,000*
<b>2025</b> <i>(If landfill expansion does not occur by 2025)</i>	\$3.43	\$2,500,000* (2025+)

<b>Year Granted</b> (If landfill expansion occurs 2025 or later)	\$3.99	\$3,500,000* (2024+)
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\* plus CPI Adjustment

**B) Collection Franchise Fees**

- (i) “Five percent (5%) of the gross cash receipts from collection service provided in the service area included in the franchise” (Benton County, 2022)

**C) Cost of disposal in Coffin Butte Landfill compared to other Regional Landfill or disposal option?**

- (i) This item requires further research.

**8) Examples from jurisdictions hosting landfills (Typical terms (example conditions of land-use approval from other jurisdictions with regional landfills owned and operated privately)**

**A) Gilliam County**

<b>Gilliam County 2012 CUP Conditions for Columbia Ridge Landfill (Gilliam County Court, 2012)</b>	
1	1. “REVIEW TIMELINE- On or before six months prior to the fifth anniversary of this review and every five years thereafter, the permittee shall request that the County Court, after a recommendation by the Planning Commission, with the assistance of the Planning Director, review the conditional use permit. The review shall be fulfilled if the County Court determines, after a public hearing, that:
2	a. Waste Management Disposal Services of Oregon, Inc. (WMDS) is in substantial compliance with all terms and conditions.
3	b. There has not been or is anticipated to be a substantial increase in impact on public facilities beyond that projected at the time of the 1987 CUP or beyond that presently imposed by the facility.
4	c. There have not been any substantial changes in the operation of the landfill since the last review.
5	The request for review must address (a), (b), and (c) and describe changes in landfill operation that are reportable to DEQ or that affect public facilities or the public.

<b>Gilliam County 2012 CUP Conditions for Columbia Ridge Landfill (Gilliam County Court, 2012)</b>	
6	If the County Court determines that (a), (b) or (c) is not satisfied, the County Court shall consider imposing conditions reasonably necessary to correct the noncompliance, to mitigate the increased impacts, or to address the substantial changes. WMDS may submit such proposed conditions for the County’s consideration. Upon County Court hearing and approval of the conditions reasonably necessary to address (a), (b), and/or (c), the County Court shall conclude its review and the CUP may be revised to include the new conditions. The CUP may be terminated if the County Court concludes that applicable standards of the Zoning Code and these conditions of approval are not met and cannot be met by imposition of revised conditions of approval. Until the review by the County is concluded, including resolution of any appeals, the CUP shall remain in full force and effect.
7	Prior to each review, the Citizens Advisory Committee (CAC) shall prepare a report on whether WMDS has satisfied conditions (b) and (c) above and may report on (a). The Planning Director, Planning Commission and County Court shall consider the CAC’s report in determining whether WMDS has satisfied (a), (b) and (c).
8	2. 2016 REVIEW - The review of this CUP in the year 2016 shall not be completed until a new Host Fee Agreement is in place.
9	3. IF LEGISLATURE PREEMPTS COUNTY AUTHORITY- If the Oregon Legislature preempts the County's authority to enact or enforce any condition of approval, the County and applicant will enter into an agreement providing for substantially similar benefits to the County, or else the County shall require the applicant to renew the Conditional Use Permit.
10	4. BUFFER - The applicant will maintain an adequate buffer area as described in the 1987 application.
11	5. EXPANSION - The Gilliam County Assessor is to be notified at any time a relevant change in use occurs beyond the original 520 acres (+ /-) currently disqualified from farm use deferral.
12	6. LOCAL SERVICES & VENDORS - Applicant will make best efforts to utilize the services of and purchase supplies and equipment from local vendors.
13	7. LANDFILL OPERATION - The landfill shall be operated as stated in the application. Applicant shall comply with the plans included with the application, including the erosion control and drainage plan and shall comply with these conditions. Applicant will also continue to comply with the terms of all previous applications and all previous decision documents, including findings, conclusions and conditions (collectively “Previous Terms”) for this CUP; provided however that these 2011 Conditions of Approval supersede and replace all Previous Terms to the extent they are inconsistent, as reasonably determined by the County, and further provided that where subsequently approved applications, findings and conditions (“More Recent Terms”) have expressly or implicitly superseded, modified, replaced, nullified or voided a Previous Term as reasonably determined by the County, the More Recent Terms shall be controlling.

<b>Gilliam County 2012 CUP Conditions for Columbia Ridge Landfill (Gilliam County Court, 2012)</b>	
14	8. ROAD AGREEMENT - WMDS will continue to comply with the Cedar Springs Road Improvement and Maintenance agreement with the County and the addendum thereto (Attachment A.) Attachment A may be amended from time to time by mutual agreement of the parties. As long as a road improvement and maintenance agreement remains in effect, such an amendment to the terms and conditions of the agreement will not be considered a modification of this permit.
15	9. CITIZENS ADVISORY COMMITTEE - The County Court has established a Citizen Advisory Committee to advise the Planning Commission regarding the conditional use. The Citizens Advisory Committee reports in written form, annually to the County Court. The composition of the Committee is set in the Oregon Revised Statutes. WMDS will consult with the Advisory Committee and may recommend appointees to the Committee.
16	10. OWNERSHIP TRANSFER - The permittee shall notify the County Planner and Planning Commission of any transfer of this permit. Any change in control or the transfer of a controlling interest in the beneficial ownership of permittee or of a parent corporation shall constitute a transfer of the permit within the meaning of this condition. The transfer of a controlling interest of permittee shall include, but is not limited to, the transfer of ten percent (10%) or more of the beneficial ownership of permittee or of a parent corporation to or from a single entity. However, intra-company transfers, such as transfers between different subsidiaries or branches of the Parent Corporation or permittee ("Authorized Transferees") shall not be construed as transfers of a controlling interest in permittee. In the event the permit is transferred, the transferee must notify the County Planning Director within 60 days of the date of transfer. Within 60 days of the notice of transfer other than to an Authorized Transferee, the County Court may (1) call up the permit for immediate review pursuant to Condition 1 of this permit; (2) accelerate the review date to a date within 12 months of the date of transfer; or (3) retain the review date as scheduled prior to the transfer. The County Court shall notify the transferee of its decision in writing. If the transferee fails to notify the County Court within 60 days of the date of transfer, the permit shall be called up for immediate review pursuant to the standards, procedures and requirements for Type II conditional use permits as set forth in Article 7 of the County Zoning and Land Development Ordinance. For the purposes of this section, Parent Corporation means Waste Management Holdings, Inc. as it is organized and owned on the effective date of this amended permit.
17	11. SEATTLE AND METRO CONTRACTS - The applicant is required to meet with the Gilliam County Court six months prior to the time the Seattle Waste Contract or the Metro Contract goes to another site to discuss any adverse impacts which may occur as a result of the potential loss of jobs and revenue.
18	12. COMMUNICATIONS - The applicant agrees to do the following to enhance communications:
19	A. CAC MEETINGS - WMDS will continue to actively participate at meetings of the CAC. If requested by the full CAC, WMDS will pay to the County a sum to be used strictly for notices of CAC meetings in the official County newspaper, and for mailings, photocopying, and other administrative functions related to CAC business.

<b>Gilliam County 2012 CUP Conditions for Columbia Ridge Landfill (Gilliam County Court, 2012)</b>	
20	B. WMDS CONTACT - At least annually, WMDS will publish a notice in the official County newspaper that includes the name and telephone number of the designated WMDS contact person. The contact person will be a resident of the County and will be available to answer questions from County residents and ensure appropriate follow-up on any issues raised by County residents.
21	C. MEETINGS OF GOVERNMENT BODIES - A WMDS representative will attend meetings of the following elected bodies to present an update on site activities and to answer (or learn of for follow-up) questions at the following frequencies:
22	(i) Gilliam County Court: Quarterly.
23	(ii) Arlington City Council: Semi-annual.
24	(iii) Condon City Council: Annually.
25	(iv) Gilliam County Planning Commission: Annually.
26	13. OUT OF STATE WASTE - WMDS has been authorized for and may continue to accept for disposal at the Facility waste that originates or is transported from outside of the State of Oregon
27	14. OPEN TOP CONTAINERS - If open-top containers are utilized for waste deliveries, the containers shall be fitted with tarps or otherwise tightly covered. The tarps or coverings must fully cover the waste and shall be of sufficient quality to minimize the potential for odors and blowing litter, dust, or debris. All containers will be designed and maintained in such a manner as to properly control leakage. Empty containers leaving the facility shall be similarly tightly covered.
28	Consistent with the County's intent when it approved the initial CUP in 1987, WMDS shall conduct its operation, including managing all deliveries to the site by any mode of transport and from any point of origination, so as not to create a nuisance or otherwise generate excessive legitimate complaints from the public due to odors, litter, dust, debris, etc.

<b>Gilliam County 2012 CUP Conditions for Columbia Ridge Landfill (Gilliam County Court, 2012)</b>	
29	<p>15. A. SPECIAL WASTE - WMDS is authorized to handle special wastes in accordance with the landfill's special waste management plan, as required by DEQ rules and as periodically amended. Any special wastes designated as unacceptable at the time of this renewal, but later deemed acceptable by DEQ, or any waste other than currently authorized special waste or municipal solid waste, shall not be handled without first providing written notice to be sent by either United States Postal Service (return receipt requested), United Parcel Service, Federal Express Ground or e-mail, to the Planning Director of WMDS's intent to take the waste at least 30 days before accepting such additional wastes. If the Planning Director does not notify WMDS that the County objects to acceptance of the waste within 15 days of receiving such notice, then WMDS shall be authorized to accept such waste. If the Planning Director objects to the disposal of the subject waste then the subject wastes shall not be accepted unless the Conditional Use Permit is amended to allow the wastes. If the Planning Director issues a temporary approval, pending amendment of the Conditional Use Permit, wastes may be accepted in accordance with the temporary approval while the temporary approval remains in effect. Any wastes accepted under a temporary approval are accepted on a permanent basis and do not need to be removed if the temporary approval expires and no permanent approval is obtained.</p>
30	<p>B. TECHNOLOGY AND PRACTICES - Changes in technology or practices at the landfill representing a substantial modification in landfill operations as reasonably determined by the County after the effective date of this 2011 review shall occur only after amendment of the Conditional Use Permit. WMDS shall provide written notice of changes in landfill operations that are reportable to DEQ or that affect public facilities or the public to the County Planning Director who shall determine whether the change constitutes a substantial modification. In determining whether a substantial modification has occurred, the Planning Director shall consider the cumulative effect of all changes in operations since the date of this 2011 review.</p>
31	<p>16. ARLINGTON, CONDON AND COUNTY WASTE DISPOSAL - WMDS has entered into agreements for waste disposal with the City of Arlington and the City of Condon. Franchise companies collect household and commercial waste on a regular schedule and dispose of the waste at Columbia Ridge Landfill or an approved transfer station. Transfer stations for recycling services will be provided and maintained in both cities for use by residents. In addition WMDS will provide a disposal station at the landfill for use by county residents. WMDS will dispose of all residential waste generated in Gilliam County and delivered to the Columbia Ridge Landfill, at no cost. The owner or operator of a commercial or industrial facility located in Gilliam County may dispose of waste generated within Gilliam County at Columbia Ridge Landfill at no cost unless or until the amount of waste disposed exceeds 200 tons per year. At such time, the owner or operator shall begin paying a rate negotiated with WMDS on all waste above 200 tons delivered annually to Columbia Ridge for disposal. WMDS shall notify the Planning Director of any rate established or modified pursuant to this section.</p>
32	<p>17. LITTER CONTROL - WMDS shall perform all elements of its Litter Control Plan as submitted with its Application, including but not limited to the following activities:</p>

<b>Gilliam County 2012 CUP Conditions for Columbia Ridge Landfill (Gilliam County Court, 2012)</b>	
33	A. Ensuring that containers stored on site are closed.
34	B. Ensuring that containers arriving on site are properly sealed or tarped.
35	C. Minimizing the size of the working face.
36	D. Covering the working face promptly with adequate daily cover.
37	E. Strategically locating the working face to maximize the wind-blocking effect of existing refuse hills and other natural hills.
38	F. Deploying movable litter screens down wind of the working face to catch litter as close as possible to the working face.
39	G. Employing laborers to collect papers that have blown beyond the working face.
40	WMDS shall also develop and implement other steps to control wind blown litter as necessary to further mitigate litter potential in order to address the potential from increased litter problems resulting from increased height. Anticipated additional litter control measures may include:
41	H. Wetting waste at the working face.
42	I. Additional taller litter fences and screens.
43	J. More manual labor, and increased litter removal frequency.
44	K. Semi-permanent litter fencing.
45	L. Requiring all loads, including from the public, arriving at the facility to be contained or covered.
46	In response to litter on Highway from uncovered loads delivered to the facility from the public, the CAC at quarterly meetings will address the issue; a procedure will be developed and implemented to alleviate the litter.
47	18. PATROLS FOR LITTER - At least twice per year, and more often if needed, the boundary fence with surrounding areas East of Highway 19 and off of Eight Mile Road as shown on the attached map (Attachment B) shall be patrolled for litter.
48	19. VISIBILITY OF LANDFILL - WMDS shall implement the following measures to limit, to the extent practical, visibility of the landfill height increase to travelers on Highway 19, including the view near the County owned industrial park located at the intersection of Highway 19 and Cedar Springs Road:
49	A. Planting appropriate trees and vegetation to block all views of the landfill from Highway 19 within one mile of the landfill. Tree planting shall be on the ridge between the highway and the landfill as indicated in the attached map (Attachment C) or in such other location determined by the County Planning Director to provide an effective screen. Applicant must submit a tree planting plan for consideration by the Planning Director, and shall follow the approved planting plan. If Permittee plans to increase the height of the landfill, plantings shall be made at least five years before the planned increase in elevation. Applicant shall plant poplars or other fast-growing trees as approved by the County Planning Director that will provide an effective visual block within 5 years of planting.

<b>Gilliam County 2012 CUP Conditions for Columbia Ridge Landfill (Gilliam County Court, 2012)</b>	
50	B. Optimizing fill operations to maintain interim grades at heights that prevent the landfill from being seen for as long as possible.
51	C. Minimizing the frequency and length of time the fill operations could be seen by designing and implementing a favorable fill sequence.
52	20. LANDFILL GAS COLLECTION - The landfill gas collection and flaring system currently in place is permitted as part of the conditional use permit. Any other use of landfill gas at the landfill or transportation of the landfill gas or landfill gas by-product(s) off-site, including the generation of electricity, requires authorization by the County Court. If at any time the existing Landfill Gas To Energy (LGTE) facility exceeds current capacity requiring an expansion of the facility for the generation of electricity, WMDS will meet with the County Court to discuss in good faith, the economics and the potential financial benefits that could occur for the County and WMDS from the generation of electricity.
53	21. RAILYARD OPERATIONS - The railyard and related facilities in place and operations consistent with current operations may continue, but any substantial changes in these facilities or operations as determined by the County Court shall require an amendment to the conditional use permit.
54	22. APPLICABLE LAWS AND PERMITS - The landfill shall be operated in compliance with all applicable federal, state and local regulations, including air and water pollution standards, noise restrictions, state landfill regulations, and permit requirements. Applicant shall comply with the terms of all permits issued for the site, including the DEQ solid waste disposal permit.
55	23. PLASMA GASIFICATION PROJECT - This project is authorized by Oregon DEQ through April 1, 2016 and by Gilliam County. Synthesis gas created by this project will be flared using the existing flare until the characteristics of the gas have been determined and adjustments have been made to the project so the gas can be beneficially used (for example, a back-end addition to the project to produce a liquid fuel). If at any time, the existing plasma gasification project proposes to process more solid waste than authorized by DEQ and the County, WMDS will be required to apply for any additional required authority from DEQ and Gilliam County.

## B) Morrow County

<b>Morrow County Conditions of Approval for Finley Buttes Landfill</b>	
<b>2001 Conditions of Approval (CUP-N-168) (Morrow County, 2001)</b>	
1	“The applicant shall continue to comply with the existing CUP unless a condition of this permit is inconsistent, in which case this permit shall govern.

	<b>Morrow County Conditions of Approval for Finley Buttes Landfill</b>
2	The applicant shall comply with Oregon Administrative Rules for Municipal Solid Waste Landfills (OAR 340-094) and other appropriate regulations administered by the Oregon Department of Environmental Quality.
3	The Applicant shall continue to comply with all other state and federal and local applicable permits and licenses.”
	<b>1987 Conditions of Approval – Morrow County Court (Morrow County, 1987a)</b>
4	A. “The applicant will obtain a valid permit, issued by the Department of Environmental Quality of the Environmental Quality Commission, for the operation, maintenance and closure of a landfill;
5	B. The applicant will apply for a license and will enter into a contract/agreement with Morrow County pursuant to the Morrow County Solid Waste Management Ordinance, Number MC-1-87.
6	C. The applicant will provide an all-weather paved road, approximately 9 ½ miles in length, as part of Bombing Range Road. The terms and conditions upon which such all-weather road will be provided shall be more specifically defined by the contract/agreement under the Morrow County Solid Waste Management Ordinance;
7	D. If, during construction and operation of the landfill, major archaeological artifacts are found, appropriate state agencies will be immediately contacted for proper disposition of materials;
8	E. The applicant shall comply with the following conditions of approval set forth in the staff report of the Morrow County Planning Department and adopted by the Morrow County Planning Commission, specifically conditions A(1), A (2), D, F, and G;
9	F. The applicant agrees that permitted uses on the property following closure and termination of long-term monitoring will be restricted to dry-land farming, and other uses of the property shall be conditional uses pursuant to the Morrow County Zoning Ordinance.”
	<b>1987 Staff Report Conditions of Approval (Morrow County, 1987b)</b>
10	A. “Roads
11	1. An entrance permit to Bombing Range Road approved by the Department of Public Works.
12	2. An approved design for signing and turn-out lanes to the site approved by the Department of Public Works.”
13	D. “In the Event that the request is granted, applicant will make every effort to hire needed personnel from Morrow County residents.”
14	F. “The Citizens of Morrow County and its cities, state federal agencies will have access to and use of the site.”
15	G. “No hazardous waste shall be disposed of at the site.”

**C) issue sequencing (land-use or hauling approval first)**

This information would require detailed conversations with the other jurisdictions.

**II) A Summary of the County's current rights and obligations to Republic Services, and vice versa**

*Surrounding the hauling franchise; The landfill CUP; and What legally can and cannot be conditions of any land use approvals (e.g. past compliance, compliance with future laws, codes, and policies, DEQ compliance, reopening, limitations on what can be brought into the County from where, required facilities and practices, reporting/compliance/financial monitoring requirements, etc.)*

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Landfill Rights and Obligations			
	<b>Republic Right/Republic Obligation</b> (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	<b>Authority</b>	<b>Comment</b>
1	"Operate and maintain the Landfill as a sanitary landfill for disposal of Solid Waste"	<a href="#">Landfill Franchise Agreement</a> §2(a)	
2	"Comply with Benton County's solid waste ordinance and all provisions for service as set forth in Exhibit B" (current provisions detailed in this document)	<a href="#">Landfill Franchise Agreement</a> §2(a)	Exhibit B contains Benton County Code Ch. 23.
3	"Charge tipping fees."	<a href="#">Landfill Franchise Agreement</a> §2(b)	County hasn't participated in rate setting since 2000 franchise agreement eliminated county oversight. Section 7(f) designates Republic information related to tipping fees to be confidential. BCC 23.505 specified rate structures are not reviewed by BOC.
4	"Operate and promote the use of a Pacific Region Composting Facility (PRCF)."	<a href="#">Landfill Franchise Agreement</a> §2(c)	
5	"Shall accept for disposal at the Landfill, Solid Waste created or generated within Benton County."	<a href="#">Landfill Franchise Agreement</a> §2(d)	This guarantees Benton County residents will have access to landfill as long as it is operational. Per §11(f), if Republic is unable to take Benton County-generated waste at the landfill, it will make other permitted landfills available to Benton County Solid Waste. In that case, the tipping fee shall be the same as if solid waste was disposed of at Coffin Butte. Same rate provision applies for 6 months.

Landfill Rights and Obligations			
	<b>Republic Right/Republic Obligation (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)</b>	<b>Authority</b>	<b>Comment</b>
6	"All persons holding a franchise to collect and transport municipal Solid Waste in Benton County will be permitted access to the Landfill" as long as they pay the tipping fee.	<a href="#">Landfill Franchise Agreement §2(d)</a>	This ensures municipalities within Benton County which franchise collection services can access Coffin Butte. BCC 23.410(7) codifies this requirement as well.
7	Residential self-haulers will be accepted.	<a href="#">Landfill Franchise Agreement §2(f)</a>	\$35 per residential vehicle flat fee established, to be revised by the CPI after 3 years.
8	Secure loads required and maintain litter control measures.	<a href="#">Landfill Franchise Agreement §2(h)</a>	
9	Annual franchise fee to be paid to County.	<a href="#">Landfill Franchise Agreement §4(a)</a>	Section 11(d) describes situation when uncontrollable circumstances excuse Republic from paying fees. If Republic disposes of solid waste elsewhere, but not because of uncontrollable circumstances, it must still pay franchise fee.
10	Annual host fee, based on an amount per ton of Solid Waste accepted at the landfill, will be paid to County.	<a href="#">Landfill Franchise Agreement §4(b)</a>	The host fee is a credit against the franchise fee, with the franchise fee serving as the minimum amount Republic will pay County each year.
11	Until landfill expansion is approved, annual tonnage deposited at landfill is capped at 1,100,000 tons.	<a href="#">Landfill Franchise Agreement §5(b)</a>	Within the tonnage cap, Republic must allow Benton County generated waste up to 75,000 annual tons. Solid waste deposited as a result of fire, flood, or other natural disasters is exempt from the tonnage cap.
12	Environmental Trust Fund to be maintained at no less than \$5,000,000.	<a href="#">Landfill Franchise Agreement §6(a)</a>	

Landfill Rights and Obligations			
	<b>Republic Right/Republic Obligation (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)</b>	<b>Authority</b>	<b>Comment</b>
13	Republic to maintain pollution liability insurance policy with minimum coverage of \$10,000,000.	<a href="#">Landfill Franchise Agreement §6(b)</a>	Section 6(d) requires the parties to meet every 4 years or after each 2,000,000 ton increment of solid waste is deposited to review the pollution liability insurance coverage.
14	Following year 1 of the agreement, Republic to furnish an annual report to County.	<a href="#">Landfill Franchise Agreement §7(a)</a>	Annual report on environmental condition of the landfill, "covering air, water, Solid Waste Permits, pollution controls, and related issues as determined by the parties."
15	Beginning in year 2 of the agreement, Republic to furnish remaining capacity data to County.	<a href="#">Landfill Franchise Agreement §7(b)</a>	Republic to provide BOC "necessary data to confirm the remaining capacity of the Landfill as determined by both parties." Data to include methods and calculations used.
16	Other reports to be provided to County, when submitted to other agencies.	<a href="#">Landfill Franchise Agreement §7(c)</a>	Public information and reports to state or federal agencies relative to operation of landfill to be provided to County.
17	All current and future state and federal laws must be complied with.	<a href="#">Landfill Franchise Agreement §11(a)</a>	Codified at BCC 23.410(8) and (11).
18	Republic may only "sell, convey, transfer or assign the Landfill or any of its rights, interests, or obligations under [the franchise agreement]" with County's prior written approval.	<a href="#">Landfill Franchise Agreement §11(b)</a>	
19	90-day notice required prior to discontinuance of service.	BCC 23.410(9)	

Landfill Rights and Obligations			
	<b>Republic Right/Republic Obligation (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)</b>	<b>Authority</b>	<b>Comment</b>
20	<b>DEQ</b> permit required to operate landfill	<a href="#">ORS 459.205</a>	Term of permit not to exceed 10 years. ORS 459.245(d).
21	Cleanup of hazardous substance contaminating ground water	<a href="#">ORS 459.248</a>	
22	Closure of landfill site.	<a href="#">ORS 459.268</a> , <a href="#">OAR 340-094-0100</a>	
23	Groundwater monitoring	<a href="#">OAR 340-094-0080</a>	
24	Emissions Standards	<a href="#">OAR 340-236-0500</a>	
25	Franchise Agreement may only be reopened with "the mutual approval of both the Board and [Republic]."	<a href="#">BCC 23.310(2)</a>	
26	Republic and County will "work together" to monitor the flow of C&D materials and work toward establishing a transfer facility.	<a href="#">Landfill Franchise Agreement §2(g)</a>	
27	"Negotiate in good faith to establish a program to promote self-haulers and cease activities by illegal dumpers."	<a href="#">Landfill Franchise Agreement §2(e)</a>	Parties to establish a Dump-Stoppers program by July 1, 2021 with a joint report to BOC three years thereafter.
28	If landfill expansion occurs prior to 2024, host fee will be adjusted to reflect additional landfill space.	<a href="#">Landfill Franchise Agreement §4(c)(i)</a>	
29	If landfill expansion occurs 2025 or later, host fee and franchise fee will be adjusted.	<a href="#">Landfill Franchise Agreement §4(c)(ii)</a>	
30	Inspections of landfill by County authorized.	<a href="#">Landfill Franchise Agreement §7(d)</a>	County has the right to inspect landfill for "determining [Republic's] compliance" with the franchise agreement.
31	County may prevent interruption of service.	<a href="#">BCC 23.415</a>	If failure or interruption of service would create an "immediate and serious health hazard or serious public

Landfill Rights and Obligations			
	Republic Right/Republic Obligation (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	Authority	Comment
			nuisance," the BOC, with 24-hours' written notice to Republic, authorize county personnel or other persons to temporarily provide the service.

Collection Rights and Obligations				
	Republic Right/Republic Obligation (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	Responsible Party	Authority	Comment
	Republic to provide solid waste collection and recycling services in the service areas specified in its application	Republic	<a href="#">Solid Waste Collection Franchise Agreement ¶1</a>	Service area is all of the unincorporated area of Benton County. See Map attached to application.
	Republic to pay fee of 5% of gross cash receipts from collection service provided in service area	Republic	<a href="#">Board Order D2022-044 ¶3</a>	
	Republic to comply with applicable provisions of BCC Ch. 23 (Current provisions detailed in this document)	Republic	<a href="#">Board Order D2022-044 ¶4</a>	
	Annual submission of service/days of week map	Republic	<a href="#">Board Order D2022-044 ¶8</a>	
	Coordinate recycling efforts with solid waste collection efforts to enhance recycling/recovery and meet state goals.	Republic	<a href="#">Board Order D2022-044 ¶9</a>	State goals found at ORS 459A.010.
	Make reasonable effort to resolve customer complaints on service, record written complaints and their disposition.	Republic	<a href="#">Solid Waste Collection Franchise App. §5.E.</a>	

<b>Collection Rights and Obligations</b>				
	<b>Republic Right/Republic Obligation</b> (A Republic "right" is a County "obligation" and vice versa unless another entity is noted)	<b>Responsible Party</b>	<b>Authority</b>	<b>Comment</b>
	Provide solid waste collection at least weekly.	Republic	<a href="#">BCC 23.410(1)</a>	23.410 provide some exceptions to this baseline requirement.
	Provide and maintain adequate equipment to handle and dispose of or resource recover solid waste.	Republic	<a href="#">BCC 23.410(2)</a>	
	Set rate structure.	Republic, County	<a href="#">BCC 23.505, 23.510</a>	Republic proposes rates, county reviews and approves. Rate adjustments to accommodate Refuse Rate Index adjustments may not need BOC approval if contemplated in prior BOC order.
	If County wants to consider a new solid waste service, Republic will provide written proposal within reasonable period of time, including proposed methods and costs for the service.	Republic, County	<a href="#">Solid Waste Collection Franchise Agreement</a> ¶17	Also found in Order, paragraph 7.
	Agreement to be amended by July 1, 2024 "to include same or similar terms as the forthcoming City of Corvallis collection franchise agreement, including, but not limited to, the same termination date, as well as concepts from the consensus-seeking process."	Republic, County	<a href="#">Solid Waste Collection Franchise Agreement</a> ¶12	This provision is also found in the BOC Order granting the franchise at section 2.
	County may prevent interruption of service.	County	<a href="#">BCC 23.415</a>	If failure or interruption of service would create an "immediate and serious health hazard or serious public nuisance," the BOC,

Collection Rights and Obligations				
	Republic Right/Republic Obligation (A Republic “right” is a County “obligation” and vice versa unless another entity is noted)	Responsible Party	Authority	Comment
				with 24-hours' written notice to Republic, authorize county personnel or other persons to temporarily provide the service.
	County to protect franchise rights and interests granted Republic to achieve compliance with BCC Ch. 23.	County	<a href="#">Solid Waste Collection Franchise Agreement</a> ¶15	

**III) A Summary of the rights and obligations of other entities surrounding landfills, hauling, and sustainability initiatives, etc.**

*The following table list questions for various federal, state, tribal, and local entities regarding rights and obligations. The table includes preliminary research relating to entity roles and authority. Each entity will be contacted and asked to respond to these questions, to help provide more information.*

### Other Entity Rights and Obligations

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
US Environmental Protection Agency (EPA)	How does the RCRA rules apply to solid waste in Benton County?	Establish minimum national criteria under the Resource Conservation and Recovery Act (RCRA or the Act), as amended, for all municipal solid waste landfill (MSWLF) units. Primary implementation role delegated to States. (US EPA, 2021)	EPA, Oregon DEQ	<a href="#">United States Environmental Protection Agency in Title 40, CFR, Part 258</a>	
	How does the Clean Air Act rules apply to solid waste in Benton County?	b. Clean Air Act – Oregon Title V program i. 42 USC 7661a Requires Oregon to manage a permit program for major industrial sources of air pollution (Department of Environmental Quality, n.d.)	EPA, Oregon DEQ	<a href="#">42 USC 7661a</a>	
	What GHG reporting requirements are there for landfills?	c. Greenhouse gas emissions reporting i. EPA’s 40 CFR Parts 86, 87, 89 et al. (Final Mandatory Reporting of Greenhouse Gases (GHG) Rule) established the EPA Greenhouse Gas Reporting Program (GHGRP) , which requires reporting from large emitters and gas generators. (Environmental Protection Agency, 2009)	Republic Services	<a href="#">EPA’s 40 CFR Parts 86, 87, 89 et al.</a>	
	Is there any landfill authority which EPA maintains and has not passed on to the State of Oregon?				

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
	What are the rights and obligations both retained and delegated by EPA, which are associated with landfills, hauling, and materials management?				
Tribal	What are the rights and obligations both retained and delegated by tribal governments, which are associated with landfills, hauling, and materials management?				

### Other Entity Rights and Obligations

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
Oregon Department of Environmental Quality (DEQ)	What Resource Conservation and Recovery Act (RCRA) authority is delegated to Oregon?	<p>a. RCRA – Oregon disposal site permitting</p> <p>i. 340-094-0010 Adoption Of United States Environmental Protection Agency Municipal Solid Waste Regulations (1) Except as otherwise modified or specified by OAR 340, divisions 93 through 97, the criteria for municipal solid waste landfills, prescribed by the United States Environmental Protection Agency in Title 40, CFR, Part 258, and any amendments or technical corrections promulgated thereto as of January 1, 1996 August 1, 1997 are adopted by reference and prescribed by the Commission to be observed by all persons who receive municipal solid waste and who are subject to ORS 459.005 through 459.405 and 459A. (Oregon Secretary of State, 2022)</p>	Oregon DEQ	<a href="#">OAR 340-094-0010</a>	

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
	<p>a. What is the step-by-step DEQ landfill permitting process and associated timing?</p>	<p>i. 459.235 Applications for permits; fees. (1) Applications for permits shall be on forms prescribed by the Department of Environmental Quality. An application shall contain a description of the existing and proposed operation and the existing and proposed facilities at the site, with detailed plans and specifications for any facilities to be constructed. The application shall include a recommendation by each local government unit having jurisdiction and such other information the department deems necessary in order to determine whether the site and solid waste disposal facilities located at the site and the operation will comply with applicable requirements. (State of Oregon, 2021)</p> <p>ii. 459.245 Issuance of permits; terms; refusal to renew; disposal of liquid waste. (1) If the disposal site meets the requirements of ORS 459.005 to 459.105 and 459.205 to 459.385 and rules of the Environmental Quality Commission adopted pursuant thereto, the Department of Environmental Quality shall issue the permit. Every completed application shall be</p>	<p>Republic Services, Oregon DEQ</p>	<p><a href="#">459.235, 459.245</a></p>	

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
		<p>approved or disapproved within 60 days after its receipt by the department. Except as provided in ORS 459.055 or for a permit issued under the process set forth in ORS 517.952 to 517.989, if the department fails to act within the time allowed, the application shall be considered approved unless an extension of time is granted by the commission on a showing of good cause by the department.</p> <p>1. (2) Disposal site permits shall be issued for a period not to exceed 10 years, to be determined by the department and specified in the permit.</p> <p>2. (3) Subject to the provisions of ORS chapter 183, the department may refuse to renew a permit unless the disposal site meets the requirements of subsection (1) of this section. (State of Oregon, 2021)</p>			

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
	<p>What authority does DEQ have over landfills, and what are the limits to that authority?</p>	<p>i. Solid Waste Disposal Site Permit                      1. 459.205 Permit required. (1) Except as provided by ORS 459.215, a disposal site shall not be established, operated, maintained or substantially altered, expanded or improved, and a change shall not be made in the method or type of disposal at a disposal site, until the person owning or controlling the disposal site obtains a permit therefor from the Department of Environmental Quality as provided in ORS 459.235.                      a. (2) The person who holds or last held the permit issued under subsection (1) of this section, or, if that person fails to comply, then the person owning or controlling a land disposal site that is closed and no longer receiving solid waste must continue or renew the permit required under subsection (1) of this section after the site is closed for the duration of the period in which the department continues to actively supervise the site, even though solid waste is no longer received at the site. [1971 c.648 §6; 1983 c.766 §7; 1993 c.560 §21a] (State of Oregon, 2021)</p>	<p>Republic Services, Oregon DEQ</p>	<p>ORS <a href="#">459.205</a></p>	

### Other Entity Rights and Obligations

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
	What enforcement and monitoring does DEQ use for “prohibited waste”?	<p>459.247 Prohibition on disposal of certain solid waste at disposal site. (1) No person shall dispose of and no disposal site operator shall knowingly accept for disposal the following types of solid waste at a solid waste disposal site:</p> <ul style="list-style-type: none"> <li>(a) Discarded or abandoned vehicles;</li> <li>(b) Discarded large home or industrial appliances;</li> <li>(c) Used oil;</li> <li>(d) Tires;</li> <li>(e) Lead-acid batteries; or</li> <li>(f) Covered electronic devices.</li> </ul>	Oregon DEQ, Republic Services		
	What authority is delegated by the EPA?				

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
	<p>What are DEQ's rights and obligations regarding groundwater associated with landfills?</p>	<p>459.248 Cleanup of hazardous substance contaminating ground water. In addition to any other authority granted by law, if the Department of Environmental Quality finds that ground water is contaminated with a hazardous substance originating at a land disposal site, the department may require cleanup of the hazardous substance pursuant to authority under ORS 465.200 to 465.545. As used in this section, "hazardous substance" has the meaning given that term in ORS 465.200. [1993 c.526 §3] (State of Oregon, 2021)</p>	<p>Republic Services, Oregon DEQ</p>	<p><a href="#">ORS 459.248</a></p>	

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
		<p>(6) Additional Requirements to Protect or to Monitor Potential Threats to Groundwater. When a person applies to construct a new or expanded landfill cell at a municipal solid waste landfill, the Department shall evaluate the need to provide protection to groundwater in addition to the requirements of 40 CFR, Part 258, Subpart D. The Department shall also evaluate whether the specific conditions at the site require an enhanced ability to monitor potential threats to groundwater in addition to the requirements in 40 CFR, Part 258, Subpart E. The evaluation shall be based on site-specific data, including but not limited to location, geography, hydrogeology and size of the site. To assist in the Department’s evaluation, the applicant shall provide necessary relevant data. The Department may require a secondary leachate collection system, and/or leak detection system, or other design or technology providing equivalent protection to the environment if the Department determines that:</p> <p>(a) There is significant potential for adverse impact to groundwater from</p>	<p>Republic Services, Oregon DEQ</p>	<p><a href="#">OAR 340-094-0060</a></p>	

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
		<p>the proposed cell; or</p> <p>(b) Additional measures are necessary to provide adequate monitoring of potential threats to the groundwater.</p>			

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**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
		<p>Groundwater Monitoring and Corrective Action</p> <p>If a municipal solid waste landfill is subject to 40 CFR, Part 258 as provided in 40 CFR, §258.1, the owner or operator shall comply with groundwater monitoring and corrective action requirements in 40 CFR, Part 258, Subpart E. Consistent with those requirements, all municipal solid waste landfill owners and operators shall also comply with this rule: (See rule for more detail)</p>	<p>Republic Services, Oregon DEQ</p>	<p><a href="http://340-094-0080">340-094-0080</a></p>	
		<p>(4) Sensitive Hydrogeological Environments. In addition to the requirements of 40 CFR, Part 258, Subpart B, no person shall establish or expand a landfill in a gravel pit excavated into or above a water table aquifer or other sensitive or sole source aquifer, or in a wellhead protection area, where the Department has determined that:</p> <p>(a) Groundwater must be protected from pollution because it has existing or potential beneficial uses (OAR 340-040-0020); and</p> <p>(b) Existing natural protection is</p>	<p>Republic Services, Oregon DEQ</p>	<p><a href="http://340-094-0030">340-094-0030</a></p>	

### Other Entity Rights and Obligations

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
		insufficient or inadequate to minimize the risk of polluting groundwater.			
	What are DEQ's rights and obligations regarding leachate associated with landfills?	(3) Leachate. In addition to the requirements of 40 CFR, Part 258, Subpart D, any person designing or constructing a landfill shall ensure that leachate production is minimized. Where required by the Department, leachate shall be collected and treated or otherwise controlled in a manner approved by the Department. Leachate storage and treatment impoundments shall be located, designed, constructed and monitored, at a minimum, to the same standards of environmental protection as municipal solid waste landfills.	Republic Services, Oregon DEQ	<a href="#">OAR 340-094-0060</a>	
	What are DEQ's rights and obligations regarding noise associated with landfills?	OAR 340-030-0035 established DEQ regulation of industrial or commercial noise levels. OAR 340-030-0110 states legislative funding for DEQ's oversight of noise control was defunded in 1991.		OAR <a href="#">340-035-0030</a> , OAR <a href="#">340-035-0110</a>	
	What are DEQ's rights and obligations regarding odors	(4) Gas Control. No person shall establish, expand or modify a landfill such that:  (a) The concentration of methane (CH4)	Republic Services, Oregon DEQ	<a href="#">OAR 340-094-0060</a>	

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
	associated with landfills?	<p>gas at the landfill exceeds 25 percent of its lower explosive limit in facility structures (excluding gas control or gas recovery system components) or its lower explosive limit at the property boundary;</p> <p>(b) Malodorous decomposition gases become a public nuisance.</p>			
	What fugitive methane emissions standards and monitoring is required by the landfill?	<p>ii. Air Quality Permit                      (1) All sources subject to this division must have an Oregon Title V Operating Permit that assures compliance by the source with all applicable requirements in effect as of the date of permit issuance. (Oregon Secretary of State, n.d.-a)</p> <p>340-239-0100                      Landfills with Greater Than or Equal to 200,000 Tons of Waste-in-Place</p> <p>(4) The owner or operator of a landfill having greater than or equal to 200,000 tons of waste-in-place must submit an annual Waste-in-Place Report to DEQ pursuant to OAR 340-239-0700(3)(e) and an annual Methane Generation Rate Report, pursuant to OAR 340-239-0700(3)(f), until the owner or operator submits a Closure Notification pursuant</p>	<p>Republic Services,                      Oregon DEQ</p>	<p><a href="#">340-218-0010</a></p> <p><a href="#">340-239</a></p>	

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
		<p>to OAR 340-239-0700(3)(a). The initial Waste-in-Place Report and Methane Generation Rate Report submitted by a landfill pursuant to sections (1), (2) or (3) shall satisfy this requirement for the initial year it applies to a landfill.</p> <p>340-239-0800 Test Methods and Procedures</p> <p>When required as provided in OAR 340-239-0100 through 340-239-0700, the owner or operator of a landfill must comply with the test methods and procedures for monitoring and measurements in this rule. (Oregon Secretary of State, n.d.-b)</p>			
	<p>Can or should the County consider DEQ permitting topics when assessing the local land use application criteria?</p>				
<p>Oregon Department of Fish and Wildlife (ODFW)</p>	<p>a. What restrictions does the landfill have regarding wildlife?</p>	<p>. (3) Endangered Species. In addition to the requirements of 40 CFR, Part 258, Subpart B, no person shall establish, expand or modify a landfill in a manner that will cause or contribute to the actual or attempted: (a) Harassing,</p>	<p>Republic Services, Oregon</p>	<p><a href="#">OAR 340-094-0030</a></p>	

**Other Entity Rights and Obligations**

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
		harming, pursuing, hunting, wounding, killing, trapping, capturing or collecting of any endangered or threatened species of plants, fish, or wildlife; (b) Direct or indirect alteration of critical habitat which appreciably diminishes the likelihood of the survival and recovery of endangered or threatened species using that habitat. (Oregon Secretary of State, 2022)			
Oregon Department of State Lands (DSL)	What are the rights and obligations both retained and delegated by DSL, which are associated with landfills, hauling, and materials management?				
Water Resource Commission	What are the rights and obligations both retained and delegated by Water Resource Commission, which are associated with landfills, hauling, and materials management?				
Oregon Department of	What are the rights and obligations				

### Other Entity Rights and Obligations

Agency	Question	Right or Obligation	Responsible Party	Authority	Comment
Transportation (ODOT)	both retained and delegated by ODOT, which are associated with landfills, hauling, and materials management?				
Metro	What are the rights and obligations associated with landfills, hauling, and materials management?	a. Financial Reporting	Republic Services, Metro	<a href="#">Designated Facility Agreement, Metro Contract No. 936520</a> (Metro, 2019)	
City of Corvallis	What are the rights and obligations both retained and delegated by Corvallis, which are associated with landfills, hauling, and materials management?	a. Stormwater Discharge Reporting	Republic services, City of Corvallis	<a href="#">City of Corvallis Industrial Wastewater Discharge Permit No. 5</a>	
		Solid Waste Collection Franchise, negotiations with the hauler heavily influence Benton County's agreement.	City of Corvallis, Republic Services	<a href="#">City of Corvallis Ordinance No. 2015-13</a>	
City of Salem	What are the rights and obligations both retained and delegated by	a. Stormwater Discharge Reporting	Republic Services, City of Salem	<a href="#">City of Salem Wastewater Discharge Permit No. WD7577</a>	

**Other Entity Rights and Obligations**

<b>Agency</b>	<b>Question</b>	<b>Right or Obligation</b>	<b>Responsible Party</b>	<b>Authority</b>	<b>Comment</b>
	Salem, associated with landfills, hauling, and materials management?				

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## Section E: Public-facing Document and Community Education Campaign

## Section F: Member Statements

[List in Alpha Order]

Last Meeting Transcript

## V. Process Reflections

a. Overview

b. Process Evaluation Summary

## VI. Appendix

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. List of Photos Referenced

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