

**From:** [Paul Nietfeld](#)  
**To:** [FULLER Brian \\* DEQ](#)  
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**Subject:** Re: Questions to ODEQ regarding the Coffin Butte Site Development Plan  
**Date:** Tuesday, November 15, 2022 5:18:02 PM

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Hello Brian,

Thank you very much for the answers and comments. Your statements in answer to Question #2 are consistent with what was stated by the Republic Service members' comments in our subcommittee meeting today.

So:

- We have the correct SDP document.
- The SDP is useful in terms of cell definition (probably including the volume calculations) but is not itself a useful reference for expected intake volume (we are discussing what adjustments might be appropriate to the intake volume for a more realistic projection of landfill life).
- No pending closure notification is on file (not unexpected but a helpful confirmation).

Thank you again, I very much appreciate the feedback.

Regards,  
Paul Nietfeld

On Tue, Nov 15, 2022 at 5:00 PM FULLER Brian \* DEQ  
<[Brian.FULLER@deq.oregon.gov](mailto:Brian.FULLER@deq.oregon.gov)> wrote:

Hi Paul – thank you for your questions. Please see my answers in blue below:

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**From:** Paul Nietfeld <[pnielfeld@gmail.com](mailto:pnielfeld@gmail.com)>  
**Sent:** Monday, November 14, 2022 8:44 AM  
**To:** FULLER Brian \* DEQ <[Brian.FULLER@deq.oregon.gov](mailto:Brian.FULLER@deq.oregon.gov)>  
**Cc:** [crgilbert@comcast.net](mailto:crgilbert@comcast.net); [BMay@co.marion.or.us](mailto:BMay@co.marion.or.us); SANDERSON Shane <[ssanderson@co.linn.or.us](mailto:ssanderson@co.linn.or.us)>; [IMacnab@republicservices.com](mailto:IMacnab@republicservices.com); Mark Yeager <[mayeager@gmail.com](mailto:mayeager@gmail.com)>; [grough@republicservices.com](mailto:grough@republicservices.com); Ken Eklund <[writerguy@writerguy.com](mailto:writerguy@writerguy.com)>; Bromann, Bill <[WBromann@republicservices.com](mailto:WBromann@republicservices.com)>; REDICK Daniel <[daniel.redick@co.benton.or.us](mailto:daniel.redick@co.benton.or.us)>; Sam Imperati <[samimperati@icmresolutions.com](mailto:samimperati@icmresolutions.com)>; Benton County Talks Trash <[bentoncountytalkstrash@co.benton.or.us](mailto:bentoncountytalkstrash@co.benton.or.us)>  
**Subject:** Questions to ODEQ regarding the Coffin Butte Site Development Plan

I am a private citizen volunteer on the Benton County Talks Trash A.1 Subcommittee. We are charged with documenting the basic operational record of the landfill (land area, disposal cell delineation, intake volume history, and capacity history) and projecting its forward service life (future intake, capacity over time, and expected End of Life (EOL)).

I have promoted the idea of using the Coffin Butte Site Development Plan (SDP) as the committee's forward service life baseline and nominal reference, to which we can apply potential skewing factors such as inflow of unexpected fire debris, change in recycling rates, population changes, etc. to generate an expected range of EOL values. I would appreciate your feedback on the questions below to assist in determining if use of the Coffin Butte SDP as a baseline for our forward-looking projections is a prudent strategy. We expect to discuss this approach in our next meeting on Tuesday Nov. 15.

1. Please confirm that the Site Development Plan document dated December 2021 and prepared for Valley Landfills, Inc. by Geo-Logic Associates is the official, current site development plan for the Coffin Butte Landfill under Oregon DEQ Solid Waste Disposal Site Permit #306 issued July 28, 2020. For reference, see the Benton County Materials Management Document Library page at <https://www.co.benton.or.us/cd/page/materials-management-document-library>.

**Yes, the December 2021 SDP was approved by DEQ in June of 2022.**

2. Please provide guidance on the degree to which this SDP is considered definitive or binding, and the extent to which the franchisee is granted latitude to deviate from this plan without seeking review or approval from ODEQ. Our subcommittee will be particularly interested in potential deviations from stated expected intake volumes over the life of the landfill, and therefore potentially significant deviations from the stated expected EOL date (CY2039). Specifically, what change in solid waste intake volume and/or what changes in anticipated EOL would be considered by ODEQ to be "significant" under Clause 4.3 of Permit #306? For example, would the franchisee be allowed to operate indefinitely at intake levels 25-30% higher than the level used in the site life calculation documented in the SDP (Appendix B), with resultant impact on the EOL date, without the need for review or approval by ODEQ, a modification of the SDP and/or an update of the Land Use Compatibility Statement?

**Your question is really case specific, the answer is it depends on the particular issue, question or section of the SDP.**

**DEQ does not regulate the volume of incoming waste per se – there is not a permit**

condition regarding the minimum or maximum volume of waste the facility can receive over a given period of time. A better way to view it is that DEQ regulates how the landfill is built and monitored. Engineering standards and regulations dictate the size, sequencing and location of the individual landfill cells. For the most part DEQ does not get involved in the speed at which the cells are filled (i.e. intake volume), rather that the cells are built, operated and closed in accordance with regulations and requirements. Fill volumes can vary so there is not a standard by which we would require an update to the SDP due to annual volume fluctuations. The volume or airspace of a landfill that is allowed for waste disposal is limited to its approved footprint, the final cover slope (1 vertical:3 horizontal) and other engineering concerns. It is difficult to predict the volume of waste received. Some examples of unexpected situations that would affect the landfill's projected life are the Riverbend landfill's decision to stop accepting waste, wildfire debris, COVID leading to an increase in waste generation and economic downturns that in turn result in less waste generation.

The plan can be updated as needed.

DEQ is not a party to any franchise agreements. Modification of the Land Use Compatibility Statement questions should be directed to the County. Our use of the LUCS is to verify that the local government has approved that the zoning for the proposed facility is allowed. If a local government puts conditions in their approval it is up to that local government to ensure that those conditions are met. DEQ can't enforce conditions in a conditional use permit issued by a local government. Waste volume changes would not trigger the need for an update to the LUCS by DEQ. Provided increased waste volumes were being deposited in approved DEQ landfill cells, volume fluctuations would not trigger an immediate update to the SDP.

3. Related to the forward life projection topic, the Benton County Talks Trash workgroup has received documents from the franchisee warning of a pending cell sequencing issue at Coffin Butte and implying that this issue could cause service disruption at Coffin Butte in the near future (i.e. within five years). For example, from the Republic Services [Coffin Butte Landfill Fact Sheets of 9/14](#) <emphasis in the original>:

Coffin Butte has approximately **four years of life remaining** in the current disposal area. There are an additional 15 years of estimated capacity in the on-site quarry. However, there are active, ongoing quarry operations. In addition, the engineering and construction work needed to properly prepare the quarry for disposal operations is estimated to take roughly four years. **As a result – without the proposed expansion – Coffin Butte is at risk of running out of air space.** That would mean the County's waste would have no viable outlet, creating unprecedented disruptions and added costs for everyone – from businesses and schools to local governments and residents.

Has the permittee applied for a closure permit for the Coffin Butte facility as is required at least five years prior to closure as mandated in Clause 12.3 of the site permit?

**The permittee has not applied for a closure permit, nor has DEQ required one at this time. DEQ relies on the engineered estimate of remaining capacity found in the site development plan. The 2021 SDP projects that capacity is reached in 2039. Quarry operations and the proposed expansion outside of the existing permitted footprint could impact the estimate of when the landfill will run out of space and need to close.**

Thank you for any confirmation or clarification you can provide.

Paul Nietfeld