



**Benton  
County**  
OREGON

# **Benton County Disposal Site Advisory Committee**

**Packet for meeting on April 9, 2025**

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**COMMUNITY DEVELOPMENT DEPARTMENT**  
**4500 SW Research Way**  
**Corvallis, OR 97333-1192**  
**(541) 766-6819**

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**Disposal Site Advisory Committee (DSAC)**

**AGENDA**

**April 9, 2025**

**6:00 p.m. – 8:00 p.m.**

**4500 SW Research Way, Corvallis, OR 97333**

This meeting will be held in-person. The meeting will be accessible online for those unable to attend.

<https://us06web.zoom.us/j/88247921911?pwd=EQw4Ofo6VVJNGuVr9KMWWhTx96R6LKs.1>

Meeting ID: **882 4792 1911**

Passcode: **680718**

DSAC website with meeting materials, including the meeting packet:

<https://cd.bentoncountyor.gov/disposal-site-advisory-committee-dsac>

Agenda Item #	Start Time	Duration	Topic	Speaker(s)
1	6:00 p.m.	5 min.	Call to Order and welcome new members	Chair
2	6:05 p.m.	20 min.	Public comment – your comments welcome. Each commenter generally limited to 3 minutes.	Public
3	6:25 p.m.	10 min.	Review the draft of the last meeting’s minutes and action items.	Committee
4	6:35 p.m.	10 min.	Paul Nietfeld – Tracking solid waste amounts and reimbursements	Paul Nietfeld
5	6:45 p.m.	10 min.	Fire Safety - update	David Hackleman
6	6:55 p.m.	5 min.	Break	Committee
7	7:00 p.m.	50 min.	CUP Expansion Application – DSAC may provide input	Committee
8	7:50 p.m.	5 min.	Request Agenda Items, staff requests for next meeting	Committee
9	7:55 p.m.	5 min.	Next meeting/wrap up/adjourn	Chair



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### **Disposal Site Advisory Committee (DSAC) Membership**

<b>Name</b>	<b>Term</b>	<b>Name</b>	<b>Term</b>
Rachel Purcell, Chair	1/1/24 - 12/31/25	Chuck Gilbert	1/1/24 - 12/31/25
David Hackleman, Vice-Chair	1/1/24 - 12/31/25	Paul Koster, Landfill Representative	1/1/24 - 12/31/25
Jennifer Field	1/1/24 - 12/31/25	New Member #1	
Brent Pawlowski	1/1/24 - 12/31/25	New Member #2	
David Livesay	10/1/24 - 12/31/25	New Member #3	
Charlene Carroll	10/1/24 - 12/31/25		
<b>Benton County Staff</b>			
Petra Schuetz, Interim Community Development Director			
Bailey Payne, Solid Waste Program Coordinator			

DSAC Members Excused:

# Planning DSAC Schedule for 2025

January '25						
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# DSAC Minutes from March 12, 2025



**Benton  
County**

**COMMUNITY DEVELOPMENT  
DEPARTMENT**

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**4500 SW Research Way  
Corvallis, OR 97333-1192  
(541) 766-6819**

**MEETING MINUTES**

**Disposal Site Advisory Committee (DSAC)**

**March 12, 2025**

Benton County DSAC Chair Rachel Purcell called the meeting to order at 6:02 P.M. The meeting was open to the public virtually via a published Zoom link.

**COMMITTEE MEMBERS ATTENDING**

Rachel Purcell, Chair (present)  
David Hackleman, Vice-Chair (virtual)  
Jennifer Field (present)  
*Chuck Gilbert (absent?)*  
*Brent Pawlowski (absent?)*  
*Jeff Morrell (absent?)*  
Charlene Carroll (virtual)  
David Livesay (present)  
Paul Koster, Republic Services (present)

**STAFF**

Petra Schuetz, Interim Community  
Development Director and Planning Official  
Sean McGuire, Sustainability Coordinator

**GUESTS**

Camille (no last name; from Zoom report)  
Ken Eklund (from Zoom chat)  
Debbie Palmer  
Kate Harris (from Zoom chat)  
Kevin Kenaga  
Paul Nietfeld  
Jason Schindler (from Zoom chat)

**Agenda Item #1: Call to Order**

**No roll called.**

Sean McGuire provided an update on the Environment and Natural Resources Advisory Committee's (ENRAC) role in evaluating the landfill expansion application process. Since the Solid Waste Advisory Committee (SWAC) is currently inactive, ENRAC was tasked with making a recommendation to the Planning Commission (PC), though ENRAC has no formal checklist and are expected to form their own criteria. Three county staff will help with this process and develop an overview of procedure, boundaries to the process, and appropriate

20 recommendations. The process involves multiple levels of review, starting with the PC,  
21 followed by potential appeals to the Board of Commissioners, and ultimately the Land Use  
22 Board of Appeals (LUBA). McGuire mentioned there is no formal checklist to evaluate  
23 criteria; ENRAC will develop templates and questions what should be considered, and to  
24 accomplish it as quickly as possible. ENRAC has but four or five weeks to consider factors  
25 including, but not limited to, the environment, natural resources, water pollution toxins,  
26 and leachate. No calendar dates have been determined as of this point, but possibly mid-  
27 April for planning and a decision in early May, with multiple days for public comment.

28  
29 Chair Purcell asked if the PC requested specific input; McGuire replied no, ENRAC will  
30 provide an agency referral with a collective viewpoint as a County Advisory Committee.  
31 Purcell asked if the PC decisions have to be made based on the land use code; McGuire  
32 replied the three lines in the land use code are extremely vague as to what defines area and  
33 groundwater. Each agency can decide what specifics they would like the PC to consider.  
34 Livesay wondered about Oregon Department of Fish and Wildlife or DEQ interacting with or  
35 affecting ENRAC; McGuire confirmed ENRAC is not beholden to any other agency or  
36 committee. Livesay wondered about weighted scores of ENRAC comments; McGuire  
37 stated there are no weighted metrics. The PC will receive unweighted comments from  
38 ENRAC as well as public comment to consider. Purcell asked about the legal basis for  
39 decision-making being grounded in the law, development code, and the county's overall  
40 2040 Goals. McGuire responded the PC will look at the information presented with their  
41 own thought process, as volunteers. An appeal process after the PC decision will involve  
42 the Board of Commissioners with their own legal interpretation, then possibly an appeal to  
43 LUBA, which makes the final legal call. Purcell noted those opposed to the expansion may  
44 want to consider submitting public comment based on development code rather than  
45 relying on strong feelings against expansion. Gilbert suggested reviewing the previous  
46 process from 2021 as there are insights which provide perspective to the process. Carroll  
47 wondered about LUBA's appeal process. McGuire was unsure as to LUBA's process but was  
48 willing to ask the county attorney for input. Gilbert mentioned district courts were used in  
49 the 1960s but the state transferred jurisdiction to a land use board predicated upon land  
50 use laws. Schindler, as Chair of ENRAC, commented that with Carroll's presence on  
51 ENRAC, there is better coordination between it and DSAC. ENRAC has a sense of mandate  
52 but a lack of templates to follow; Schindler appreciated the work already done by DSAC  
53 and wondered how to increase collaboration for ease of process. Purcell noted the  
54 presence of a representative from Republic Services on DSAC, as well as members with  
55 specific fields of professional and personal expertise and was open to the idea of beginning  
56 a collaboration.

58 **Agenda Item #2: Public Comment @ 17:04**

59 Debbie Palmer from the Valley Neighbors for Environmental Quality and Safety (VNEQS)  
60 addressed the group, requesting that her comments be passed along to ENRAC since they  
61 do not accept public comments and urged ENRAC to engage with VNEQS as community  
62 members with facts and documents to share going back as far as 2021. Palmer stated the  
63 PC's decision is quasi-judicial and subjective, and LUBA is reluctant to overturn county  
64 commissioner decisions unless there is a legal technicality. She felt indicating conditions  
65 of approval for the Coffin Butte Landfill expansion would effectively signify agreement to  
66 the expansion, warning that never before in the history of the landfill have conditions of  
67 approval been enforced. Palmer stated the SWAC was dissolved by county commissioners

68  
69 Paul Nietfeld provided an update on his previous question from February 2025's DSAC  
70 meeting regarding intake volume reconciliation used as the basis for the host fee  
71 calculation, which is important to the county as revenue. Nietfeld explained he is working  
72 with Bailey Payne and Ginger Richardson of Republic Services to get a definitive answer  
73 and present it to DSAC via Payne. The county needs a way to cross check information  
74 against the publicly reported information to DEQ. He hoped for transparency regarding the  
75 size of the host fee check paid out in the middle of January in the year following the  
76 calendar year of the intake. Nietfeld asked Koster for his input; Koster replied the  
77 information reported was vetted to be accurate; Brett Davis was working with to verify with  
78 the financial arm. Payne confirmed he will be speaking with Brett on this topic in the  
79 upcoming week.

80  
81 **Agenda Item #3: Approval of Meeting Minutes and Action Items from February 12, 2025**

82 The committee reviewed the previous meeting's minutes and noted a minor correction  
83 regarding the last name of a committee member. No further corrections or clarifications  
84 were offered.

85 Field made a motion to approve the Minutes; Carroll seconded the motion. The **motion**  
86 **passed with 5 ayes, 0 nays**, and abstentions from Livesay and Koster.

87  
88 For February action items, the group briefly discussed ongoing priorities but deferred  
89 detailed discussions to the second half of the meeting during the goal discussion. One  
90 specific action item mentioned was arranging for retired hydrologist Eric Tuppen to present  
91 to DSAC at a future meeting, possibly in May 2025. Livesay had questions about the  
92 monitoring network with regard to valid data collection and heavy metal sampling from  
93 wells after reviewing graphs and plots from 2023, specifically well 26 and seasonal  
94 variability and nested wells installed in the 1970s. He would like to reach out to DEQ for  
95 their opinion on those being used as compliance wells. Koster and Livesay discussed the



types of wells used in Oregon previously and currently versus wells used in other states. Purcell restated there would be an opportunity to discuss in the second half of the meeting regarding 2025 priorities.

Carroll reported on her outreach efforts to Senator Merkley's office and an additional special contact but has received no response as of yet. She flagged evidence of an Environmental Protection Agency (EPA) investigation included in the meeting packet and noted that the Title V Air Quality Permit for Coffin Butte Landfill, originally issued in 2015, has not been updated for the amount on the air quality permit despite increased landfill intake and external waste sources. The early January 2025 DEQ hearing for the air quality permit has been postponed again. Purcell wished to discuss the air quality topic further in the meeting as it relates to DSAC's questions about methane.

#### **Agenda Item #4: Approval of 2024 Coffin Butte Landfill Community Concerns Annual Report**

The meeting focused on the approval of the 2024 Community Concerns Annual Report (CCAR), which marks the final one to be reviewed before all outstanding concerns are addressed. Purcell was surprised over the number of odor complaints. Carroll like the color wheel but suggested displaying complaint numbers as digits for better clarity when county commissioners review the report. The discussion covered how complaints are tracked and investigated, especially those related to odors, with some challenges noted due to missing details like location or type of odor. Complaints come through various channels, including RS and DEQ, and are investigated by RS reviewing weather data and visiting locations when possible. Koster is obtaining an anemometer to determine wind direction. A concern was raised about the difficulty accessing the odor complaint form on the Coffin Butte website. Koster acknowledged this issue and agreed to work on website accessibility for submitting complaints and to enable more immediate responses to investigating complaints; he also said odor complaints can be made via the DEQ website. It was also noted that providing an immediate response to complaints is challenging, particularly when complaints come in after hours or are delayed by as much as ten days. Efforts are being made to streamline the process for quicker responses.

Carroll moved to approve the CCAR report, with the agreed-upon change to display complaint numbers as digits, for submission to Oregon DEQ; **Field seconded the motion, which passed with 6 ayes** and one non-vote as Hackleman dropped out of Zoom due to connectivity issues and could not vote.

#### **Agenda Item #5: DSAC Scope and Goals Expressed as 2025 Priorities\***

Purcell focused on setting priorities for 2025 to narrow down key focus areas given limited resources and the desire to provide actionable and meaningful input to the county commissioners. A review was made of the DSAC Committees shared by Payne with committee members via email (\*Exhibit 1 – DSAC Committees).

Purcell read out the chart's column titles for brevity; the committee was asked to vote on their top four priorities, with members providing feedback on various topics. Some members emphasized the importance of focusing on PFAS, methane, and odor issues, suggesting that these could be grouped together as air and water-related concerns. Others agreed that the expansion application and the Title 5 permit should also be top priorities. The group discussed the timeline for addressing these priorities, especially the upcoming decision on the expansion application, which would likely take precedence due to its timing. A final decision on the top priorities was set to be made, with the goal of ensuring manageable deliverables for the year. The discussion revolves around the top priorities for waste management and environmental issues, with several participants offering their input. Hackleman prioritizes addressing fire and methane issues, along with concerns regarding PFAS contamination, litter, and road damage. Pawlowski focuses on air quality, leachate, and expansion concerns. Chuck highlights methane, PFAS, water quality, and road damage as key issues. Paul expresses interest in methane and odors, groundwater, and leakage management. The group also discusses the potential for community education, outreach efforts, and better understanding of waste management's impact on methane production. They aim to develop a collective knowledge base to address these complex issues, considering potential actions like writing letters to the planning commission or liaising with agencies like ENRAC. They plan to share information publicly for transparency and future educational purposes. Additionally, the group acknowledges that while some issues are operational and easier to address, others, such as methane, PFAS, and groundwater, are more complex with long-term consequences. The discussion focuses on the logistics of collaborating on a white paper regarding landfill expansion and related environmental issues. The group is considering using Google Docs for efficient collaboration, though there are concerns about public accessibility and privacy. A member volunteers to provide a short overview of PFAS and its environmental impact, hoping to contribute valuable information to the ongoing work. The conversation turns to the urgency of providing feedback on the expansion proposal, as the deadline for public comments is fast approaching. Some members express concerns about environmental risks such as PFAS contamination and methane leaks at the Coffin Butte site, emphasizing the need for comprehensive input to guide decision-making. The committee plans to work on their comments in a timely manner, considering both the current landfill situation and the potential expansion. Members acknowledge the diversity of views within the group and

stress the importance of weighing the scientific and environmental factors carefully before making a decision. The conversation revolves around organizing a response to a document request from the EPA regarding environmental concerns at a landfill site. Benton County Community Development clarifies that the request is not an investigation but rather a document request aimed at understanding emissions and environmental impacts across various sites. The team discusses the need to submit comments by the end of April and strategizes on how to address this in the planning process. They propose creating a Google Doc to track questions and concerns related to the site, particularly those that would be important for the planning commission to know before the public comment period closes. The goal is to compile the most relevant information and refine it in future meetings. The group agrees to focus initially on top priority questions, acknowledging that some issues, such as groundwater contamination, may require further context for a complete understanding. Benton County Community Development emphasizes the need for spatial context in addressing these concerns and suggests gathering information from broader sources. The plan is to create a working document where all questions and details can be added and refined over time. During a meeting about environmental concerns related to a landfill site, discussions focused on clarifying the timeline for submitting comments and responses. Benton County Community Development highlighted the importance of submitting a letter to the planning commission by the end of April, after which they would engage in public comment. Charli Carroll clarified that the matter at hand was a document request, not an investigation, emphasizing the EPA's goal of understanding emissions from landfills nationwide. Various technologies are being explored to address issues like PFAS contamination, but challenges remain regarding the capacity to handle the scale of the problem.

The team proposed starting a Google Doc to collect questions and concerns, with the goal of addressing them before the planning commission's public comment period closes. The document would serve as a working draft, allowing everyone to add relevant topics. The importance of prioritizing key questions was emphasized to ensure that responses are coherent. Benton County Community Development stressed the need for context when addressing environmental issues, especially groundwater contamination. The conversation concluded with plans to move forward with the document and a focus on refining the questions for further action.

#### **\*Exhibit 1 – DSAC Committees**

DSAC Committees	Fire Safety In collaboration with Republic Services, the Fire Safety Committee will explore additional safety measures to prevent fires at the site.	Methane / Odors In collaboration with Republic Services, the Methane / Odors Committee will explore landfill gas monitoring technologies and odor mitigation strategies in an effort to better understand and mitigate the emissions.	CUP Expansion Application The CUP Expansion Application Committee will monitor the expansion process and will provide informational updates to the DSAC. The Committee may propose that the DSAC provide public comment (in person or in writing) to the Planning Commission.	Title V Air Permit The Title V Air Permit Committee will monitor the application process and update the DSAC.	Coffin Butte Reports The Coffin Butte Reports Committee will provide input on the Republic Services annual Coffin Butte report and environmental report (typically in the late spring).	Litter Abatement The Litter Abatement Committee will collaborate with Republic Services to address roadside litter on roads surrounding the landfill.	PFAS & Leachate Management	Traffic and Road Damage	Wildlife Stewardship	Community Education about DSAC	Service Issues at Landfill (wait times, billing)	Hydrology and Groundwater
Brent Pawlowski			1	1			1				1	
Chuck Gilbert		1					1	1				1
Jennifer Field		1	1				1					1
David Hackleman		1				1	1	1				
Rachel Purcell		1	1				1			1		
Paul Koster												
Charlene Carroll		1	1				1					1
David Livesay		1		1			1					1
	0	6	4	2	0	1	7	2	0	1	1	4

## Agenda Item #6: Agenda Items and Staff Requests for Next Meeting

The meeting focused on several key topics, including the potential involvement of a hydrologist, Eric, or a new consultant to analyze groundwater data in the area. There was discussion about the complexities of local hydrology, particularly regarding the division of flow between Soap Creek and other geological features, which could complicate well data interpretation. Kate Harris suggested that Republic offer free well tests to homeowners to demonstrate goodwill, while David Hackleman proposed the county could handle this instead. The group also emphasized the importance of not attributing nutrient contamination solely to the landfill, as other sources like septic systems could be contributing factors. Additionally, materials on EPA measurements and leachate movement into the Willamette River were shared, along with a clarification email. The meeting ended with a reminder to review the shared documents before adjourning.

**Adjourned at 7:58 P.M. after** Carroll moved to adjourn; David Livesay seconded.

**Next Meeting:** Wednesday, April 9, 2025, in the Holmes & Shipley Meeting Room, First Floor, Kalapuya Building, 4500 SW Research Way, Corvallis, Oregon, at 6:00 P.M.

Action Items	Lead	Status
1. Chair Purcell to start a Google Doc for committee members to add questions and details about the site related to responding to the expansion proposal.	Purcell	Completed
2. Field to prepare a short overview presentation on PFAS in leachate, air, and landfills for the next meeting.	Field	Postponed to next meeting
3. Koster to reach out to the new hydrology consultant to potentially review groundwater data and present findings to the committee.	Koster	

4. Committee members to review the EPA measurements document and VMAX flyer included in the meeting packet.	Committee	
5. Koster to compile answers to the committee's priority questions about the expansion proposal once they are finalized.	Koster	
6. Committee to decide at the next meeting how to proceed with providing input on the expansion proposal to the Planning Commission.	Committee	

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# Host Fee Tonnage Calculation Report to Benton County DSAC

# Report to the Benton County Disposal Site Advisory Committee

## Calculation of Host Fee Tonnage from ODEQ disposal reports

April 7, 2025 (Revised)

Paul Nietfeld, Bailey Payne

### Definitions

**2020 LFA:** The currently-governing Landfill Franchise Agreement, signed in December 2020 by Benton County and the operator of the Coffin Butte Landfill, Valley Landfills, Inc. (a subsidiary of Republic Services, Inc. of Phoenix AZ). The term of this agreement is 20 years (CY2021 through CY2040). Among many other items, the 2020 LFA defines a Franchise Fee, a Host Fee, and a Tonnage Cap (defined below). Both the Franchise Fee and the Host Fee rate are fixed for each calendar year within the agreement term and are determined by whether or not expansion of the landfill is fully approved and permitted onto the Expansion Parcel (defined in Exhibit C of the 2020 LFA; this is [Taxlot 104180001107](#), also referenced as Plot 14 in the BCTT Final Report), as well as adjustments for inflation.

**Franchise Fee:** Defined in the 2020 LFA, an annual fee to be paid in 12 equal monthly installments by Valley Landfills, Inc. to Benton County. For CY2025 the Franchise Fee is \$2.5M, assuming expansion approval is not completed during the year (it would be \$3.5M if expansion were approved and fully permitted in the 2025 calendar year). The Franchise Fee establishes a minimum guaranteed baseline for the annual payment to Benton County by the landfill. The total paid for a given calendar year may be higher, depending on the Host Fee (below).

**Host Fee:** Defined in the 2020 LFA, a fee calculated by multiplying the intake tonnage of Solid Waste ("Host Fee Tonnage", below) by the per-ton factor (the Host Fee rate) for that calendar year. If the result of this calculation exceeds the Franchise Fee, the difference is paid to Benton County in January of the following year. For example, in 2024 the Host Fee Tonnage was 1,045,112 Tons and the Host Fee rate multiplier was \$3.99/Ton, yielding a total Host Fee value of \$4,169,999. \$3.5M had been paid during the year for the 2024 Franchise Fee, so the Host Fee overage of \$669,998.85 was paid to Benton County in January 2025.

**Tonnage Cap:** Defined in Section 5 of the 2020 LFA, the total intake tonnage of Solid Waste at the Coffin Butte landfill shall not exceed 1,100,000 Tons during any calendar year. Exceptions are provided for waste generated by fire, flood, natural disaster or any Force Majeure event. Note that in the event that expansion approval onto the Expansion Parcel is granted and permitted the Tonnage Cap is eliminated.

**Host Fee Tonnage:** The volume of Coffin Butte landfill's intake of Solid Waste (in Tons) in a given calendar year, used to calculate the Host Fee value for that year (see above).

**Solid Waste:** Defined in the 2020 LFA, represents all useless and discarded materials but specifically excludes hazardous waste, fertilizer materials, and material used for Alternate Daily Cover. Thus, the Solid Waste intake for any given period will generally be somewhat less than the total intake, primarily due to Alternative Daily Cover.

**Alternative Daily Cover:** material used for the compacted six-inch soil layer required by the operating permit to seal the landfill working surface at the end of each business day.

**CBAR:** The Coffin Butte Annual Report released by the landfill operator, typically in Q2 of the year following the reporting period. Among other items, this report provides detail on intake tonnage, airspace used, and projected remaining landfill life.

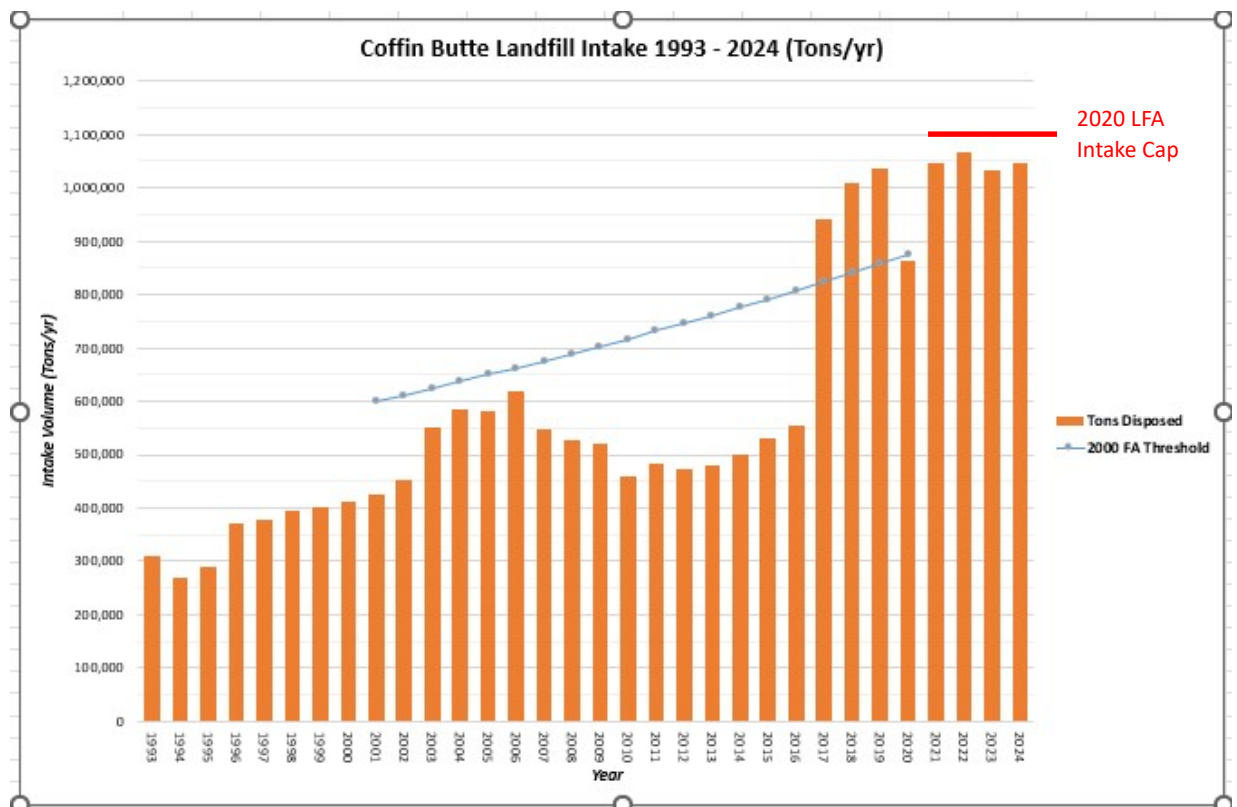
**ODEQ SWDR:** Oregon Department of Environmental Quality Solid Waste Disposal Report. These reports are required to be filed quarterly by the landfill operator and contain detailed information on intake tonnages, broken down by material type and county of origin.

## Question

*How can the Host Fee Tonnage be calculated from the ODEQ SWDR filings?*

## Importance/Utility

1. **Verification of the annual Host Fee payment.** Knowing the Host Fee Tonnage for a given year allows Benton County staff to verify the Host Fee payment for that year. This is basic due diligence and fiscal responsibility.
2. **Projection of expected Host Fee revenue.** Since the ODEQ SWDR filings are made on a quarterly basis throughout the year, tracking the quarterly components of the Host Fee Tonnage allows Benton County to project the size of the total landfill revenue for the year. This is particularly valuable in 2025 and subsequent years if intake volumes remain at or above the level at which the Host Fee determines the total annual landfill operating fee payout.
3. **Intake volume monitoring.** Quarterly datapoints provide closer to real-time intake volume data than annual CBAR releases. This is important for monitoring intake relative to the Tonnage Cap.





## Result: Host Fee Tonnage Calculation

Approximate value (generally accurate to within 1% or better):

$$\begin{aligned} \text{Host Fee Tonnage} = & \text{Total Tons Received in Reporting Period (ODEQ SWDR Page 1)} \\ & + \text{Sewage Sludge (ODEQ SWDR Page 1)} \\ & - \text{Oregon ADC-Qualified Waste (ODEQ SWDR Page 2)} \end{aligned}$$

### Caveats:

1. This calculation should not be expected to provide an exact figure for the final Host Fee Tonnage, but under normal conditions (no significant intake of disaster debris, hazardous waste, etc.) should provide an estimate sufficiently accurate to be useful for the revenue verification, revenue projection and intake volume monitoring functions.
2. Because of the large magnitude of the typical intake tonnage figure, even a 1% error equates to roughly 1,000 Tons, so discrepancies of several hundred Tons should be considered expected.
3. In the event of a large discrepancy (>1%) between the calculated Host Fee Tonnage value and the officially reported value, the result should be brought to the attention of the landfill operator.

## Reference: Landfill Revenue 2021 – 2024, with 2025 Projection

Year	Franchise Fee	Host Fee Rate (\$/Ton)	CBAR Reported Intake Tonnage	Calculated Host Fee Tonnage	Calculated Host Fee	Total Revenue Paid
2021	\$2,000,000	\$2.87	1,046,067	966,030	\$2,772,506	\$2,772,506
2022	\$2,040,000	\$2.93	1,066,752	**	**	\$3,124,656
2023	\$2,080,000	\$2.99	1,032,214	1,029,400	\$3,077,906	\$3,086,254
2024	\$3,500,000	\$3.99	1,045,112	1,045,810	\$4,172,781	\$4,169,999
2025	\$2,500,000	\$3.43	-	1,050,000 (est.)	\$3,601,500 (est.)	\$3,601,500 (est.)

\* Necessary information (ADC volume) missing from the supplied ODEQ SWDR documents.

The 2025 revenue estimate assumes expansion is not approved and fully permitted in CY2025.

## Summary

The simple calculation defined above will allow Benton County staff to

- Verify the total landfill fees paid for any given year using ODEQ SWDR data and the fee factors defined in the 2020 LFA, and
- Estimate the total expected landfill revenue payment during the current year, on a quarterly basis.

Additionally, using the quarterly Host Fee Tonnage calculated values Benton County staff and/or DSAC can monitor intake volume against the Intake Cap, if applicable.

## Recommendations

1. ~~**Bailey Payne / Paul Nietfeld:** Perform the Host Fee Tonnage calculation for years 2021 and 2022 and evaluate the result against the actual landfill fees paid for those years (i.e. reverse-calculating the Host Fee Tonnage by dividing the total paid by the Host Fee rate for that year).~~
2. **Bailey Payne:** Determine if the top-line “Intake Tonnage” reporting in the Coffin Butte Annual Reports changed between 2022 and 2023 (e.g. from total intake tonnage to “Solid Waste” tonnage).
3. **DSAC:** Consider requesting that Valley Landfills, Inc. provide both the Solid Waste (the Host Fee Tonnage) and the total intake tonnage figures in future annual reports. The Solid Waste figure is useful for determining the Host Fee and checking against the Intake Cap, and the total intake tonnage is necessary for tracking the airspace volume used (by means of the packing density figure), so both figures are relevant and of interest to Benton County.
4. **DSAC:** Consider requesting that Valley Landfills, Inc. provide a comprehensive definition of “Solid Waste” in terms of all subtractions from the ODEQ “Total Tons Received” figure, thereby enabling exact tracking of the Host Fee Tonnage based on the quarterly ODEQ SWDR filings.

# Fire Safety Update

Chair Purcell: A meeting was held at the Business office at the Coffin Butte Landfill site on Wednesday, 26 March 2025 commencing at 0800.

Attendees included Bailey Payne of Benton County, Julie Jackson, Broc Kienholz, Paul Koster, and Bret Davis of Republic Services, Kevin Higgins acting on his own behalf and resident in the area, Aaron Harris (Chief) and Mike Larkin of Adair Rural Fire Department and myself, David Hackleman.

The topic under discussion was to develop an improved plan for ensuring early detection and response in the event of eruptions of fire during periods in which the Landfill is not staffed and operating. This means during the periods of time from close and employees leaving (6:30PM) and re-open of operations (4:30AM) operational day and for the duration of Sundays. (Based on information from Republic Services.

All attendees contributed significantly to the meeting discussion and in conclusion, opportunities for improvement and cooperation were outlined.

Mr. Bret Davis supplied details of the conclusions and action items. These were circulated to all members of the meeting with an opportunity to offer other insights and are attached below this summary.

Summary:

1. The team believes that actions should be performed to better empower the Adair Rural Fire department through surveillance for fire eruption during periods of time outside the operations hours of the landfill during "Fire season" and especially during "Red Flag Days."
2. The team believes that initial actions can be accomplished through the use of extended hours of labor in the form of "fire watch" personnel and/or through the use of simple inexpensive forward looking Infrared (FLIR) video camera systems that would be monitored on a frequent schedule by such "fire watch" personnel based on Adair Rural Fire Department (ADF) criteria.

This type of initial action will enable the opportunity to consider more automated techniques should they be found to be reliable and effective. Possible candidates include equipment utilized by US and State Forestry Departments to watch for forest fire outbreaks as well as other commercial systems or systems used in other Republic Services landfills.

We wish to provide these comments including the notes below for discussion by the Benton County Disposal Site Advisory Committee (BCDSAC) as a whole during our next meeting on 9 April 2025.

Subsequent to our meeting, as fire safety is a key component of our County environment, I believe we should forward a briefing to the County Commissioners.

Below are the notes forwarded by Mr. Davis:

Summary

1. Primary concern appears to be "after hours" fire detection and communication to responders. (Coffin Butte Leadership & Adair Fire Dept)

2. Recent fires at Coffin Butte were reported by citizens passing by on Hwy 99. and there was consensus that relying on the public to report fires is not sufficient.]
3. Further discussion focused the concern on "Fire Season." Fire Season varies from year to year based on regional conditions and is determined by ODF.
4. An even deeper discussion resulted in "Red Flag Days" as crucial for being on alert for fire hazards and deserve "extra coverage." These days have high temperatures, high winds, and humidity below 25% that increase the risk of fires in the region. These days can be communicated from ODF through Adair Fire Dept to Coffin Butte Leadership, which is desired, and are often known in advance.

#### Action Items

1. Adair Fire Dept to gather details from ODF on current fire detection that is utilized in the state, and if it can be utilized in a smaller version. Supposedly, cameras are now utilized where humans were once stationed in lookout towers for forest fire detection. For example: On a tower above CB Landfill? How much are the cameras? What system is used to communicate to responders?
2. Republic to discuss "after hour" coverage for Fire Watch during "Fire Season" as communicated by Adair Fire Dept (2 – 4 hrs each day after closure of landfill, during fire season)
3. Republic to discuss "Red Flag Days" and coverage for Fire Watch, as timeframe after hours can often go later into the evening beyond the 2 – 4 hrs after closure (there are typically only about 10-12 days annually that meet this criteria)
4. Republic to provide an updated Management Contact List to Adair Fire Dept

#### Other

1. Adair Fire Dept was given Access Codes to locks at both Coffin Butte & PRC (we believe they had access already, but codes were given again for assurance)
2. Adair Fire Dept was given permission to cut any and all locks if access is needed and Access Codes aren't working (locks are replaceable)
3. Discussed meeting more often to ensure Republic [Services] and Adair Fire Dept are working together, suggested meeting at the beginning and end of Fire Season Annually

# EPA Letter

**From:** [Conley, Sara](#)  
**To:** [PAYNE Bailey](#)  
**Subject:** RE: Coffin Butte Landfill  
**Date:** Monday, March 24, 2025 8:51:57 AM  
**Attachments:** [image001.png](#)

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Bailey,

Sorry for the delay. Unfortunately I cannot provide any update other than to say that the information you have from former Administrator Regan is accurate. Landfills were part of a National Enforcement and Compliance Initiative (NECI). These NECIs dictate, to some degree, how EPA uses its enforcement resources. Since these initiatives are national, the focus on Landfills was large in scope and the since it was a focus of compliance efforts there were many landfill inspections nationwide. Sorry for the limited answer. There is no timeline for decision. I did conduct an inspection in June of 2024, report issued late August 2024. Let me know if you have not seen that report.

Sara Conley

Air Enforcement Officer  
Air and Toxics Enforcement Section  
Enforcement and Compliance Assurance Division  
U.S. EPA Region 10  
[Conley.Sara@epa.gov](mailto:Conley.Sara@epa.gov)  
**206-553-6914**

---

**From:** PAYNE Bailey <bailey.payne@bentoncountyor.gov>  
**Sent:** Thursday, March 13, 2025 9:40 AM  
**To:** Conley, Sara <Conley.Sara@epa.gov>  
**Subject:** Coffin Butte Landfill

**Caution:** This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Hi Sara,

My name is Bailey and I am the solid waste program coordinator for Benton County (Oregon). I'm the staff lead of the Benton County Disposal Site Advisory Committee and methane and odor emissions are a focus area for the group. The Coffin Butte Landfill has

applied for an expansion and I think that it would be helpful to know the status of any investigation happening with Coffin Butte's emissions.

In August I saw [an article](#) in the Statesman Journal where the former Director Regan said, "But I can tell you that we are coordinating with the state of Oregon. It's an active case and we are laser-focused on this case." I'd appreciate any updates that you can provide about this issue. For example, is there a timeline for a decision? Is Coffin Butte an outlier or are landfills above a certain size all being investigated? Are there any enforcement actions planned?

Thanks for any clarification that you can provide.

-Bailey



**Bailey Payne**

Solid Waste Program Coordinator

(541) 224-1339

[Bailey.Payne@BentonCountyOR.gov](mailto:Bailey.Payne@BentonCountyOR.gov)



# Email from the Chair of the Planning Commission

**From:** [Nicholas Fowler](#)  
**To:** [Rachel Purcell](#)  
**Cc:** [PAYNE Bailey](#)  
**Subject:** Re: DSAC Meeting on 4/9  
**Date:** Friday, March 28, 2025 10:53:09 AM  
**Attachments:** [image001.png](#)

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Rachel,

The Planning Commission appreciates and values DSAC offering its perspective on the landfill expansion application.

This application will not be treated any differently from any other application for a conditional use permit despite it receiving much more attention and anticipated public input. The Planning Commission is charged with making its decision based solely on information in the record within the context of the Benton County Comprehensive Plan and Development Code. Having DSAC perspective on the record is very valuable.

I'm doing this from memory, so please forgive me should I cite an erroneous section, but the Comprehensive Plan and Development Code are both available and searchable on the County's website.

Landfills have a dedicated section in the Code, I believe Section 77. So the application will be judged against this section.

And Section 77 requires a conditional use application for expansion, so it is also subject to Section 53. Section 53 contains a number of tests for approval and these tests have some room for interpretation particular to any given application. Again from memory, the tests include - the proposed use ...

1. must not "seriously interfere" with adjacent property uses, the "character" of the area, and the purpose of the zone.
2. must not place an "undue burden" on public infrastructure or services

The words/phrases in quotes are where there is some room for interpretation as these terms are not defined in Code. The Planning Commission may approve with conditions to mitigate these items or deny outright based on the Code.

The most helpful input from DSAC would reflect its opinion of the application in light of the Comprehensive Plan and the Development Code pertinent to this application, Sections 77 and 53.

I hope this helps and please let me know if I can add anything else.

Best regards,

Nick

On Fri, Mar 28, 2025 at 1:25 PM Rachel Purcell <[rcp.corvallis@fastmail.com](mailto:rcp.corvallis@fastmail.com)> wrote:

Dear Nick,

Thanks for the offer to field questions by email. Our main one at this point is about the criteria the Planning Commission will use to evaluate the expansion proposal.

We want to make sure that DSAC is offering input that is germane and helpful to your deliberations. Can you walk us through how you will be assessing the proposal/the elements you will be considering?

Best wishes,  
Rachel  
DSAC Chair

On Thu, Mar 27, 2025, at 1:45 PM, Nicholas Fowler wrote:

Dear Bailey,

Thank you for the invitation. Unfortunately, I am away on an extended business trip through April 12 and unable to attend. I would be happy to attempt to answer questions by email if that is an option. And obviously Petra is intimately familiar with the Planning Commission process.

Regards,

Nick

On Thu, Mar 27, 2025 at 1:38 PM PAYNE Bailey  
<[bailey.payne@bentoncountyor.gov](mailto:bailey.payne@bentoncountyor.gov)> wrote:

Hi Nick,

The Disposal Site Advisory Committee is considering providing input to the Planning Commission on the CUP expansion application. Our chair, Rachel Prucell, thought that it may be helpful to invite you to attend so that the members can ask questions about the process. We could put you on early in the agenda if you happen to be available on Wednesday, April 9<sup>th</sup> at 6pm. The meetings are held at the Kalapuya Building on Research Way.

Thanks Nick and your service on the Planning Commission is appreciated!

-Bailey

7. The EPA investigation  
of Coffin Butte Landfill  
moves into a new phase: a  
timeline and explainer –  
Provided by Ken Eklund

## **The EPA investigation of Coffin Butte Landfill moves into a new phase: a timeline and explainer**

Hello DSAC:

- You'll remember at your February DSAC meeting, you asked Bailey to file a Freedom of Information Act request to determine what was happening with the EPA investigation of Coffin Butte Landfill.
- At the March DSAC meeting, Bailey shared his results: on January 16, the EPA's enforcement division served an Information Request on Coffin Butte Landfill. I didn't understand at the time what the Information Request is, so I did some research.

Examining the document's cover letter:

- The EPA actually served the document on CT Corporation, the Registered Agent for Republic Services in Oregon; registered agents receive legal documents like this on behalf of their clients. CT Corporation sent the Information Request on to the legal department at Republic Services in Phoenix on January 21, with a cover letter describing what the document is and what its legal process is:
  - the document is a subpoena for business records
  - the business records are for the legal process "United States Environmental Protection Agency vs. Republic Services."

Examining the document itself:

- Technically, it's a "Clean Air Act Section 114 Information Request," which is functionally a government subpoena.
- There are two kinds of Section 114 Information Requests: "rulemaking" ones and "enforcement" ones. This is an enforcement IR: it was filed by the Manager of the Air and Land Enforcement Branch of Region 10 of the EPA, and the document states it is requiring records to determine "whether any violations of the Clean Air Act have occurred."
- This Section 114 Information Request requires the landfill's Environmental Manager to provide a near-exhaustive list of environmental records that the EPA requires the landfill to keep.
- The document requires someone at Republic to certify that the information provided is "true, accurate and complete" under threat of fines or prison.
- The deadline for the information requested was March 21.

What does a Section 114 Information Request signify?  
Here's what a Google search turns up:

- **The EPA investigation has moved into its next phase: assessing compliance.** "Section 114 of the Clean Air Act grants the EPA the authority to require information from individuals, businesses, and organizations to assess compliance with the law's provisions. It serves as a crucial tool in the EPA's arsenal for gathering data and ensuring accountability in matters related to air pollution." [webpage](#)
- **It's the environmental equivalent of getting an IRS audit.** "Simply put, it is a formal, written request for information from EPA regarding Clean Air Act-related activities at a facility - the environmental equivalent of an IRS audit." [pdf](#)
- **It shows intention to initiate enforcement action; it's the initial stage of an enforcement action.** "What does EPA want? – To find instances of non-compliance and initiate an enforcement action." [pdf](#)
- **Enforcement may mean significant penalties.** "If the EPA determines that a facility has violated the Clean Air Act based on the information obtained through Section 114, it can initiate enforcement actions. These actions can include the assessment of civil penalties, the issuance of compliance orders, or the initiation of legal proceedings. The penalties for non-compliance can be significant, ranging from monetary fines to injunctive relief requiring the facility to take corrective actions to mitigate air pollution." [webpage](#)
- **It's no joke, to be served a letter like this.** "One of the most troubling pieces of mail that an environmental manager or corporate official can receive is a Section 114 letter from the U.S. Environmental Protection Agency." [pdf](#)
- **Best for Republic to act as if it is being sued. "Respond as if it were litigation.** There may be many reasons that the EPA sends an information request, but often the EPA is looking for evidence of violations. Treat all responses to information requests as if you were responding to discovery in litigation." [webpage](#)
- **Expect follow-up requests.** "The first request is rarely the last." [webpage](#)

I thought that DSAC should be informed about the EPA's Section 114 Information Request and its implications. It's a revealing development in the Committee's inquiry into landfill operations, especially as the quality of those operations relate to methane emissions and the other priorities that DSAC has established for itself.

Questions the Committee may want to pursue:

- Have I characterized the implications of this Section 114 Information Request correctly? Did I miss anything?

- Is the landfill complying with the request? Did it turn over the requested documents on or before March 21?
- Did Republic note that they had received this Section 114 Information Request from the EPA in their final update to the expansion application in mid-March? Republic's known about the Section 114 Information Request since January 21.
- What is Republic doing in response to the Section 114 Information Request? On the internet, you can find a number of "what to do if you receive a Section 114 IR" checklists, which include items such as "Activate your legal team immediately" and "don't comply, delay delay delay" and "launch a high-level internal investigation to assess vulnerabilities." What actions are Republic taking?
- Will DSAC ask Bailey to file follow-up FOIAs as necessary, to keep DSAC and Benton County informed about the status of the EPA investigation?
- Maybe the Committee should ask Paul again to provide the missing Surface Emissions Monitoring reports for the third quarter and the fourth quarter of 2024. And now the first quarter 2025 SEM should be complete as well. And I think the greenhouse gas emissions report is out (it was due on March 25). Those reports provide insight into how the landfill is doing, compliance-wise.

All best,

Ken Eklund

# 8. EPA Subpoena CBL – Provided by Ken Eklund



**Service of Process Transmittal Summary**

word

**TO:** ANDREA BETTIS, Senior Paralegal  
Republic Services, Inc.  
18500 NORTH ALLIED WAY  
PHOENIX, AZ 85054

**RE:** Process Served in Oregon

**FOR:** Valley Landfills, Inc. (Domestic State: OR)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** United States Environmental Protection Agency vs. Republic Services, Inc.

**DOCUMENT(S) SERVED:** Letter, Attachment(s)

**COURT/AGENCY:** None Specified  
Case # None Specified

**NATURE OF ACTION:** Subpoena - Business records - Pertaining to Coffin Butte Landfill, Corvallis, Oregon

**PROCESS SERVED ON:** C T Corporation System, Salem, OR

**DATE/METHOD OF SERVICE:** By Traceable Mail on 01/21/2025 postmarked on 01/16/2025

**JURISDICTION SERVED:** Oregon

**APPEARANCE OR ANSWER DUE:** Within 10 days of receipt (Document(s) may contain additional answer dates)

**ATTORNEY(S)/SENDER(S):** Morgan Jencius  
Environmental Protection Agency  
1200 Sixth Avenue  
Seattle, WA 98101-1128  
206-553-6914

**ACTION ITEMS:** CT has retained the current log, Retain Date: 01/21/2025, Expected Purge Date: 01/26/2025  
  
Image SOP  
  
Email Notification, SOP Notifications [sopnotifications@republicservices.com](mailto:sopnotifications@republicservices.com)

**REGISTERED AGENT CONTACT:** CT Corporation System  
780 Commercial Street? SE  
Ste 100  
Salem, OR 97301  
8775647529  
[MajorAccountTeam2@wolterskluwer.com](mailto:MajorAccountTeam2@wolterskluwer.com)

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the

included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

U.S. ENVIR

SARA CONLEY (20-C04)  
US EPA (R10)  
1200 6TH AVENUE  
SUITE # 155  
SEATTLE, WA 98101

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United States  
Environmental Protection  
Agency

Region 10  
1200 Sixth Avenue  
Seattle WA 98101-1128

Official Business  
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EQUAL OPPORTUNITY EMPLOYER

REGISTERED AGENT- VALLEY LANDFILLS INC  
CT CORPORATION SYSTEM  
780 COMMERCIAL STREET S.E.  
SUITE# 100  
SALEM, OR 97301



## REGION 10

SEATTLE, WA 98101

### RETURN RECEIPT REQUESTED

Ian Macnab  
Environmental Manager  
Republic Services, Inc.  
28972 Coffin Butte Road  
Corvallis, Oregon 97330

**Re: INFORMATION REQUEST** Regarding Coffin Butte Landfill, Corvallis, Oregon

Dear Ian Macnab:

The U.S. Environmental Protection Agency (EPA), Region 10 seeks information concerning the Coffin Butte Landfill owned or operated by Valley Landfills Inc., a wholly-owned subsidiary of Republic Services, at 2917 Coffin Butte Road in Corvallis, Oregon. The enclosed Information Request is issued to Valley Landfills Inc. pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414.

Under CAA Section 114, 42 U.S.C. § 7414, EPA is authorized to require the submission of records, reports and other information for the purpose of determining whether any violations of the CAA have occurred and for other purposes of the CAA. Valley Landfills Inc. is required to provide information and documents in accordance with the enclosed Information Request within **60 days** of your receipt of the request. If you anticipate being unable to fully respond to this Information Request by the specified date, you may request an extension within **10 days** of receipt of this request. Include a justification for your extension request. If timely submitted, EPA will consider your request and may extend the deadline.

Submit your response to this Information Request or request for extension to:

Sara Conley  
[Conley.sara@epa.gov](mailto:Conley.sara@epa.gov)  
Air Enforcement Officer  
Air Enforcement Section, Enforcement and Compliance Division, EPA Region 10

Please ensure the enclosed Statement of Certification is signed by a duly-authorized officer or agent of Valley Landfills Inc. and returned with the response to this Information Request.

Failure to timely respond fully and truthfully to this Information Request may subject you to civil penalties pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. Your response to this Information Request may be used by EPA in administrative, civil or criminal proceedings.

Thank you for your cooperation. If you have any questions regarding this Information Request or wish to request an extension, please contact Sara Conley, at (206) 553-6914 or [conley.sara@epa.gov](mailto:conley.sara@epa.gov). For legal matters or questions from legal counsel, please contact Brandon Jones-Cobb, in the Office of Regional Counsel, at (206) 553-6917 or [jonescobb.brandon@epa.gov](mailto:jonescobb.brandon@epa.gov).

Sincerely,

MORGAN JENCIUS

Digitally signed by MORGAN  
JENCIUS  
Date: 2025.01.15 12:40:57 -08'00'

Morgan Jencius, Manager  
Air and Land Enforcement Branch  
Enforcement and Compliance Assurance Division

Enclosures

1. Information Request
2. Statement of Certification

cc: Registered Agent – Valley Landfills Inc.  
CT Corporation System

Becka Puskas, J.D.  
Interim Manager, Office of Compliance and Enforcement  
Oregon Department of Environmental Quality

**ENCLOSURE 1**  
**CAA INFORMATION REQUEST**

**Republic Services, Valley Landfills Inc.**

**A. INSTRUCTIONS**

1. Provide a separate narrative response to each question and subpart of a question in this Information Request. Mark each answer with the number of the question (and subpart, if applicable) to which it corresponds.
2. For each question, provide a copy of each document relied on or referred to in the preparation of the response or that contains information responsive to the question.
3. Indicate on each document produced in response to this Information Request, or in another reasonable manner, the number of the question to which it corresponds.
4. Provide the name, title, and business contact information for each person who prepared or was consulted in the preparation of your response. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained in this Information Request, or who may be able to provide additional responsive documents, provide the name, title, and business contact information for each such person and the additional information or documents that they may have.
5. If you believe a question is not applicable to the Facility, explain the reason for that belief.
6. The information requested must be provided whether or not you regard part or all of it as a trade secret or confidential business information. You may assert a confidentiality claim covering part or all of the information submitted, pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414 and 40 C.F.R. Part 2, by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by EPA.

Information covered by such a claim will be disclosed by EPA only to the extent and by the procedures set forth in statutes and 40 C.F.R. Part 2, Subpart B. See 40 C.F.R. § 2.301 for additional rules governing certain information obtained under the CAA. Note that certain categories of information, including "emission data," are not entitled to confidential treatment. Unless you make a claim at the time you submit the information in the manner described in 40 C.F.R. § 2.203(b), it may be made available to the public by EPA without further notice to you. See also 41 Fed. Reg. 36902 (Sept. 1, 1976).

If you claim all or part of your response as a trade secret, proprietary, or company confidential, please also return with your response a complete substantiation of your claim. Enclosure 3 contains the information you must provide in order to substantiate your claim. If you require additional time to substantiate your confidentiality claim, contact the individuals listed in the cover letter.

**B. DEFINITIONS**

All terms used in this Information Request have their ordinary meaning unless such terms are defined in this Information Request; or 302 of the CAA, 42 U.S.C. §§ 7401 or 7602; or 40 C.F.R. Part 63, Subpart AAAA National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills. For purposes of this Information Request:

1. The terms "you" or "Respondent" mean Republic Services, Coffin Butte Landfill, Valley Landfills Inc., and its subsidiaries, officers, directors, managers, partners, employees, contractors, and agents, as applicable.
2. "Abandoned" means, when used in reference to a component of the gas collection system, a component that is no longer operating.
3. "Document" means any object that records, stores, or presents information, and includes, without limitation, email, writings, memoranda, contracts, agreements, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. Include all attachments to or enclosures with any responsive document.
4. "Facility" means the municipal solid waste landfill owned or operated by Respondent located at Highway 99 & Coffin Butte Road Corvallis, OR 97330.
5. "Gas Collectors" means vertical wells, horizontal collectors, or other collection devices capable of collecting and extracting gas at the landfill and meets the requirements of 40 C.F.R. § 63.1962 and parallel provisions under the other EPA Landfill Air Regulations.
6. "Gas collection system" means the active or passive system of wells or similar collection components used to collect and move gas at the landfill.
7. "Gas Collection and Control System" or "GCCS" means an active or passive system of wells or similar collection components to move gas at the landfills to associated control devices per the requirements at 40 C.F.R. § 63.1959(b)(ii) and parallel provisions under the other EPA Landfill Air Regulations.
8. "Gas Collection and Control System Design Plan" or "Design Plan," means a plan that is developed by the landfill and meets the requirements of 40 C.F.R. § 63.1981(d) and parallel provisions under the other EPA Landfill Air Regulations.
9. "Gas Control System" means the systems that treat and/or destroy landfill gases collected by the gas collection system, including but not limited to flares, gas to energy projects, and renewable natural gas plants, as well as any other control devices and treatment systems used to fulfill the control requirements of 40 C.F.R. § 63.1959(b)(2)(iii) and parallel provisions under the other EPA Landfill Air Regulations.
10. "Landfill" means the municipal solid waste (MSW) landfill operated by Republic Services, Coffin Butte Landfill, or Valley Landfills Inc..
11. "Landfill Air Regulations" refers to 40 C.F.R. Part 60, Subpart WWW; 40 C.F.R. Part 60, Subpart XXX; 40 C.F.R. Part 62, Subpart OOO; 40 C.F.R. Part 62, Subpart GGG; 40 C.F.R. Part 63, Subpart AAAA; and State Plans for the Control of Emissions from Existing Municipal Solid Waste Landfills incorporated under 40 C.F.R. Part 62 pursuant to 40 C.F.R. Part 60, Subpart Cf or Cc, as applicable.

12. "LandGEM" means EPA's Landfill Gas Emissions Model, which is an automated estimation tool with a Microsoft Excel interface that can be used to estimate emissions for total landfill gas, methane, carbon dioxide, nonmethane organic compounds, and individual air pollutants from municipal solid waste landfills.
13. "Leachate" means liquids, including landfill gas condensate inside the landfill.
14. "Owner or Operator" means any Person who owns, leases, operates, controls, or supervises the Facility.
15. "Person" or its plural or any synonym thereof, is intended to and shall embrace and include any individual, partnership, corporation, company, association, government agency (whether federal, state, local or any agency of the government of a foreign country), or any other entity, and includes Republic Services, Coffin Butte Landfill, and Valley Landfills Inc.
16. "Surface Emission Monitoring or SEM" means monitoring surface concentrations of methane at collection areas of a landfill, as required by 40 C.F.R. §§ 63.1960(c)&(d) and parallel provisions under the other EPA Landfill Air Regulations.
17. "You and/or Your" means Republic Services, Coffin Butte Landfill, Valley Landfills Inc. and all its agents, servants, employees, representatives, investigators, accountants, auditors, attorneys, experts, consultants, contractors, and others who are in possession, custody, or control (actual or constructive) of relevant information that is otherwise available to You or may have obtained information for or on Your behalf.

#### **C. INFORMATION REQUEST**

Provide the following information for the Facility. Unless otherwise specified, provide all responsive information for the time period between January 1, 2022 and the date of this Request.

##### **General Applicability:**

1. Provide the name and address of the legal owner of the Facility. If the owner and operator of the Facility are not the same entity, provide the name and address of the operator of the Facility and provide contracts/legal documents between entities as they relate to ownership, purchase or buy-back agreements and contract operation.
2. Provide copies of any submitted initial or amended design capacity reports.

(As referenced in 40 C.F.R. §§ 63.1981, 63.1983(a) and parallel provisions under EPA's Landfill Air Regulations).

##### **Permits and Applications/Alternatives/Variations/Previous Enforcement:**

3. Provide copies of the following documents for the Facility:
  - a. All permit(s) in effect as of the date of this Request and the permit application(s) You submitted to obtain each such permit;
  - b. Permit application(s) pending as of the date you received this Request; and



- c. The original construction permit(s) and permit application(s). If an original construction permit has been modified, provide the current version of the construction permit.
4. Provide a copy of the following:
  - a. All applicability determination or regulatory interpretation requests to and responses from the Oregon Department of Environmental Quality or EPA;
  - b. All approvals of alternatives to Landfill Air Regulation requirements issued by Oregon Department of Environmental Quality or EPA; and
  - c. Alternative compliance timeline requests to and responses from the Oregon Department of Environmental Quality or EPA.
5. Provide information regarding citizen complaints that the Landfill has knowledge of between January 1, 2022, and the date of this request. The information should include:
  - a. Date and time;
  - b. Location at or near the Landfill which is the subject of the complaint;
  - c. Copy or description of complaint;
  - d. Corrective action or monitoring done as a result; and
  - e. Name and contact information for the person who submitted the complaint.

**Semi-annual/Annual Reports:**

6. Provide the semi-annual and annual reports between January 1, 2022 and the date of this request in an electronic format such as a searchable PDF.

(As referenced in 40 C.F.R. §§ 63.1959(a)-(b), 63.1981(h) and parallel provisions under EPA's Landfill Air Regulations).

**Waste Type and Quantity Data:**

7. Provide the monthly quantity (short tons or megagrams, labeled) of waste accepted at the Landfill between January 1, 2022 and the date of this request, including:
  - a. A breakdown by type of waste (e.g., municipal solid waste, construction and demolition, asbestos, sludge, etc.);
  - b. List the types and quantities of waste that were excluded from the maximum expected gas generation calculation and the rationale for excluding those types of waste; and
  - c. List the types and quantities of waste that are classified as "inert" in facility reports for the Greenhouse Gas Reporting Program pursuant to 40 C.F.R. § 98.346(c).

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. §§ 63.1983(a), (d) and parallel provisions under EPA's Landfill Air Regulations).

**Gas Collection and Control System (GCCS) Design:**

8. Provide a copy of the following documents related to the Design Plan:
- a. Design Plans in effect at the Landfill since January 1, 2022.
  - b. Copies of EPA or Oregon Department of Environmental Quality approval, disapproval, or other response to the two most recent Design Plans. If EPA or Oregon Department of Environmental Quality did not provide an approval, disapproval, or other response, provide a statement that EPA or Oregon Department of Environmental Quality approval did not approve, disapprove, or otherwise respond to Valley Landfill Inc's submission of the Design Plan(s).
  - c. Identification of, and an explanation for, areas excluded from gas collection;
  - d. A description of the design of the main gas header, including:
    - i. Maximum rated flow rate capacity;
    - ii. Maximum operating flow rate; and
    - iii. Maximum allowable pressure drop.
  - e. As-built, final design documents for each flare/blower system. The design documents shall include but not be limited to the following (for each piece of equipment):
    - i. The manufacturers' expected/design life (years);
    - ii. Minimum and maximum design flare temperatures (°F);
    - iii. The rated maximum flow rate capacity of the flare (standard cubic feet per minute, scfm); and
    - iv. The blower(s) and backup blower(s) rated maximum flow rate at inlet vacuum.
  - f. Most recent maximum expected gas flow rate calculations, if different from the Design Plan.
    - i. Include the annual or monthly waste breakdown for every year used in the maximum expected gas flow rate calculations.
    - ii. If LandGEM is used, provide a spreadsheet containing the most recent LandGEM calculation.
    - iii. If LandGEM is not used, provide documentation of the method used to calculate the maximum expected gas flow rate.
    - iv. Include scale house data of waste excluded from LandGEM calculations.

*(As referenced in 40 C.F.R. § 63.1981 and parallel provisions under EPA's Landfill Air Regulations).*

9. Provide report(s) for gas collection and control system stack test(s) and performance test(s), including initial tests, as well as other compliance testing, engineering testing, and testing for general information.

*(As referenced in 40 C.F.R. § 63.1983(b) and parallel provisions under EPA's Landfill Air Regulations).*

**Gas Collection System:**

10. Provide the following information for the gas collection system:
- a. List of existing and historical Gas Collectors/wellheads and leachate collectors, which are or were connected to the gas collection and control system;
  - b. For each existing or historical Gas Collector/wellhead or leachate collector that is not in active service collecting landfill gas as of the date of this Request, provide the date on which the Gas Collector/wellhead was taken out of active service and describe the status of the Gas Collector/wellhead, including whether the valve is open or closed, whether the Gas

Collector/wellhead is connected to the GCCS, whether the header lateral has been capped, and whether the Gas Collector/wellhead has been abandoned. Provide documents explaining the basis for each Gas Collector/wellhead abandonment, as well as any approvals issued by EPA or the Oregon Department of Environmental Quality for abandoning the Gas Collector/wellhead;

- c. Indicate whether a Gas Collector is a vertical or horizontal Gas Collector;
- d. Indicate the location of each Gas Collector, both by cell and by GPS coordinates;
- e. Indicate whether each existing Gas Collector has a pump for leachate/water removal;
- f. Indicate higher operating value or alternative operating procedure for Gas Collector;
- g. Installation dates for Gas Collector/wellhead installed between January 1, 2022 and the date of this request; and
- h. From January 1, 2022 to the date of this request, evaluations or analyses, conducted either by you or an external consultant/company, of the gas collection system, including any evaluation or analysis related to:
  - i. Gas Collector placement;
  - ii. Gas Collector depth;
  - iii. Gas Collector density; and
  - iv. Amount of vacuum applied to the Gas Collector/wellhead.

(As referenced in 40 C.F.R. §§ 63.1957-62, 63.1981(d)-(e) and parallel provisions under EPA's Landfill Air Regulations).

- 11. Provide the current topographic site map(s) displaying the following information:
  - a. Gas Collector/wellhead locations and identifiers, including gas laterals and gas headers; and
  - b. Areas in which gas collection is not occurring.

(As referenced in 40 C.F.R. § 63.1958(d) and parallel provisions under EPA's Landfill Air Regulations)

#### **Wellhead Monitoring Data:**

- 12. In an unlocked, Excel-compatible electronic spreadsheet format, provide GCCS monitoring records, including dates, times between January 1, 2022 and the date of this request, including the following:

- a. Monthly GCCS Gas Collector/wellhead measurements, including:
  - i. Methane;
  - ii. Carbon dioxide (CO<sub>2</sub>);
  - iii. Carbon monoxide (CO);
  - iv. Flow rate;
  - v. Oxygen;
  - vi. Nitrogen;
  - vii. Pressure;
  - viii. Temperature; and
  - ix. Notes taken by the technician during monitoring, corrective actions, and re-monitoring measurements.
- b. Monitoring data for each blower, including vacuum;

- c. Gas Collector/wellhead parameter exceedances and corrective actions, including enhanced monitoring due to elevated temperatures, and corrective actions;
- d. Gas Collector/wellhead higher operating values approvals relevant from January 1, 2022 and the date of this request, along with approvals of alternative timelines or corrections in that time; and
- e. A list of Gas Collectors/wellheads not monitored during monthly monitoring and the explanation for exclusion.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. §§ 63.1958(b)-(c), 63.1961, 63.1962, 63.1981, 63.1983, and parallel provisions under EPA's Landfill Air Regulations)

**Depth-to-Water and Depth of Perforation Data:**

13. In an unlocked, Excel-compatible spreadsheet(s), provide the following information related to each vertical Gas Collector available between January 1, 2022 and the date of this request:
- a. Records of measurements of depth to water and/or height of water taken between January 1, 2022 and the date of this Request;
  - b. Documentation of pinches and other obstructions;
  - c. Depth to bottom of the vertical Gas Collector;
  - d. Length of perforated pipe;
  - e. Percentage of perforation; and
  - f. A description of corrective actions taken by the facility as a result of the water level measurements or observation of obstructions, as applicable.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

(As referenced in 40 C.F.R. § 63.1962(b)(2), and parallel provisions under EPA's Landfill Air Regulations)

14. Provide a description of standard operating procedures or internal guidelines relating to Gas Collector obstruction and/or dewatering at the Facility.

**GCCS Main Header Data:**

15. In an unlocked, Excel-compatible spreadsheet, provide the following landfill gas collection system main header data on an hourly basis from January 1, 2022 and the date of this request:
- a. Date and hour;
  - b. Average system pressure (inches of water column, in. w.c.);
  - c. Average gas flow rate collected (standard cubic feet per minute, scfm);
  - d. Average landfill gas temperature (degree Fahrenheit, °F); and
  - e. Average methane concentration.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

*(As referenced in 40 C.F.R. § 63.1961(a), and parallel provisions under EPA's Landfill Air Regulations)*

16. Provide gas sampling reports between January 1, 2022 and the date of this request. Your response should include, but not be limited to, sampling done for:
- Methane concentration;
  - Sulfur compounds; and
  - Hazardous air pollutant (HAP) content.

**Gas Control System:**

**General:**

17. Provide monthly inspection, maintenance, and repair logs and records for each piece of control equipment (e.g., blower/flare system) between January 1, 2022 and the date of this request.

*(As referenced in 40 C.F.R. § 63.1983(c)(7), and parallel provisions under EPA's Landfill Air Regulations)*

18. In an unlocked, Excel-compatible spreadsheet, provide the following monitoring data for each flare between January 1, 2022 and the date of this request:
- Temperature readings;
  - Gas flow readings;
  - Methane percentages at each flare;
  - Operating hours on a monthly basis for each flare;
  - Records of bypass incidents at each flare; and
  - Monthly SO<sub>2</sub> emissions calculations (tons/month, tons/year) for each flare system with supporting calculations.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

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*(As referenced in 40 C.F.R. § 63.1961(b)-(c), and parallel provisions under EPA's Landfill Air Regulations)*

**Surface Emissions Monitoring (SEM):**

19. Provide SEM records since January 1, 2022. Please make sure units of measurement are clearly indicated. For each monitoring event, include:
- Date(s) and description(s) of the monitoring activity, including identification of the device used;
  - SEM data, including but not limited to instrument calibration data, methane concentration at the location of each monitored exceedance marked according to 40 C.F.R. § 63.1960(c)(4)(i), any other recorded methane concentrations, raw instrument data outputs, methane concentration upon re-monitoring at the location of each monitored exceedance; and

- c. Records or descriptions (if the facility does not maintain records) of corrective actions performed in response to each monitored exceedance;
- 20. GPS coordinates, notes, drawings, maps or other records of the actual path traversed by the SEM technician for each quarterly SEM event since January 1, 2022, depicting:
  - a. The monitoring route traveled and any deviations from the 30-meter intervals; and
  - b. Areas excluded from surface emission monitoring (SEM) or exempt from quarterly SEM, including explanation(s) for each area excluded or exempted.

Please provide underlying documentation or statements from which you compiled the information in the spreadsheet.

*(As referenced in 40 C.F.R. § 63.1961(f), and parallel provisions under EPA's Landfill Air Regulations)*

- 21. Records or reports of additional emissions monitoring activities conducted at the direction of the Facility, including but not limited to drone, satellite, and tower-based monitoring, between January 1, 2022 and the date of this request.

**Gas Migration:**

- 22. Provide gas measurements at the gas monitoring probes between January 1, 2022 and the date of this request.
- 23. Provide records of corrective actions taken and remediation plans made in response to methane measurements taken at the gas monitoring probes.
- 24. Provide a map of the gas monitoring probe locations.

*(As referenced in 40 C.F.R. §§ 63.1960(c), 63.1961(f), and parallel provisions under EPA's Landfill Air Regulations)*

**ENCLOSURE 2**  
**STATEMENT OF CERTIFICATION**

Republic Services, Inc.  
28972 Coffin Butte Road  
Corvallis, Oregon 97330

**INFORMATION REQUEST**  
**STATEMENT OF CERTIFICATION**

I certify that the enclosed responses to EPA's Information Request issued to Republic Services, Inc. are true, accurate, and complete. I certify that the portions of these responses which I did not personally prepare were prepared by persons acting on behalf of Republic Services, Inc. under my supervision and at my instruction, and that the information provided is true, accurate, and complete. I am aware that there are significant penalties for submitting false information in response to this Information Request, including the possibility of fine and imprisonment.

---

Signature

---

Printed Name

---

Title

---

Date

**ENCLOSURE 3**  
**SUBSTANTIATION OF**  
**CONFIDENTIAL BUSINESS INFORMATION CLAIM**

**Republic Services, Valley Landfills Inc.**

EPA is providing you notice that if you assert a claim of business confidentiality for information you provide in response to this Information Request, EPA will determine whether such information is entitled to confidential treatment, pursuant to 40 C.F.R. Part 2, subpart B, including 40 C.F.R. §§ 2.208 and 2.301. If you feel that some or all of the information is entitled to confidential treatment, you must make the showings below with specific reference to those portions of the information you consider confidential.

Please be specific by page (including Bates Stamp, if applicable), paragraph, and sentence when identifying and substantiating the information subject to your claim. Where your claim, as originally made or as modified by your response to this letter, does not include all information on a page, please attach a copy of each such page with brackets around the text that you claim to be CBI. Please note that if a page, document, group, or class of documents claimed by you to be CBI contains a significant amount of information which the EPA Region 10, Office of Regional Counsel determines is not CBI, your CBI claim regarding that page, document, group, or class of documents may be denied. Any information not specifically identified as subject to a confidentiality claim and substantiated as such in your response to this letter may be disclosed to the requester without further notice to you.

In making its final confidentiality determination, the EPA will consider the relevant substantive criteria in its CBI regulations, under 40 C.F.R. § 2.208(a)-(d), as well as the U.S. Supreme Court's decision in *Food Marketing Institute v. Argus Leader Media* (Argus), 139 S. Ct. 2356 (2019), which evaluated the definition of "confidential" as used in Exemption 4. In the Argus decision, the Court held that at least where "[1] commercial or financial information is both customarily and actually treated as private by its owner and [2] provided to the government under an assurance of privacy, the information is 'confidential' within the meaning of Exemption 4." Argus, 139 S. Ct. at 2366.

For each item or class of information that you continue to claim as CBI, please answer the following questions, giving as much detail as possible. Your comments in response to these questions will be used by the EPA to determine whether the information has been shown to be entitled to confidential treatment:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.



2. Information submitted to the EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. Has EPA, another federal agency, or court made any determination as to the confidentiality of the information? If so, please attach a copy of the determination.
4. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information be considered confidential?
4. Is the information contained in any publicly available material such as patents or patent applications, publicly available databases (including state databases), promotional publications, annual reports, or articles?

If you answered "yes," please identify the publicly available information and its location (e.g., patent number or website address).

5. Has your company taken reasonable measures to protect the information claimed as CBI? If so, please identify the measure or internal controls your business has taken to protect the information claimed as confidential:
  - a. Non-disclosure agreement required prior to access. Yes/No
  - b. Access is limited to individuals with a need-to-know. Yes/No
  - c. Information is physically secured (e.g. locked in a room or cabinet) or electronically secured (encrypted, password protected, etc.). Yes/No
  - d. Other internal control measures(s). Yes/No. *(If yes, please explain.)*
6. Does your company customarily keep the information private or closely-held? If so, please explain the basis for your response.
7. ~~At the time you submitted the information you claimed as CBI, did EPA provide any~~ express or implied assurance of confidentiality? If so, please explain the specific assurance(s) you received. For example, expressed assurances indicating that information will not be publicly disclosed could include legal authorities (regulation or statute), direct communications, class determinations, etc. Examples of implicit assurances could include a description of the specific context in which the information was received.
8. Did the Agency provide any expressed or implied indications at the time the information was submitted that EPA would publicly disclose the information?
9. If you believe any submitted information to be a trade secret, please state and explain the reason for your belief. Please attach copies of those pages containing such information with brackets around the text that you claim to be a trade secret.

10. Are there any means by which a member of the public could obtain access to the information or readily discover the information claimed as confidential through reverse engineering?
11. Please explain why the information claimed as confidential is not emissions data under the Clean Air Act.
12. Explain any other issue or additional information you deem relevant to EPA's determination.

Please note that *you bear the burden of substantiating your confidentiality and trade secret claim(s)*. Generalized or conclusory statements will be given little or no weight in EPA's determination on the confidentiality of the information you claim to be CBI.

Your comments must be postmarked or hand delivered to this office, or emailed to Sara Conley [conley.sara@epa.gov](mailto:conley.sara@epa.gov), by the 30<sup>th</sup> day after receipt of this letter. You may seek an extension of time to submit your comments to this office, but the request must be made before the 30<sup>th</sup> day after receipt of this letter. Except in extraordinary circumstances, no extension will be approved. Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim or claims, and the EPA may release the information.

If you wish to claim any information that you provide in your response to this letter to itself be confidential, you must mark the response "**CONFIDENTIAL**" or with a similar designation, and must bracket all text in the response that you so claim. Information so designated will be disclosed by the EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information provided in your response as confidential, it may be made available to the public.

# 9. Carbon Mapper

## Explainer 3b DSAC –

### Provided by Ken Eklund

# **CARBON MAPPER AND LANDFILL GAS**

## **AERIAL METHANE GAS DETECTION AT COFFIN BUTTE LANDFILL**

- An Explainer -

### **What's happening?**

Carbon Mapper, a climate science nonprofit, has been observing Coffin Butte Landfill since July 13, 2023. Using its advanced methane detection technology, it has gathered data about landfill gas being emitted by the landfill.

### **What kind of data is being collected?**

This data focuses on point-source emissions at super-polluting levels (above 100 kilograms of methane released an hour). Carbon Mapper processes its data to:

- pinpoint the origin points of leaks;
- produce images of the plumes caused by the leaks;
- characterize the persistence of leaks at the facility;
- if possible, quantify how large a leak is (its emissions rate) at the time it was observed;
- if possible, quantify a characteristic overall emissions rate for the facility – its Source Emissions Rate.

### **Why is Carbon Mapper collecting this data?**

Because point-source, super-emitting leaks are the “low-hanging fruit” of climate damage reduction. Leaks such as these create most of the climate damage, yet once identified, are easily found and can be quickly remediated by facility operators. Carbon Mapper is focused on using data to facilitate climate action.

### **How reliable is this data?**

Carbon Mapper only publishes results if they are above an appropriate confidence threshold. Emissions rate quantifications typically have a “confidence window” as

well, expressed as a “+/-” range from a given number that is the midpoint of the range. The scientists at Carbon Mapper are continually refining their process; it’s been very successful in California at gaining emissions reductions.

## **How did Carbon Mapper collect this data?**

To date Carbon Mapper surveyed Coffin Butte Landfill seven times – six times by aircraft during an intensive 10-day period in July 2023, and once by satellite in September 2024. These surveys revealed four different origin point clusters, yielded 17 unique plume images, a Persistence Rating of 100% for the landfill (“there were always super-emissions present”) and an overall Source Emissions Rate of 1.6 metric tons of methane per hour for Coffin Butte Landfill, plus or minus 0.6 metric ton per hour.

## **How do I convert this methane emissions data to landfill gas?**

Carbon Mapper detects methane and focuses on methane in its published reports, because methane is a very harmful greenhouse gas: a metric ton of methane leaked into the atmosphere will do as much damage as 86 tons of carbon dioxide, over a 20-year period. At Coffin Butte Landfill, 53% of the landfill gas is methane; the rest is carbon dioxide and a wide range of other chemical gases, some of them toxic and odorific. To (roughly) convert the Carbon Mapper methane emissions to landfill gas emissions, multiply by 1.9. So to get the landfill’s Source Emissions Rate for landfill gas (as opposed to just methane), for example, take the methane rate of 1.6 metric tons  $\times 1.9 = \underline{3.0 \text{ metric tons of landfill gas per hour}}$ , based on Carbon Mapper’s current quantifications.

## **What are the cautions about using this data?**

The main caution is irregular monitoring. Carbon Mapper observed Coffin Butte Landfill intensively in July 2023, as part of a nationwide survey of landfills; but they have made only one additional observation since then. So it is difficult to assert definitively that the landfill has been super-emitting at an average rate of 3 metric tons of landfill gas per hour throughout that period.

It is possible, however, to assert that it’s likely that Coffin Butte Landfill has been super-emitting at around that level throughout that period. There are three reasons why:

1. The Carbon Mapper observations are supported by EPA inspections of the landfill, which have also always found multiple high-volume leaks, and by hundreds of widespread community reports of landfill odor over the years, some of them from locations many miles from the landfill, which would suggest large plumes of landfill gas being released.

2. Carbon Mapper has observed hundreds of landfills, some of them regularly, and they note in their findings that super-emitting leaks at landfills often go unremediated for months or years.
3. The plume origin points are in areas not monitored by the landfill operator.

Other cautions have to do with the detection technology, which Carbon Mapper is still in the process of refining. You can find more at [carbonmapper.org](https://carbonmapper.org).

### **How does Coffin Butte Landfill compare to other landfills, according to this data? Is Coffin Butte exceptional?**

Yes. Other Oregon landfills such as Columbia Ridge and Short Mountain do not have persistent methane plumes at all. As part of its national survey, Carbon Mapper looked at super-emitting landfills as a group, and on average a super-emitting landfill was releasing 0.9 metric tons of methane per hour (i.e., was a super-emitter nine times over). At 1.6 metric tons per hour of methane, Coffin Butte Landfill is well above that average, and is a super-emitter 16 times over. You can find out more at [carbonmapper.org](https://carbonmapper.org).

### **Enough discussion – I would like to see some plumes and data.**

Certainly. Go to the bottom of page 4!

### **Does the Carbon Mapper data represent all the landfill gas that is leaking from Coffin Butte Landfill?**

No. Carbon Mapper publishes data on point-source emissions from large leaks. It doesn't include point-source emissions from small leaks, or diffuse or area leaks. Republic has estimated their operational methane emissions rate to be about 1.07 metric tons each hour, and it's clear that some of that is small-scale or diffuse leakage that's in addition to what Carbon Mapper is detecting, but it's unclear at this time how much. If a lot of Republic's estimated methane emissions are from myriad small-scale leaks, then the landfill's total methane emissions rate may approach 2.6 metric tons per hour, which would be a landfill gas emissions rate of roughly 5 metric tons per hour.

### **How is Carbon Mapper's data relevant to the landfill's application to expand?**

The landfill last tried to expand in 2021, and at that time, the Benton County Planning Commission cited concerns about methane as a reason to deny the application. The Commission could not make a finding that expanding the landfill would not significantly impact the area, the character of the area, the burden of

services to the area, etc. because there were signs that the landfill had large emissions of landfill gas and the effects of those large emissions were not known.

The situation today is much the same. Except, now, the signs that the landfill has large emissions of landfill gas are more apparent. We can look at an image of a plume of landfill gas that is over a mile long, or of one estimated to be emitting over 10 metric tons of landfill gas every hour. There are more questions now than there were in 2021 about the effects of these landfill gas emissions at these large volumes. There is evidence now that PFAS, the “forever chemicals,” leave landfills in aerosolized form, i.e., as part of landfill gas, for example, and accumulate in the surrounding environment.

Republic Services says in its application that Oregon DEQ regulates environmental matters; this is irrelevant, however, because denying a land use application is not a regulatory action. Republic Services also asserts in its application that it is (or will be) in compliance with state and federal regulations, but that is irrelevant also. The Planning Commission has discretionary power to approve the application based on its findings that the proposed land use will not significantly impact other land uses, the character of the area, public facilities and services, etc. The Commission’s focus is on actual impacts, not on compliance/non-compliance, and if actual impacts cannot be known or are not shown, the applicant has failed their Burden of Proof and the application should be denied.

## **1. CARBON MAPPER FINDINGS AT COFFIN BUTTE LANDFILL, JULY 2023: A WALKTHROUGH**

Carbon Mapper included Coffin Butte Landfill, outside Corvallis in Oregon, as a target landfill in its nationwide survey of U.S. landfills in 2023, performed in partnership with the EPA. Coffin Butte Landfill may have been chosen because it was found to be out of compliance by an EPA inspection the year before, and that inspection in turn had been triggered by many community complaints in 2021.

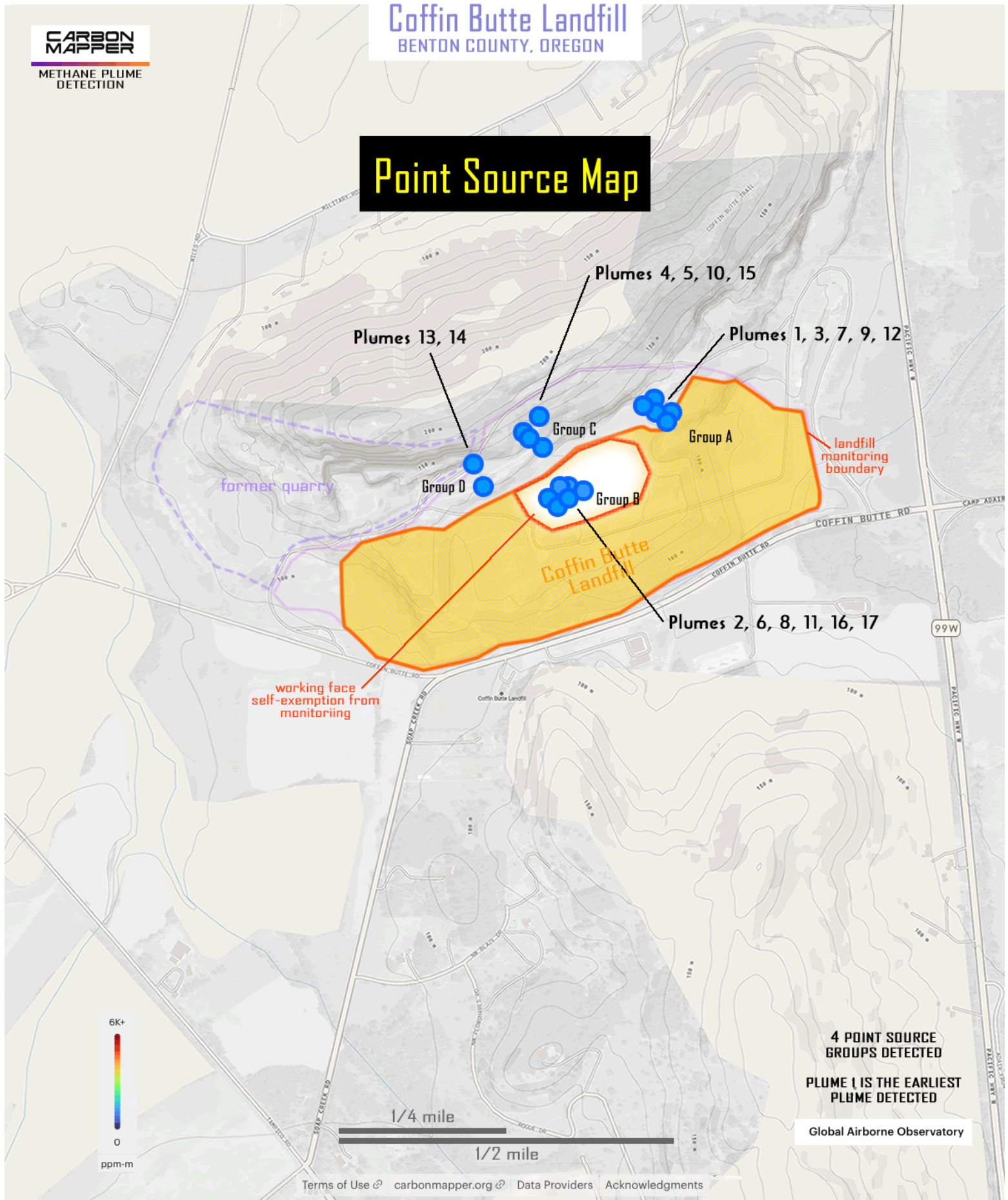
Carbon Mapper flew over Coffin Butte Landfill on three separate days in July 2023 – July 13, 18 and 22. It overflew the landfill twice on each day, about two hours apart, for a total of six overflights.

Observations from these overflights showed there were four origin points all emitting high levels of methane at the same time. Super-emitting plumes of landfill gas were detected on the first overflight, throughout the survey period, and still present when the survey ended.

Five graphics follow:

1. POINT SOURCE MAP: THE FOUR ORIGIN POINT GROUPS. Carbon Mapper imaged 16 plumes, each with a specific origin point; these origin points fell into groups as shown in Figure 1.
2. REPRESENTATIVE PLUME, ORIGIN POINT GROUP A: Plume 1, 1.4 metric tons CH<sub>4</sub> per hour. This image shows methane still at super-emission levels over a mile away from the landfill.
3. REPRESENTATIVE PLUME, ORIGIN POINT GROUP B: Plume 11, 1.4 metric tons CH<sub>4</sub> per hour.
4. REPRESENTATIVE PLUME, ORIGIN POINT GROUP C: Plume 10, 5.3 metric tons CH<sub>4</sub> per hour.
5. REPRESENTATIVE PLUME, ORIGIN POINT GROUP D: Plume 13, not yet quantified.

Figure 1





CARBON  
MAPPER

METHANE PLUME  
DETECTION

Coffin Butte Landfill  
BENTON COUNTY, OREGON

Figure 2

Plume 1  
ORIGIN GROUP: A

6K+



0  
ppm-m

1/4 mile

1/2 mile

current  
landfill

QUANTIFIED:  
1.4 metric tons/hr  
methane  
(+/- 0.3 mt)

Global Airborne Observatory

JUL 13, 2023, 17:16:50 UTC

Terms of Use [carbonmapper.org](#) Data Providers Acknowledgments



CARBON  
MAPPER

METHANE PLUME  
DETECTION

# Coffin Butte Landfill

BENTON COUNTY, OREGON

Figure 3

Plume 11  
ORIGIN GROUP: B

current  
landfill

QUANTIFIED:  
1.4 metric tons/hr  
methane  
(+/- 0.9 mt)

6K+

0

ppm-m

1/4 mile

1/2 mile

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Global Airborne Observatory

JUL 22, 2023, 19:15:26 UTC

CARBON  
MAPPER

METHANE PLUME  
DETECTION

Coffin Butte Landfill  
BENTON COUNTY, OREGON

Figure 4

Plume 10  
ORIGIN GROUP: C

6K+  
0  
ppm-m

1/4 mile

1/2 mile

QUANTIFIED:  
5.3 metric tons/hr  
methane  
(+/- 1.6 mt)

Global Airborne Observatory

JUL 18, 2023, 17:17:54 UTC

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CARBON  
MAPPER

METHANE PLUME  
DETECTION

# Coffin Butte Landfill

BENTON COUNTY, OREGON

Figure 5

Plume 13  
ORIGIN GROUP: D

current  
landfill

6K+



0

ppm-m

1/4 mile

1/2 mile

NOT YET  
QUANTIFIED

Global Airborne Observatory

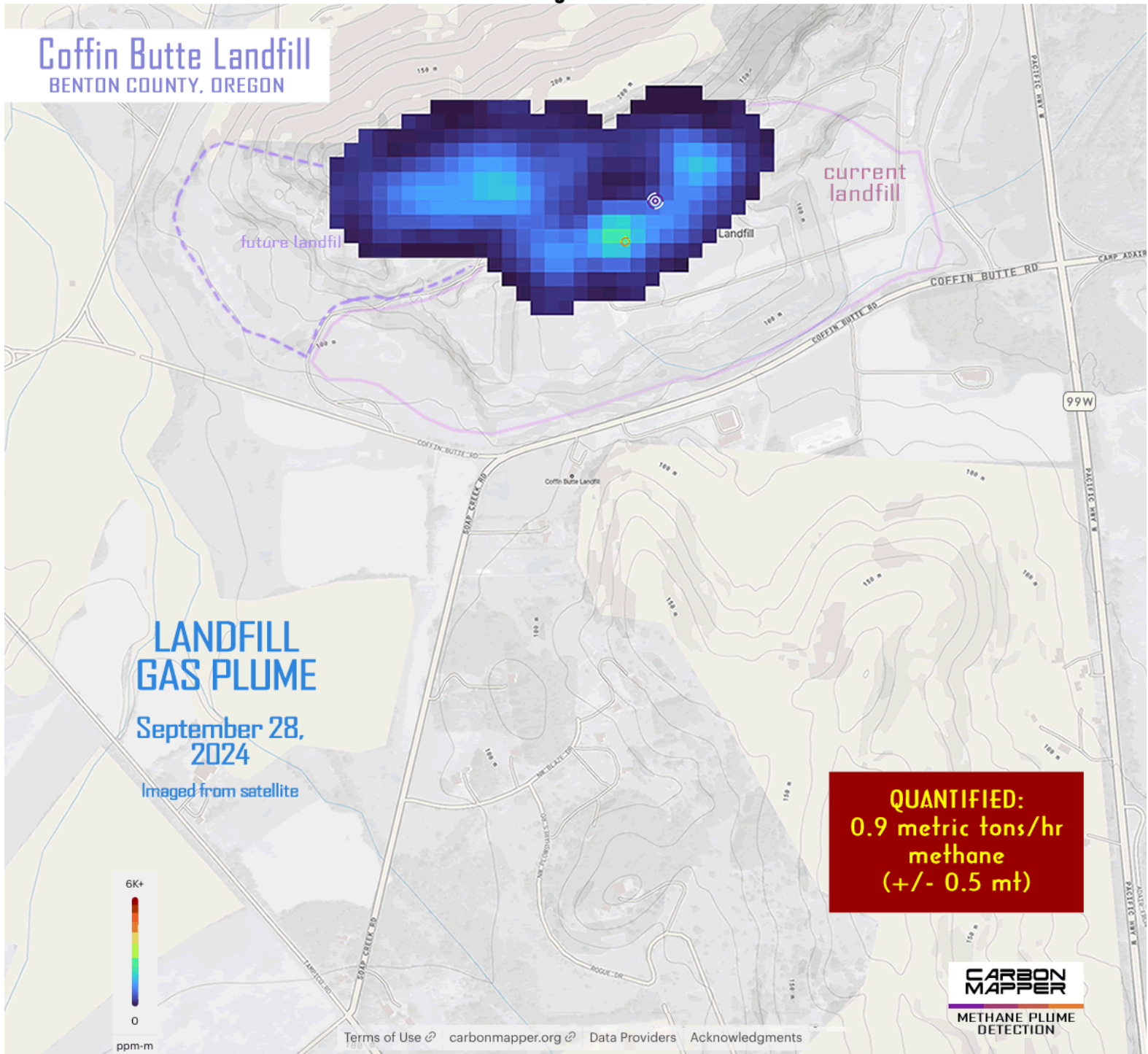
JUL 22, 2023, 19:15:26 UTC

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## 2. CARBON MAPPER FINDINGS AT COFFIN BUTTE LANDFILL, SEPTEMBER 2024: SATELLITE SURVEY, SOURCE EMISSION RATE

Fourteen months later, Carbon Mapper surveyed Coffin Butte Landfill again, this time by satellite (see Figure 6). The origin point for this plume is Group B, the same origin area as five other plumes previously. Taking all observations into account, Carbon Mapper now updates the Source Emission Rate for Coffin Butte Landfill to be 1.6 metric tons of methane an hour, plus or minus 0.6 metric tons, which is roughly 3 metric tons of landfill gas an hour, plus or minus 1.1 metric tons.

Figure 6



### **3. CARBON MAPPER, SB 726 AND THE FUTURE OF COFFIN BUTTE LANDFILL**

Beginning about 8 years ago, Carbon Mapper was part of a strong action program against climate polluters in California; Carbon Mapper worked hand in hand with the California Air Resources Board (CARB) to identify the major sources of greenhouse gas emissions in the state and secure action to remediate their pollution. Last month, Carbon Mapper announced a new program with CARB to detect and curtail California's greenhouse gas emissions, leveraging Carbon Mapper's partnership with the Planet Labs PBC network of observation platforms on satellites. Observation by satellite enables much more frequent monitoring, as satellites pass over a landfill several times a day. By precisely attributing emissions to a specific facility and tracking them over time, Carbon Mapper's data supports direct mitigation action on the ground – either by voluntary or enforcement action.

Oregon is taking the first step to follow California, with the introduction of Senate Bill 726 in state government. SB 726 calls on the Environmental Quality Commission to require landfills such as Coffin Butte Landfill to use advanced methane detection technology such as satellite monitoring, airlight monitoring, drones or remote direct monitoring technology to yield emission rates and locations of their point sources for methane emissions.

So one day, possibly as early as next year, the people of Oregon may also begin to have frequent independent monitoring of landfill gas emissions, and begin to get a picture of a landfill's impact on air quality and the global climate. But right now, we have no such picture. Especially for Coffin Butte Landfill, which has:

- an ongoing EPA investigation into its landfill gas emissions. The EPA issued a "Section 114 Information Request" for the landfill's records of environmental compliance in January; these requests are effectively subpoenas and are the first step in EPA environmental enforcement;
- no current Title V Air Quality Permit. DEQ took up the landfill's application for a new permit late last year, after sitting on it for many years, but that process stalled when the landfill's application was found to be incomplete;
- received two Enforcement Alerts from the EPA, sent out widely to landfills warning them about infractions of monitoring and reporting regulations seen at landfills during recent EPA inspections;
- lost the institutional knowledge to respond. The landfill's Environmental Manager, Ian Macnab, resigned last fall, shortly after the landfill received the EPA Enforcement Alerts in September.

Again, the Commission's focus is on actual impacts, and if actual impacts cannot be known, or have not been shown, the applicant has failed their Burden of Proof and the application should be denied.

To approve a Conditional Use Permit for a land use, the Planning Commission must make a finding that the proposed land use will not significantly impact other land uses, or the character of the area, or public facilities, services, etc. The meaning of the words used here, such as "significant," "adjacent," and "area," are not defined: each Planning Commissioner has power to evaluate the application based on their own interpretation of what those words should mean in this context. This is a key element to the Planning Commission's discretionary power in its decision. It's in DSAC's purview to make a statement to the Planning Commissioners of what the Committee feels is "significant" in light of the landfill's impacts, of what the "area" is that is being affected by the landfill, and so on, and to comment on what is necessary for the applicant to succeed with their Burden of Proof regarding our air, water, and other natural resources, our local and global environment, and the landfill's track record to date.



## NOTES

Carbon Mapper is a 501c3 nonprofit focused on using remote sensing technology to pinpoint and quantify methane and CO2 emissions of individual facilities, to enable science-based decision-making and direct mitigation. [carbonmapper.org](https://carbonmapper.org)

Since 2016 Carbon Mapper has done surveys to identify point sources of greenhouse gas emissions, including those at landfills, especially in California. And these facility-level surveys have gotten results. “Airborne surveys of methane plumes spewing from landfills, power plants and oil fields in California have led to palpable reductions in leaks of the potent greenhouse gas,” the state’s air regulator and a non-profit group said ([link](#)). “The results of the study are a sign that one of the first in a growing number of efforts to deploy space-age technology to locate big sources of methane, an odorless colorless gas, is succeeding.”

The direct measurements done by Carbon Mapper have also been instrumental in refocusing climate action on landfills as a priority, because they have shown that the EPA’s greenhouse gas reporting system was significantly underestimating these emissions ([link](#)), and that landfills are a bigger contributor to global climate change than was previously thought ([link](#)). Surveys in California showed that a relatively small number of landfills had an outsized impact: “The largest methane emitters in California are a subset of landfills, which exhibit persistent anomalous activity.” ([link](#))

According to the EPA, “super emitters” are sources that spew at least 100 kilograms of methane per hour. So Coffin Butte Landfill is a super emitter 16 times over. A super super emitter, if you will.

March 21, 2025: The non-profit organization [Carbon Mapper](#) and its partner [Planet Labs PBC](#) announce they will help the State of California leverage remote sensing technology to reduce methane emissions and tackle climate change. “Studies by Carbon Mapper and other research teams consistently show that high-emission events occurring at a subset of facilities in the energy, waste, and agriculture sectors contribute disproportionately to regional emissions. By precisely attributing those emissions to specific facilities or infrastructure and tracking them over time, Carbon Mapper’s data can support direct mitigation action on the ground.” ([link](#))

This document prepared by Ken Eklund, using Carbon Mapper and other data sources. I am past Chair of the Disposal Site Advisory Committee of Benton County, and a resident of North Benton County. I live approximately 5 miles from Coffin Butte Landfill. All errors are mine. Email: [futureeverything@writerguy.com](mailto:futureeverything@writerguy.com)

– version: April 7, 2025 –

# Community Concerns Received Since Last Meeting

3/15/25	VLI/Republic have already started excavation work in anticipation of the land-use decision which is still pending, prior to any public hearings which have not yet even been scheduled. It looks like a classic case of a developer rushing ahead before permits have been granted, in the hope of establishing a de facto situation prior to any effort at enforcement. Per some additional information that I obtained over the weekend, this appears to be an effort to remove soil and subsoil contaminated by leachate seepage due to a failed liner for that pond, rather than a direct effort to move ahead with ground prep for the proposed new landfill.	Email	Petra handled this complaint.
3/30/25	<p>Approving the expansion of Coffin Butte does seriously interfere with the uses and character of the area violating BCC 53.215(1), the County's Core Values "High quality environment and access" and "Equity and health" , and the County's Comprehensive Plan policy 6.5.5. I cannot walk in the EE Wilson Wildlife Area because of the frequent stench from the toxic landfill gases that affect my respiratory system. Leachate of toxic materials from Coffin Butte ends up in the Willamette River where my family kayaks. Will probable increased leachate delivered to the Corvallis water treatment plant increase my Corvallis City bill? Have Republic Services and Valley Landfill made actionable commitments to lessen their pollution of the river?</p> <p>Approving the expansion of Coffin Butte does seriously impose an undue burden on public services violating BCC 53.215(2) and the Core Values "Vibrant livable communities" "Community resilience, and "Supportive people and resources". I drive on route 99W only to access Peavy Arboretum but never to travel north because of the heavy truck traffic that would inevitably increase with expansion of the landfill. The disturbing sight of the litter from the trucks is, I believe, a disgrace for Benton County.</p> <p>With our federal government's current administration causing ongoing angst for us all, my hope is that you, our local community agents, will make a decision to give us hope for a future that supports the Core Values of a Thriving Community.</p>	Email	Emailed instructions on how to make this a part of the public record for consideration in the CUP expansion application.



# Relevant News Articles Since Last Meeting

3/4/ 2025	Gazette Times	<a href="https://gazettetimes.com/edition/page_aa2946ad-33f8-5d79-a5df-b4b88216aba8.html">https://gazettetimes.com/edition/page_aa2946ad-33f8-5d79-a5df-b4b88216aba8.html</a>	Coffin Butte - Expansion	Landfill application deemed complete
3/5/ 2025	Waste Dive	<a href="https://www.wastedive.com/news/colorado-landfill-methane-rule-proposal-public-meetings/741641/?utm_source=Sailthru&amp;utm_medium=email&amp;utm_campaign=Issue%202025-03-05%20Waste%20Dive%20Newsletter%20%5Bissue:70995%5D&amp;utm_term=Waste%20Dive">https://www.wastedive.com/news/colorado-landfill-methane-rule-proposal-public-meetings/741641/?utm_source=Sailthru&amp;utm_medium=email&amp;utm_campaign=Issue%202025-03-05%20Waste%20Dive%20Newsletter%20%5Bissue:70995%5D&amp;utm_term=Waste%20Dive</a>	Landfills - Methane	Colorado's proposed landfill methane rule may include first-ever provisions
3/6/ 2025	Gazette Times	<a href="https://www.statesmanjournal.com/story/tech/science/environment/2025/03/06/oregon-landfills-methane-monitoring-loophole-study/81163394007/?utm_source=psal-DailyBriefing&amp;utm_medium=email&amp;utm_campaign=daily-briefing&amp;utm_term=Content%20List%20-%20Stacking%20-%20optimized&amp;utm_content=1074SJ-E-NLETTER65">https://www.statesmanjournal.com/story/tech/science/environment/2025/03/06/oregon-landfills-methane-monitoring-loophole-study/81163394007/?utm_source=psal-DailyBriefing&amp;utm_medium=email&amp;utm_campaign=daily-briefing&amp;utm_term=Content%20List%20-%20Stacking%20-%20optimized&amp;utm_content=1074SJ-E-NLETTER65</a>	Landfills - Methane	Oregon corporate landfills using loophole to avoid methane monitoring, study finds
3/13/ 2025	Gazette Times	<a href="https://gazettetimes.com/edition/page_f59399ad-9df2-5a85-abd5-5c38523fe865.html">https://gazettetimes.com/edition/page_f59399ad-9df2-5a85-abd5-5c38523fe865.html</a>	Coffin Butte - Expansion	Benton County wields bureaucratic weapon
3/15/ 2025	Gazette Times	<a href="https://gazettetimes.com/edition/page_92456d1f-046f-53e3-936f-307d76da8497.html">https://gazettetimes.com/edition/page_92456d1f-046f-53e3-936f-307d76da8497.html</a>	Landfill - Coffin Butte	Time to Make a Switch? Electric company looks to transition to renewable gas
3/17/ 2025	Corvallis Advocate	<a href="https://www.corvallisadvocate.com/2025/biogas-company-hopes-coffin-butte-stays-open-pitches-to-county-commissioners/">https://www.corvallisadvocate.com/2025/biogas-company-hopes-coffin-butte-stays-open-pitches-to-county-commissioners/</a>	Landfill - Coffin Butte	Biogas Company Hopes Coffin Butte Stays Open, Pitches to County Commissioners
3/21/ 2025	Gazette Times	<a href="https://gazettetimes.com/edition/page_90f417e5-3b28-5810-8e25-9fcef5041807.html">https://gazettetimes.com/edition/page_90f417e5-3b28-5810-8e25-9fcef5041807.html</a>	Landfill - Coffin Butte	Coffin Butte hearing schedule posted, public comment open

3/23/2025	State sman Journal	<a href="https://www.statesmanjournal.com/story/news/2025/03/23/hearings-set-on-coffin-butte-landfill-expansion-as-epa-investigates/82578305007/">https://www.statesmanjournal.com/story/news/2025/03/23/hearings-set-on-coffin-butte-landfill-expansion-as-epa-investigates/82578305007/</a>	Land fill - Coffin Butte	Hearings set on Coffin Butte landfill expansion as EPA continues investigation
3/25/2025	Gazette Times	<a href="https://gazettetimes.com/eedition/page_b58a1c56-5549-5613-8e6f-75c431965675.html">https://gazettetimes.com/eedition/page_b58a1c56-5549-5613-8e6f-75c431965675.html</a>	Land fill - Coffin Butte Expansion	This 'limited' expansion is another ruse
3/24/2025	Waste Dive	<a href="https://www.wastedive.com/news/epa-deregulation-impacts-landfill-waste-facilities/743283/">https://www.wastedive.com/news/epa-deregulation-impacts-landfill-waste-facilities/743283/</a>	Land fills	Breaking down what deregulation means for landfills
3/27/2025	State sman Journal	<a href="https://www.statesmanjournal.com/story/news/local/polk-county/2025/03/26/polk-county-solid-waste-franchise-rehub-polk-rickreall-dairy/82672940007/?utm_source=psal-DailyBriefing&amp;utm_medium=email&amp;utm_campaign=daily-briefing&amp;utm_term=Content%20List%20-%20Stacking%20-%20optimized&amp;utm_content=1074SJ-E-NLETTER65">https://www.statesmanjournal.com/story/news/local/polk-county/2025/03/26/polk-county-solid-waste-franchise-rehub-polk-rickreall-dairy/82672940007/?utm_source=psal-DailyBriefing&amp;utm_medium=email&amp;utm_campaign=daily-briefing&amp;utm_term=Content%20List%20-%20Stacking%20-%20optimized&amp;utm_content=1074SJ-E-NLETTER65</a>	Rehub	Polk County awards solid waste franchise for proposed Rickreall facility
3/29/2025	Gazette Times	<a href="https://gazettetimes.com/eedition/page_f5896f84-fac6-5bea-8142-9080a9fc7207.html">https://gazettetimes.com/eedition/page_f5896f84-fac6-5bea-8142-9080a9fc7207.html</a>	Coffin Butte - Expansion	Opposed to Coffin Butte Expansion
3/29/2025	San Diego Union Times	<a href="https://www.sandiegouniontribune.com/2025/03/28/eye-in-the-sky-california-spending-100m-to-track-methane-emissions-with-satellites/">https://www.sandiegouniontribune.com/2025/03/28/eye-in-the-sky-california-spending-100m-to-track-methane-emissions-with-satellites/</a>	Land fills - Satellites	Eye in the sky: California spending \$100M to track methane emissions with satellites
3/29/2025	Waste Dive	<a href="https://www.wastedive.com/news/california-landfill-methane-rule-update-preview/743576/?utm_source=Sailthru&amp;utm_medium=email&amp;utm_campaign=Newsletter%20Weekly%20Roundup:%20Waste%20Dive:%20Daily%20Dive%2003-29-2025&amp;utm_term=Waste%20Dive%20Weekender">https://www.wastedive.com/news/california-landfill-methane-rule-update-preview/743576/?utm_source=Sailthru&amp;utm_medium=email&amp;utm_campaign=Newsletter%20Weekly%20Roundup:%20Waste%20Dive:%20Daily%20Dive%2003-29-2025&amp;utm_term=Waste%20Dive%20Weekender</a>	Land fills - Satellites	California poised to ramp up landfill emissions regulations