

The Register-Guard

ENVIRONMENT

J.H. Baxter wood treatment plant, known for pollution violations, to end operations Monday



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Published 10:13 a.m. PT Jan. 26, 2022 | Updated 3:45 p.m. PT Jan. 26, 2022

A west Eugene industrial site known as a chronic violator of environmental regulations plans to end operations Monday, according to spokesmen for local regulating agencies.

J.H. Baxter & Co., owner of the wood treatment facility on Roosevelt Boulevard, has informally informed regulators it will cease plant operations Monday, Jan. 31, Lane Regional Air Protection Agency spokesman Travis Knudsen said. He said employees were told of the plans and only a small crew will remain onsite after Monday.

The information was relayed to regulators through the company's attorney. J.H. Baxter hasn't yet submitted to regulators an official notice of its intention to cease operations.

"We still want to get more information from Baxter on this transition," Knudsen said. "They have let us know they intend to — for all practical purposes — close the plant."

The company's president did not respond to an email about closure plans Wednesday. Attempts to reach other representatives at the plant Wednesday were unsuccessful.

The J.H. Baxter plant was built on the outskirts of Eugene in the 1940s before much residential development there had occurred. It was annexed into Eugene by 1954.

The company uses the 42-acre site to pressure treat wood products, such as telephone poles, by infusing them with chemicals, such as creosote, inside devices called retorts.

Related: Eugene wood treatment facility J.H. Baxter fined more than \$200,000 for repeated environmental violations

For years, the plant's neighbors have blamed it for noxious odors and health issues. The plant has a long history of environmental violations, including hefty fines last year from the Oregon Department of Environmental Quality concerning illegal use of their retorts.

J.H. Baxter is in settlement talks with DEQ concerning those fines. A hearing is scheduled for mid-May if the company and DEQ do not reach an agreement by then.

Dioxins found in soil

DEQ announced Jan. 13 that an investigation into the presence of dioxins in soil at and around the plant led to the discovery of those toxic compounds in samples from nearby homes. DEQ is requiring the company pay for soil replacement at those affected homes.

DEQ spokesman Dylan Darling said the agency has not received formal notice the company intends to end its operations, but said an attorney informed them of the plans.

"DEQ will be engaged with Baxter as long as there are environmental issues to address at and near the facility. The department will continue to inspect and investigate as needed to ensure compliance," Darling said in an email Wednesday.

Darling said Tuesday the agency is working out dioxin cleanup details with J.H. Baxter, including which contractor will do the soil replacement and when they will begin.

"One of the things we're trying to figure out is just how much does need to be removed," he said. "We're mainly talking about contaminated soil, but it can include other things."

Darling said DEQ wants the most contaminated yards cleaned up by early summer.

DEQ discovered dioxins in soil samples from a seventh home near the plant, but did not find levels requiring cleanup. Dioxins also were found in soil samples from other nearby locations, such as Petersen Park, but not at levels necessitating cleanup, Darling said.

Chemicals like dioxins are regulated in part by expectations for exposure. Levels that are considered dangerous in a residential yard, where children might be exposed every day, aren't as strict in places like parks, where children would be exposed for less time.

Bethel School District spokesperson Alisha Dodds said DEQ hasn't raised concern of dioxin contamination at Fairfield Elementary, which is about a half-mile from Petersen Park.

"As the DEQ works with its partners to continue its investigation into levels of dioxins in the area, they will keep us updated on any information that could potentially impact our

students, staff and families," Dodds said in an email Wednesday.

Additional testing of locations farther away from the plant will begin soon, Darling said.

What's next at the plant

Regulating agencies Wednesday had not changed their perspective or expectations for the J.H. Baxter & Co. plant because the notice of closure, so far, has been only informal.

"Until we receive formal written notification requesting to change their air permit, from our perspective everything is still the same. All the current requirements and stipulations in their air permit remain active. All the requirements still need to be met," Knudsen said.

Knudsen said the company could ask for its air permits to be terminated or temporarily suspended, depending on what the company chooses to be the next steps for the plant.

J.H. Baxter representatives could not be reached Wednesday to answer whether or how many plant employees are being terminated, nor to confirm operations will end Monday.

The company is the defendant in several lawsuits concerning residents' health issues.

The Active Bethel Citizens board and Beyond Toxics, a local nonprofit at the forefront of community efforts to reign in pollution at the plant, recently sent a letter to public officials in Eugene calling for steps to be taken to close the plant in response to the dioxin issue.

"Eugene residents living in the vicinity of J.H. Baxter know their own long history of being exposed to J.H. Baxter's air, water and soil pollution. Many hundreds of residents have filed complaint after complaint describing suffering the ill effects and loss of wellbeing as a direct result of J.H. Baxter's air toxics and water pollution. Many more residents have given up trying to engage with our local and state regulators from fear of dismissiveness and minimal responsiveness. This situation is unacceptable and the community no longer can endure ongoing pollution from J.H. Baxter," the letter reads.

Beyond Toxics Executive Director Lisa Arkin said she sees the end of operations at the plant as a victory, but the fight now will shift to assuring the company cleans its messes.

"There's so much cleanup that now has to be done, including their own site, which is highly contaminated, the sites that have already been contaminated with the dioxin monitoring and there are sites they haven't even monitored yet," Arkin said. "We have a lot of questions about how the state goes about holding polluters accountable."

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