

# Coordination & Engagement on Issues Related to the JH Baxter Facility

## COMMUNITY ENGAGEMENT CORE TEAM

### Meeting 24

Tuesday, September 17, 2024

### Facilitator's Meeting Summary

**Participants for all or part of the meeting:** Jeremy Aasum (Community member/ABC), Lisa Arkin (BT), Arjorie Arberry-Baribeault (BT), Robin Bloomgarden (Community Member), Mary Camarata (DEQ), Alice Corcoran (EPA), Bonnie Criss (EPA), Dylan Darling (DEQ), Sarah Eagle (DEQ), David Farrer (OHA), Don Hanson (DEQ), Todd Hudson (OHA), Max Hueftle (LRAPA), Travis Knudsen (LRAPA), Kaley Major (DEQ), Randy Nattis (EPA), Molly Notarianni (OHA), Brandon Perkins (EPA), Teresa Roark (LCPH), Diana Rohlman (OSU), Matt Sorensen (LRAPA), Raevyn Thompson (BT), Jon Wilson (CoE), and Lin Woodrich (ABC). Facilitation Team: Emily Stranz and Colby Mills, DS Consulting.

**Welcome and Introductions** - Facilitator, Emily Stranz, welcomed the group to the 24<sup>th</sup> Core Team meeting, with a special welcome to Matt Sorensen, LRAPA's new Public Affairs and Project Manager, who will be taking over Travis Knudsen's previous role at the agency. Emily noted that the purpose of the session was to reconnect and hear updates from DEQ and EPA about clean-up, sampling, and process moving forward; and to provide an opportunity for questions, to hear updates from community, OHA, LRAPA, City of Eugene, Lane County, and DEQ reps. Additionally, the session would provide EPA an opportunity to discuss its National Priorities Listing (NPL) process and progress made.

From a process standpoint, Emily reminded the group of the shifting roles as the project continues to move forward: as DEQ has completed their planned residential cleanup, work is shifting into EPA's authority. DEQ has agreed to support EPA by continuing DS Consulting facilitation support for the effort through spring of 2025.

**Residential Clean-up (DEQ)** – Sarah Eagle, DEQ, provided the final status report for DEQ's Clean-up effort, noting that planned restoration activities were completed mere days after the last meeting! Residents questions and concerns have been resolved, and the remaining loose ends were followed-up on within the summer. A detailed completion report of all efforts throughout the entire residential clean-up process is currently being drafted by DEQ contractor, GSI, which is expected to be submitted to DEQ next month for review. The report will be finalized this winter. GSI/DEQ will also be developing detailed property-specific memos to provide to each of the participating households about the clean-up efforts conducted on their property, this documentation can be kept with the properties and used as reference if ever sold. A public media event was held earlier this morning. Information is also distributed via the ABC newsletter.

Sarah noted that DEQ will remain involved and open to residents if they have questions or concerns, even while EPA takes the reins; the agency is also still meeting with all other agencies for the Technical and Managers' teams. Don Hanson, DEQ, added that even though EPA is taking the lead, Sarah will remain a partner in the process as Project Manager for the J.H. Baxter site for DEQ.

A community Core Team member shared that they have heard very positive response from a two residents, noting that DEQ has done a beautiful job and it is much appreciated.

**Facility Clean-Up Updates (EPA)** – The EPA Team presented on the Time Critical Removal Actions (TCRA) (see slides on pages 7-9), the latest round of residential sampling (see slide on page 9), and the National Priorities List (NPL) process, including opportunity for public comments (see slides on pages 10-13).

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**Time-Critical Removal Actions** – Randy Nattis, EPA, reported that after initiating the TCRA, EPA signed the Action Memorandum (AM) on May 9, 2024. He noted that the TCRA is expected to last roughly 12 months, depending on weather and other variables. The AM TCRA ceiling was set at \$10.3 million dollars, details on the actions approved are available in the presentation slides.

EPA mobilized to the site (32 acres) on August 5<sup>th</sup>, beginning operations on the wood-treating portion of the facility. Several areas of interest have been identified and divided into the following Decision Units (DU):

- The Main Treatment Area:
  - North Retort and surrounding tanks (DU01)
  - North Tank Farm (DU02), South Tank Farm (DU03)
  - Boiler room and surrounding area (DU04)
  - Hazardous Materials Shed and Drum Storage Area (DU05)
- Drip pad sheds, storage, and drying areas (DU06)
- Stormwater and Groundwater treatment systems (DU07)
- Laboratory (DU08)

Randy noted that the primary focus areas of this TCRA will be DU01-DU05 and DU08 as all of these contain significant quantities of hazardous substances. DU06 and DU07 are outside of the scope of the project or are too big for the removal program, which is why the site has been proposed for NPL.

EPA is taking a phased approach for TCRA, and will include asbestos abatement, liquid removal, sludge solidification and removal, deconstruction, secondary containment, deconstruction, and soil removal. Randy noted that more phases can be added if needed, and that not all areas or tanks will need all the listed phases. The map on slide 4 also shows EPA's air monitoring stations (signaled as blue diamonds) that monitor dust and other volatile organic compounds (VOCs), with monitoring data centralized through a computer. An alert is triggered if sensor readings reach a certain threshold, so EPA can manage what is happening on-site.

See the presentation slides for more details on EPA's response actions to-date. EPA estimates that in total more than 6,000,000 pounds of contaminants will be removed; so far over 30 trucks have transported wastes off-site (filled with 4,500-4,800 gallons each).

## Questions and Comments

- *Question:* Where is the waste going when it leaves JHB?
  - *Response:* Some of the product is going to an approved [Aragonite Hazardous Waste Incinerator](#), outside of Salt Lake City, Utah, run by Clean Harbors. Most of that material is transported by trucks (eventually will be transported by rail). Some of the metals material (ACZA) is going to another approved landfill in Arlington, Oregon, a facility that only accepts material via trucks.
- *Question:* [Regarding the Dus, slide 3] What are the open-air water storage tanks shown in the map?
  - *Response:* Good question, this is a very complicated site that can be confusing. Those are surface water/stormwater, collected in three 1 million gallon above ground storage tanks. Any water that lands in the DU1, DU2, DU4 areas is collected as process water. So that's the evaporator. There are three water treatment sites on the property, groundwater, surface water, and farm water. The farm water tank will be managed by EPA moving forward. When it rains, water is collected through different types of draining mechanisms, pumped to the above ground storage tanks, run through the water treatment, and discharged.
- *Question:* [Regarding removing hazardous liquids from tanks] How are you solidifying the solids/sludges/liquids?
  - *Response:* By adding perlite, which hardens it; taking the moisture out to keep it as a solid.
- *Question:* What is the security situation at the site?

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- *Response:* EPA has hired a security company through a contractor; they drive around the facility, primarily staying in the front side to ensure that the tanks and equipment aren't being tampered with and to keep out trespassers. The security team keeps logs of activities and there are signs on the outside that designate the EPA site. There have been no issues to date.

**Residential Sampling** – Bonnie Criss, EPA, reported that during the week of August 5<sup>th</sup>, EPA spoke to homeowners sampling an additional 14 homes; 66 residences have been sampled for dioxins in total, covering the entire two block area of Baxter Street and Alva Park Drive up to Elmira Road. Additional subsurface sampling will be conducted underneath Baxter Street tentatively on September 26<sup>th</sup> (or sometime that week) to further explore if the trucking route on Baxter Street led to dioxins contaminating the neighborhood. There will likely be similar studies looking at the spread of contamination continuing through the NPL process.

Bonnie noted that data may take up to 6 months to receive from EPA's contract laboratory program; data will be shared out with residents and next steps for residential areas will be evaluated.

### Questions and Comments

- *Question:* For sampling underneath Baxter Street, are you going to go right through the concrete/street?
  - *Response:* Yes, the plan is to go straight through the asphalt on the road and get the soil that's right beneath it. Whatever was below it should be a good snapshot of what has been there historically.
- *Question:* How far up Baxter are you going to go?
  - *Response:* We are just going up to Elmira. EPA is focusing on that area because that's where the homes with the highest elevated dioxin levels have been observed.
- *Question:* Has anyone looked into the historical truck use going up Baxter Street to Elmira? Did they continue up Baxter or turn down Elmira with the trucks? I would have thought they'd go all the way up to Royal.
  - *Response:* A lot of our information is based on [historical imagery](#). We know for sure one of their main trucking routes was going up and out Baxter. At this time, we don't know their direct trucking route, but it could potentially be investigated more later as we continue on with the NPL process.
  - *Response:* Jon Wilson, City of Eugene, noted that his understanding is that they went up out to the west on Elmira, based off the aerials.

**National Priorities List & Public Comment Period** – Brandon Perkins, EPA, presented on the NPL and public comment period. He clarified that the Removal Program Emergency Response and TCRAs are designed for short-term actions to address immediate risks and threats to human health and the environment. The NPL process involves long-term response actions to address complex issues requiring in-depth clean-up actions. Brandon reviewed the Superfund Remedial Process Timeline, an in-depth study of the site, reminding the group that EPA has completed the site inspection and proposed the site to the NPL on September 5<sup>th</sup> via a Federal Register Notice. TCRAs can happen at any point throughout the removal program, and additional areas of the site may be appropriate for TCRAs throughout the process.

Brandon reviewed the NPL listing process, the steps EPA has completed to date, and next steps. After the site was proposed, the 60-day public comment period began and will remain open until November 4<sup>th</sup>. EPA will then review and respond to public comments and determine whether to finalize the site to the NPL (via Federal Register Notice).

EPA encourages members of the public to submit comments through November 4<sup>th</sup>, via any of the following three methods:

1. **Online:** [www.regulations.gov](http://www.regulations.gov), search for docket number "EPA-HQ-OLEM-2024-0377"

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2. **Mail** (postmarked by November 4<sup>th</sup>):  
U.S. Environmental Protection Agency  
EPA Docket Center, Superfund Docket, Mail Code 28221T  
1200 Pennsylvania Avenue NW Washington, DC 20460  
Submissions must include docket number “EPA-HQ-OLEM-2024-0377”
3. **Hand Delivery or Courier** (by scheduled appointment only):  
EPA Docket Center, WJC West Building, Room 3334,  
1301 Constitution Avenue NW, Washington, DC 20004.  
8:30am-4:30pm, Monday–Friday (except federal holidays)  
Submissions must include docket number “EPA-HQ-OLEM-2024-0377”

Brandon noted that comments may be submitted anonymously, and all comments received are treated equally. For detailed instructions on submitting comments online please see slides on pages 13-14, and additional information on the NPL proposed rule can be found at the following links:

- [Federal Register Notice of the Current NPL Proposed Rule - 89 FR 72356](#)
- [Current NPL Updates: New Proposed NPL Sites and New NPL Sites](#)
- <https://www.epa.gov/or/jh-baxter-wood-treating-facility-cleanup-investigation>

### Questions and Comments

- *Question:* Will there be another news release if the site is finalized to the list after public comment?
  - *Response:* Yes, there is another Federal Register Notice that goes out and there will be a press release.
- *Comment:* Regarding public comments, comments that highlight the cooperation within the Core Team could be really helpful to demonstrate community support and collaboration. Those types of comments may be received very well.

**Reflections on the Press Event** – Core Team members who were present at the press event this morning reflected on how it went. There was appreciation for the presence of high-level officials and the opportunity for community interaction, although some wished more community members had attended. One person noted that it was great to see how many people have been involved throughout this huge collaborative undertaking, and to hear names recognized for all the dedicated efforts contributed. EPA folks were commended for their efforts in organizing the media event.

Core Team members added media stories to the chat:

- <https://nbc16.com/news/local/jh-baxter-cleanup-continues-with-sites-proposed-inclusion-to-national-priorities-list#>
- [https://www.kezi.com/news/officials-update-community-on-j-h-baxter-clean-up-during-press-conference/article\\_05a88eae-7554-11ef-80b4-cbef011193b2.html](https://www.kezi.com/news/officials-update-community-on-j-h-baxter-clean-up-during-press-conference/article_05a88eae-7554-11ef-80b4-cbef011193b2.html)
- <https://www.klcc.org/environment/2024-09-17/officials-push-for-superfund-status-at-eugenes-deactivated-j-h-baxter-plant>

### Other Updates

- **Beyond Toxics:** BT, along with ABC is having a meeting for Trainsong, regarding a biofuel project trying to get off the ground that is causing great concern to the community, they are afraid it will be another J.H. Baxter situation: <https://www.beyondtoxics.org/actionalerts/#trainsong>. BT has also met with a Professor (Alyssa) from OSU who has done mass sampling (lead testing) around the J.H. Baxter site; BT is interested in sharing her findings at a future Core Team meeting to help the effort in making sure this site becomes a Superfund site. They can share educational materials from one of her prior moss sampling projects in the meantime.

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- **ABC:** Lin added the following links into the chat for the group:  
<https://www.activebethelcommunity.org/post/usd-clean-fuels-facility>,  
<https://www.activebethelcommunity.org/event-details/usd-clean-fuels-facility-community-meeting>.  
She noted they continue to post answers to community questions, and there will be a community meeting on October 7<sup>th</sup> in the Trainsong neighborhood for anyone who wants more information on the situation in the neighborhood. Jeremy added that this will likely be his last Core Team meeting due to a new baby on the way! Everyone thanked Jeremy for all his efforts at Core team over the years.
- **CoE:** CoE is continuing with their work, checking on outfalls at least once a week. Jon offered to answer any questions community members might have about his regulatory work.
- **OHA:** OHA's health consultation report was released in August, [www.oregon.gov/jhbaxter](http://www.oregon.gov/jhbaxter),  
<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le-657751.pdf>.
- **LRAPA:** Travis provided logistical updates about LRAPA's office update and temporary space; they are temporarily located in the Lane County Public Service Building.
- **DEQ:** On behalf of the DEQ enforcement team, Dylan reported that the fine owed by J.H. Baxter continues to grow. It accrues interest and is currently over \$350,000.00. DEQ is continuing to work with other state agencies to find a way to get it paid.

**Next Steps and Closing** – In closing, Emily reminded the group that a draft meeting summary will be provided for review; due to meeting scheduling, approval of the summary will take place via email. Additionally, important updates and information will be shared as needed via email. The next Core Team meeting will be scheduled once more updates are available to share with the group.

The meeting concluded with expressions of gratitude and appreciation for the collaborative efforts and hard work of all participants. Emily thanked everyone for their participation and adjourned the meeting.

*This summary was prepared by the DS Consulting facilitation team. Comments or suggested edits should be sent to [emily@dsconsult.co](mailto:emily@dsconsult.co)*



# Coordination & Engagement on Issues Related to the JH Baxter Facility

## Presentation Slides

**J. H. BAXTER**

**EPA UPDATES**

*TIME CRITICAL REMOVAL ACTION*

*NATIONAL PRIORITIES LIST PROPOSAL*

*PROPOSAL PUBLIC COMMENT PERIOD*

**Core Team Meeting, September 2024**



## TIME-CRITICAL REMOVAL ACTION

EPA signed the Action Memorandum (AM) on May 9, 2024.

The AM TCRA ceiling was set at \$10,304,000 which included the following proposed actions:

- a. Establish a command post, site security, and implement best management practices.
- b. Establish process wastewater collection and treatment system.
- c. Assume surface water treatment operations as needed.
- d. Establish a community and work zone air monitoring and sampling program.
- e. Conduct additional off-site soil sampling as needed.
- f. Reestablish the onsite rail line to support off-site transport and disposal.
- g. Asbestos Containing Material (ACM) abatement.
- h. Hazardous substances and waste stream consolidation and stabilization.
- i. Off-site transportation and disposal of hazardous substances, complying with the offsite rule 40 C.F.R. § 300.440.
- j. Demolition and disposal of tank farm, piping, and secondary containment.
- k. Removal and disposal of contaminated soils and other discovered source materials as needed.
- l. Confirmation soil sampling as needed.
- m. Backfill excavation with clean materials as needed.



## TIME-CRITICAL REMOVAL ACTION

EPA mobilized to Site on August 5 to begin site operations on the Wood-treating portion of the facility. The Facility has several areas of interest, which have been divided into the following Decision Units (DU)

- **The Main Treatment Area:**
  - North Retort and surrounding tanks – DU01
  - North Tank Farm – DU02, South Tank Farm – DU03
  - Boiler room and surrounding area – DU04
  - Hazardous Materials Shed and Drum Storage Area – DU05
- Drip pad sheds, storage, and drying areas – DU06
- Stormwater and Groundwater treatment systems – DU07
- **Laboratory – DU08**

The primary focus area of this TCRA will be DU01 thru DU05 (The Main Treatment Area) and DU08 (Laboratory). All these DUs contain large quantities of hazardous substances such as dioxins/furans, heavy metals, Volatile organic compounds (VOCs) and semivolatile organic compounds (SVOCs).



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## TIME-CRITICAL REMOVAL ACTION

Operations are being completed in phases:

- Phase X - Asbestos Abatement
- Phase 1 - Liquid Removal
- Phase 2 - Sludge Solidification and Removal
- Phase 3 - Deconstruction
- Phase 4 - Secondary containment Deconstruction
- Phase 5 - Soil Removal



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## TIME-CRITICAL REMOVAL ACTION

### Response actions to date:

- Daily morning health and safety and afternoon operational planning meetings
- Site wide dust suppression during all site operations.
- Site wide air monitoring in support of all site operations.
- Removed non asbestos insulation in preparation of tank and pipe disposal.
- Conducted an asbestos survey of the main treatment area and preparing abatement subcontracting scope of work.
- Disposed of over 1,000,000 pounds of hazardous substances which include:
  - Pentachlorophenol
  - Creosote / Pentachlorophenol mixture
  - Ammoniacal Copper Zinc Arsenate (ACZA)
- Initiated tank sludge removal and stabilization.
- Established on site rail spur for use during disposal activities.



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## RESIDENTIAL SAMPLING

- EPA sampled an additional 14 homes the week of August 5<sup>th</sup> bringing the total of EPA sampled residences up to 66.
- This event completed the sampling of the Baxter St. /Alva Park Drive homes up to Elmira Rd.
- EPA is planning on collecting the subsurface samples under Baxter Street on 9/26.
- Data may take up to 6 months to receive and results will be shared with residents.



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# Removal Program Emergency Response & Time Critical Removal Actions

## Short Term

Actions where EPA determines that less than six months planning is available before site activities must be initiated.

# Remedial Program National Priorities List (NPL) "Superfund Site"

## Long Term

More involved actions where EPA determines there is a complex issue that requires more in-depth assessment or a more technical solution to the contamination

## THE SUPERFUND REMEDIAL PROCESS



**Time Critical Removal Actions Can Happen Anytime Throughout Process**

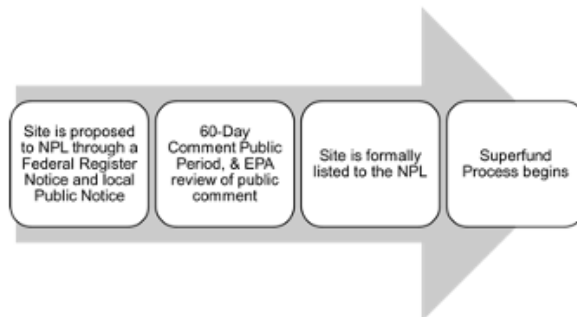
 = Site Proposed to NPL

# Coordination & Engagement on Issues Related to the JH Baxter Facility

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## NPL LISTING PROCESS

- Complete Site Investigation ✓
- Request Concurrence From State of Oregon ✓
- Develop Hazard Ranking System (HRS) Documentation Record ✓
- Propose to NPL - Federal Register Notice: September 5, 2024 ✓
- **60-Day Public Comment Period:**  
**September 5, 2024**  
**to November 4, 2024**
- Review and Respond to Public Comments then Determine Whether to Finalize Site to NPL
- Finalize to NPL - Federal Register Notice



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## PUBLIC COMMENT PERIOD

The public is encouraged to submit comments to EPA from **September 5 – November 4, 2024**. Comments may be submitted via methods below. All comments received will be treated equally.

### Online:

<https://www.regulations.gov/>

Search for "EPA-HQ-OLEM-2024-0377"

### Mail (Comments must be postmarked by **November 4, 2024**):

U.S. Environmental Protection Agency

EPA Docket Center, Superfund Docket, Mail Code 28221T

1200 Pennsylvania Avenue NW Washington, DC 20460

**Submissions must include the docket number (EPA-HQ-OLEM-2024-0377)**

### Hand delivery or courier (by scheduled appointment only):

EPA Docket Center, WJC West Building, Room 3334,

1301 Constitution Avenue NW, Washington, DC 20004.

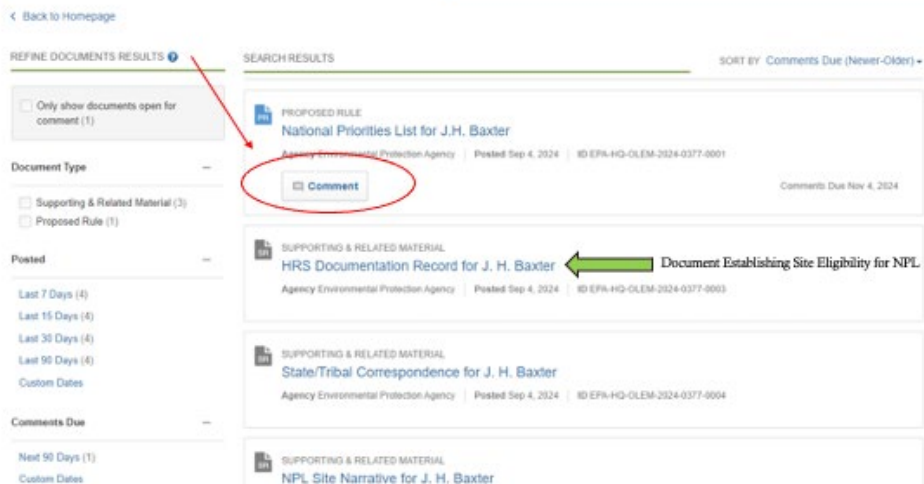
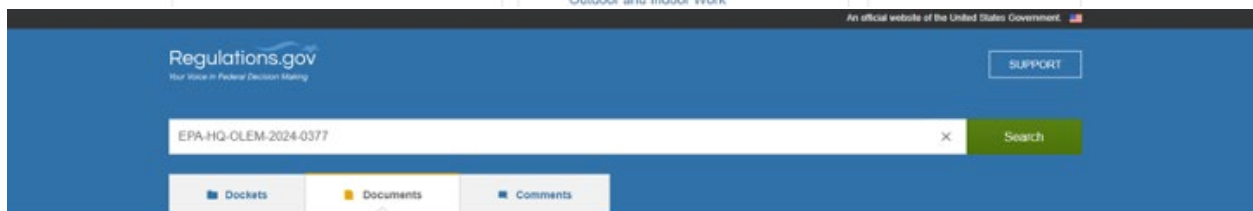
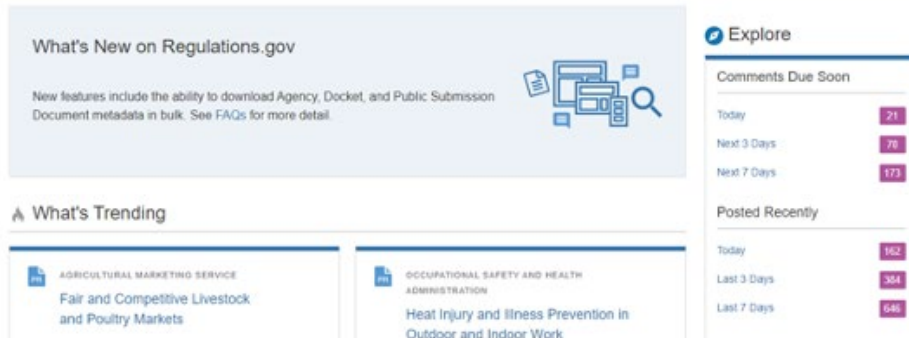
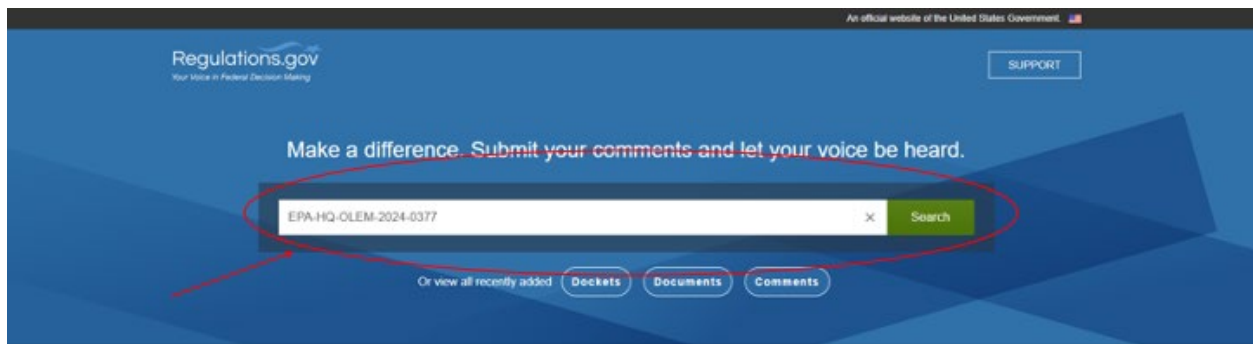
The Docket Center's hours of operations are 8:30am-4:30pm, Monday-Friday (except federal holidays)

**Submissions must include the docket number (EPA-HQ-OLEM-2024-0377)**

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# Coordination & Engagement on Issues Related to the JH Baxter Facility

An official website of the United States Government.

Regulations.gov  
Your Voice in Federal Decision-Making

SUPPORT

You are commenting on a Proposed Rule by the **Environmental Protection Agency**

Comment Period Ends: **54 Days**

National Priorities List for J.H. Baxter

**Write a Comment**  
Read Agency Guidelines | Commenter's Checklist

Comment\*

Start typing comment here...

5000

Attach Files  
You can attach up to 20 files, but each file cannot exceed 10MB. Valid file types include: bmp, docx, gif, jpg, jpeg, pdf, png, pptx, rtf, sgm, stl, tiff, txt, vpd, xls, xml

Drop files here or [Browse...](#)

Field Address

## Additional Information on the NPL Proposed Rule and How to Comment Can Be Found At:

- [Federal Register Notice of the Current NPL Proposed Rule - 89 FR 72356](#)
- [Current NPL Updates: New Proposed NPL Sites and New NPL Sites](#)





# QUESTIONS?

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