



Oregon

Tina Kotek, Governor

Department of Environmental Quality

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February 14, 2023

Georgia Baxter-Krause
P.O. Box 3541
Bend, OR 97707

**Re: Environmental compliance at the JH Baxter Facility
3494 Roosevelt Blvd., Eugene, OR 97402**

Dear Georgia Baxter-Krause:

Since J.H. Baxter & Co. LLC ceased operation at the Eugene facility on Jan. 31, 2022, no progress has been made in the implementation of the Record of Decision for the release of hazardous substances at the facility, and DEQ has ongoing concerns about stormwater and hazardous waste management onsite.

Baxter's Jan. 28, 2022, letter advising DEQ of the facility's closure also notified DEQ that Baxter's intention is to comply with all regulatory requirements including stormwater, groundwater and process water treatment. The letter further stated that daily inspections will be conducted to ensure environmental safety and compliance. Baxter advised DEQ that a small crew on-site will make sure all water systems remain operational and in compliance with all environmental and safety regulations.

On Feb. 10, 2022, DEQ designated the Baxter cleanup site, ECSI #0055 an Orphan Site under Oregon Revised Statute 465.381. This decision was based on Baxter's inability to perform cleanup actions at the site. DEQ's Orphan program has been focusing investigation and cleanup efforts on the off-site dioxin contamination present in residential yards to the north/northeast of the facility.

On Sept. 27, 2022, DEQ's Hazardous Waste Program requested assistance from U.S. Environmental Protection Agency to remove hazardous materials and substances and associated solid waste from the property. This request was made due to concerns about Baxter's capacity to maintain environmental compliance at the facility including the company's ability to properly manage the hazardous waste at the facility.

On Oct. 25, 2022, DEQ's Office of Compliance and Enforcement sent Baxter a letter regarding violation of the July 14, 2022, Mutual Agreement and Order. The letter also requested a written response by Nov. 3, 2022. DEQ did not receive a written response to all the questions and concerns outlined in the letter.

DEQ has also been made aware of several break-ins and vandalism at the facility over the past year that resulted in temporary problems with the treatment systems and alarms. Although no