



THE UNITED STATES
DEPARTMENT *of* JUSTICE

United States Attorney's Office
District of Oregon

FOR IMMEDIATE RELEASE
January 22, 2025
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Contact: Public Affairs Officer
Phone: (503) 727-1000
USAOR.PublicAffairs@usdoj.gov

**J.H. Baxter Wood Treatment Companies and President Plead Guilty to
Hazardous Waste and Air Pollution Charges**

EUGENE, Ore.— The companies responsible for the J.H. Baxter wood treatment facility in Eugene, Oregon, and their president pleaded guilty today in federal court to hazardous waste and Clean Air Act violations and agreed to pay a total of \$1.5 million in criminal fines.

The corporations — J.H. Baxter & Co. Inc. and J.H. Baxter & Co., A California Limited Partnership (collectively J.H. Baxter) — both pleaded guilty to charges of illegally treating hazardous waste and knowingly violating the Clean Air Act's pollution control regulations. The companies' president, Georgia Baxter-Krause, 61, of Deschutes, Oregon, pleaded guilty to two counts of making false statements in violation of the Resource Conservation and Recovery Act (RCRA), the federal statute governing hazardous waste management.

According to court documents, J.H. Baxter used hazardous chemicals to treat and preserve wood at its Eugene facility. The wastewater from the wood preserving processes was hazardous waste.

To properly treat wastewater from its wood treatment process, J.H. Baxter operated a legal wastewater treatment unit to treat and evaporate the waste. For years, however, when J.H. Baxter had too much water on site, including process wastewater and precipitation, J.H. Baxter's employees at the facility would transfer hazardous process wastewater to an available wood treatment retort to "boil it off," greatly reducing its volume. J.H. Baxter would then remove the remaining waste from the retort, label it as hazardous waste and ship it offsite for disposal.

State and local regulators were not made aware of this process and J.H. Baxter did not have a permit to treat its hazardous waste in this manner, as required by RCRA. Additionally, J.H. Baxter's facility was subject to certain Clean Air Act emissions standards for hazardous air pollutants, which required it to minimize air pollution emissions. However, employees were directed to open all vents on the retorts, allowing discharge to the surrounding air.

Oregon inspectors requested information about J.H. Baxter's practice of boiling off hazardous wastewater. On two separate occasions, Baxter-Krause gave false information in response, which included information about the dates the practice took place and which retorts were used. The investigation determined that Baxter-Krause knew J.H. Baxter maintained detailed daily production logs for each retort. From approximately January to October 2019, J.H. Baxter boiled off hazardous process wastewater in its wood treatment retorts on 136 known days. Baxter-Krause was also aware that during this time J.H. Baxter used four of its five retorts to boil off wastewater.

On November 22, 2024, J.H. Baxter was charged by criminal information with illegal treatment of hazardous waste and knowingly violating the Clean Air Act's pollution control regulations, and Baxter-Krause was charged with two counts of making false statements in violation of the RCRA.

As part of their plea agreements, the companies and Baxter-Krause have agreed to pay a total of \$1.5 million in criminal fines. Baxter-Krause also faces up to two years in federal prison and three years of supervised release. They are scheduled to be sentenced on April 22, 2025, before U.S. District Court Judge Michael J. McShane.

This case was investigated by the EPA Criminal Investigation Division with assistance from the Oregon Department of Environmental Quality, Lane Regional Air Protection Agency, EPA Region 10, and the Oregon State Police. It is being prosecuted by Assistant U.S. Attorney William M. McLaren for the District of Oregon, Trial Attorneys Rachel Roberts and Stephen J. Foster of the Environment and Natural Resources Division's Environmental Crimes Section, and EPA Regional Criminal Enforcement Counsel Karla G. Perrin.

This case was an Environmental Crimes Task Force (ECTF) investigation. ECTF is an initiative in the District of Oregon that identifies, investigates, and prosecutes significant environmental, public lands, and wildlife crimes. ECTF leverages the resources and effort of federal, state, and local regulatory agencies and law enforcement to protect human health, safeguard natural resources and wildlife, and hold violators accountable. If you witness an event that may lead to an immediate threat to human health or the environment, please call 9-1-1. After alerting local emergency authorities, please also report incidents to the EPA's Report a Violation website (<https://echo.epa.gov/report-environmental-violations>) or by calling the National Response Center at 1-800-424-8802.

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