

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

## COMMUNITY ENGAGEMENT CORE TEAM

### Meeting 19

Thursday, June 1, 2023

#### Facilitator's Meeting Summary

Participants for all or part of the meeting: Lisa Arkin (BT), Arjorie Arberry-Baribeault (BT), Robin Bloomgarden (Community Member), Mary Camarata (DEQ), Alice Corcoran (EPA), Bonnie Criss (EPA), Dylan Darling (DEQ), Bill Dunbar (EPA), David Farrer (OHA), Don Hanson (DEQ), Todd Hudson (OHA), Max Hueftle (LRAPA), Travis Knudsen (LRAPA), Randy Nattis (EPA), Diana Rohlman (OSU), Rafi Ronquillo (EPA), Nancy Sawka (DEQ), Susan Turnblom (DEQ), Jon Wilson (CoE), and Lin Woodrich (ABC).

Facilitation Team: Donna Silverberg & Emily Stranz, DS Consulting.

**Welcome and Introductions** - Facilitator, Donna Silverberg, welcomed the group to the 19th Core Team meeting. The purpose of the session was to gather input from the Core Team on the upcoming DEQ and EPA public meeting regarding cleanup efforts at and around JH Baxter (JHB). And to provide an opportunity for brief updates and questions regarding related community, OHA, LRAPA, City of Eugene, Lane County, and DEQ efforts.

The Core Team welcomed Teresa Roark, Lane County Public Health Environmental Justice Coordinator. Teresa has been working with Lane County Public Health's Community Health program for years and joined the Environmental Health program within the last month or so. Nancy announced that, additionally, Brad Shultz, has been hired as the new DEQ Cleanup Program Manager. Nancy and Susan will work with Brad to bring him up to speed on the JH Baxter project and loop him in for the next Core Team meeting.

**Soil Sampling & Clean-Up Status** – Nancy reported on DEQ's compliance letter sent to JHB in February 2023. As previously noted, the letter required several actions onsite, including site security. DEQ does not think that JHB's recent response was sufficient. DEQ sent another letter specifically requesting an evaluation of and provision for onsite security, including a guard. JHB did not do the evaluation, instead they hired Security of America, who visits the facility 3-times daily between 8:00pm and 5:00am. From DEQ's perspective, the security is still not sufficient; they plan to let JHB know they expect 24-hour security.

**Core Team members suggested that DEQ sets criteria for the site security: 24-hour security and capacity for a quick response in case of break-ins. Additionally, they supported providing DEQ's expectations in writing and giving a specific response time.** In response to inquiry, Randy clarified that additional fencing around areas with hazardous waste likely would not be helpful because fencing already exists.

Nancy reported the DEQ received JHB's operations and maintenance (O&M) plan for the groundwater treatment systems. The O&M plan is important, as it assures that the system is functioning and someone is maintaining it. DEQ has a site visit planned next week to review the plan with JHB. Additionally, they have suggestions for the plan that will help make it more comprehensive.

#### Questions and comments from Core Team members:

- *Question:* Why is this all moving so slowly?
  - *Response:* From DEQ's perspective, this process is not moving slowly. DEQ needed to coordinate internally and with the OR State Department of Justice to be able to respond if JHB does not take the steps necessary to secure the site. The groundwater treatment O&M plan site visit is a separate issue and is not holding up the security plan.

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- *Question:* Can DEQ share the groundwater treatment O&M plan with the Core Team for input? Previously the Core Team provided edits on the draft soil sampling plan and it seemed to be helpful to the overall effort.
  - **ACTION:** DEQ will consider this request and circle back with an answer to the Core Team.

Susan reported on the most recent round of soil sampling, which determined the depth of dioxin contamination in 7 residential yards that DEQ/contractors will clean up later this year. Sampling results showed 6 yards that need 6-12 inches of soil removed, and 1 that needs 18 inches. As the next steps DEQ is working to inform the property owners/residents and DEQ consultants will draft removal plans for each property.

- *Question:* At the April 2023 ABC meeting, some folks wanted their soil sampled, what happened with that?
  - *Response:* With one exception, the folks that DEQ talked to were well beyond the area of investigation. One person was near the current area of investigation and, depending on EPA's latest sampling result, they may or may not need to sample that yard. Susan has called that person and has not yet been able to reach them.
  - **ACTION:** BT has an email address for the interested resident and can help DEQ make contact.

Randy reported on EPA's investigations and efforts.

1. **Residential Soil Sampling:** EPA has been engaged in the JHB cleanup efforts since May 2022 and has sampled a total of 52 properties. The first round included 22 properties and, based on those samples, EPA determined a need to step out to sample 30 more. EPA is waiting for the sample results from the 2<sup>nd</sup> round of sampling and expects them in mid-June (on time). The results from the 2<sup>nd</sup> round of sampling will determine if there needs to be another step out of residential sampling. Randy thanked Lin and the ABC team for their help getting access agreements signed for the residential sampling.
2. **Tank Farm Investigation:** In May 2023, EPA started their tank farm investigation of the JHB facility, looking specifically at the types and amounts of hazardous waste onsite. The investigation is a required step in EPA's enforcement process, which includes EPA issuing an administrative order for JHB to properly cleanup and dispose of the hazardous waste. If they do not, EPA will order JHB to pay for the cleanup. EPA needs to determine what is on site so they can plan for proper disposal. Randy and technical disposal experts will be onsite on June 8th to discuss plans for disposal.
3. **Integrated Assessment:** EPA is conducting a full environmental integrated assessment that will allow EPA to determine the eligibility for its Superfund National Priorities List (NPL). This process is a potential way to address the longer, bigger environmental issues and if ranked high, could open funds for cleanup. Some results from the May 2023 environmental sampling are starting to come in, within another month or two EPA expects to have all the results.

### Questions and comments from Core Team members:

- *Question:* What media did you sample? Did you sample fish tissues?
  - *Response:* For the integrated assessment, EPA sampled soils, sediments, and surface waters. Fish tissues are not a requirement for the superfund process and were not sampled.

Randy assured the Core Team that EPA is taking this very seriously. The EPA project team just met with Casey Sixkiller, the EPA Region 10 Regional Administrator (highest leadership in the region). They provided background information on the facility, partners' efforts, and a summary of EPA's past and ongoing efforts. Mr. Sixkiller is very supportive, seeing this as a high priority. He is interested in helping and wants to be kept up to date on progress. Randy noted that the JHB StoryMap was a helpful tool used in the briefing the

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Administrator. Randy also noted that EPA representatives plan to have a table at the June 10<sup>th</sup> “We are Bethel” event.

**Community Members’ Input on Public Meeting** - EPA and DEQ are preparing for an in-person and virtual public meeting on July 12<sup>th</sup> at Willamette High School. The agencies want to be as prepared as possible and asked the Core Team for input on what information they thought should be shared, as well as how to best share it to meet community needs.

## Process Suggestions

- Publicize the meeting via multiple venues.
  - Lin can share meeting announcements in the ABC newsletter. To do so, she will need details and a description from EPA/DEQ soon.
  - Include special invitations to elected officials; invitations directly from EPA would be powerful.
  - Have flyers for the July 12<sup>th</sup> public meeting at the June 10<sup>th</sup> We are Bethel event (in Spanish and English).
- Take time to set up and troubleshoot the technology so it works seamlessly during the session.
- Have a designated facilitator, one that can help manage emotions in the crowd. [Note: DS Consulting will be facilitating the meeting.]
- The library or gym at Willamette High School are good options that allow for plenty of tables and space, but not too much space (the auditorium is huge and would be overpowering).
- Include opportunities to allow for small group conversation and generating questions for the agencies at small group tables.
  - Each table should have an agency representative to help provide information and answer questions or point community members in the right direction for more information.
  - Time for small group conversation on the agenda could help keep the group calm and engaged.
- Include lots of visuals: maps (large and small), photos.
- Provide all materials in Spanish: promotional materials and information at the meeting.
- Include Spanish interpretation during the meeting (DEQ, BT, and LRAPA have contacts for Spanish interpretation).
- Name tags for agency representatives to help identify who they are for questions, contact. Name tags for everyone to create more community.
- Provide food and drinks/water for everyone.

## Content Suggestions:

- Soil testing results – there has been a lag of information on soil testing since DEQ’s last public meeting (February 2022). Recap what is going on, how we got to this point, why is it important, current efforts, and next steps.
  - Be thorough, provide detail so that the community gets the information they need to be well informed.
- Provide examples of prior residential yard remediation to help everyone understand what it entails. Photos are helpful.
  - What can the neighbors expect during the remediation process (e.g., will the dump trucks be covered?).

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- Include some description of the Superfund process so that the community is aware of the investigation and possibilities.
- Include maps and photos:
  - Aerial view of JHB
  - Area of past, current, and potential future sampling
  - Area of investigation/areas of contamination (roughly)
- Have the BT presentation that provides the historical perspective of JHB playing on a loop at one of the information tables.
- Consider handouts on:
  - History of the JHB enforcement efforts.
  - How this project compares to other sites.
  - OHA handouts on how to avoid contamination exposure.
  - Resources to address health concerns (for people who have lived in the neighborhood for decades and are ill, JHB workers, workers in the neighborhood, etc.).
    - OHA can bring handouts/information and facilitate connections with the pediatric and environmental health specialty unit and the poison center.
    - Lane County Public Health can provide information on local clinics and help with enrolling in the OR Health Plan.

Next Steps in planning: EPA and DEQ representatives thanked the community members for their very helpful input. The agencies will review the input and incorporate what they can as they prepare for the session. From the agencies' perspective, they need to share information on soil contamination in the neighborhood and at the facility, as well as the plan for cleaning up the areas. They will work with partners to support additional information sharing on the sidelines.

Randy noted that EPA will have a suggestion box at the June 10<sup>th</sup> We Are Bethel meeting to get input from more community members on what information would be helpful. He asked that Core Team members also ask other community members what they would like to hear about.

- **ACTION: Community Core Team members will reach out to other community members to get input on what information would be helpful to hear at the public meeting. They will provide input back to DS Consulting ([emily@diconsult.co](mailto:emily@diconsult.co)) to compile for EPA and DEQ.**
  - BT will conduct exit interviews with participants from their VertueLab process and will use the opportunity to get input on the public meeting, since many live in the JHB area of investigation.

### Other Updates:

- **Beyond Toxics:** Beyond Toxics teamed up with West Eugene community members (within the JHB area of investigation), VertueLab and EWEB to provide information about green energy retrofits. A total of 15 community members participated in 3 meetings, home energy inspections, and conversations on green energy options for the community. This effort was intended to bring some positive support for the West Eugene community and the meetings went really well!
- **ABC:** ABC will be hosting "We Are Bethel" a community event from 12:00-4:00 on June 10th. Partners will be tabling at the session.
- **OHA:** The OHA Health Consultation Report Comment period is open through June 2<sup>nd</sup>. To date, 5 comments have been received. Next OHA will review the comments, decide the best way to address

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them, including summary, responses, and potential changes to the final report. OHA will continue working with EPA and DEQ as soil samples come in. *[Note: following the Core Team meeting and input, OHA decided to extend the public comment period through July 2023, to allow more time for community members to learn about and comment on the Report (see Dave's June 2<sup>nd</sup> email).]*

Also, OHA will be at the We Are Bethel community event and will provide opportunities for community members to get their soil tested for lead via their [Soilshop](#).

- **LRAPA:** LRAPA held a public meeting on JHB's air permit last month, which included a formal hearing at which no oral comments were made. LRAPA received 6 written public comments during the comment period and is now reviewing and responding to comments. LRAPA will provide responses to the public in the final report and with the Core Team directly. LRAPA plans to host a table at the July 12 meeting, and will be available to discuss JHB and other air regulated questions and issues.
- **City of Eugene:** The City is supporting EPA and DEQ's efforts on the ground by providing access and coordination needed for sampling. Jon continues to make regular site visits to JHB.
- **Lane County Public Health:** As noted above, Teresa will be joining the Core Team on behalf of LCPH. They are considering the role the County might be able to play on July 12<sup>th</sup> and beyond.
- **DEQ** – there were no additional updates from DEQ.

### Next Steps & Action Items

DS Consulting will provide a list of the Core Team's recommendations for the public meetings to the Core Team on Monday, June 5<sup>th</sup> to support further input gathering at the community level. Core Team community members will solicit feedback from others within the community and provide input to Emily to compile for the agencies. The agencies will continue working to coordinate the July 12<sup>th</sup> public meeting. DS Consulting will provide a full summary of the Core Team meeting by June 8<sup>th</sup>.

Donna 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)*