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**Companies and President Operating Oregon Wood Treatment Facility to Pay  
\$1.5M in Criminal Fines for Hazardous Waste and Air Pollution Charges**

EUGENE, Ore.—Two companies responsible for the operation of the J.H. Baxter wood treatment facility in Eugene, Oregon, and their president, were sentenced Tuesday for hazardous waste and Clean Air Act violations. Collectively, they were ordered to pay a total of \$1.5 million in criminal fines. In addition, the court ordered the companies to serve five years of probation and the companies' president, Georgia Baxter-Krause, 62, of Deschutes County, Oregon, to serve 90 days in federal prison and one year of supervised release.

Both companies — J.H. Baxter & Co. Inc. and J.H. Baxter & Co., A California Limited Partnership (collectively J.H. Baxter) — previously pleaded guilty to charges of illegally treating hazardous waste and knowingly violating the Clean Air Act's regulations for hazardous air pollutants. Georgia Baxter-Krause previously 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.

“On more than 100 different days, J.H. Baxter knowingly and illegally boiled off hazardous waste, emitting the discharge into the air,” said Acting Assistant Attorney General Adam Gustafson of the Justice Department's Environment and Natural Resources Division (ENRD). “J.H. Baxter's President, Georgia Baxter-Krause, then made false statements about the unlawful practice. Protecting the public's health is among our highest priorities, and we will prosecute those who violate environmental laws.”

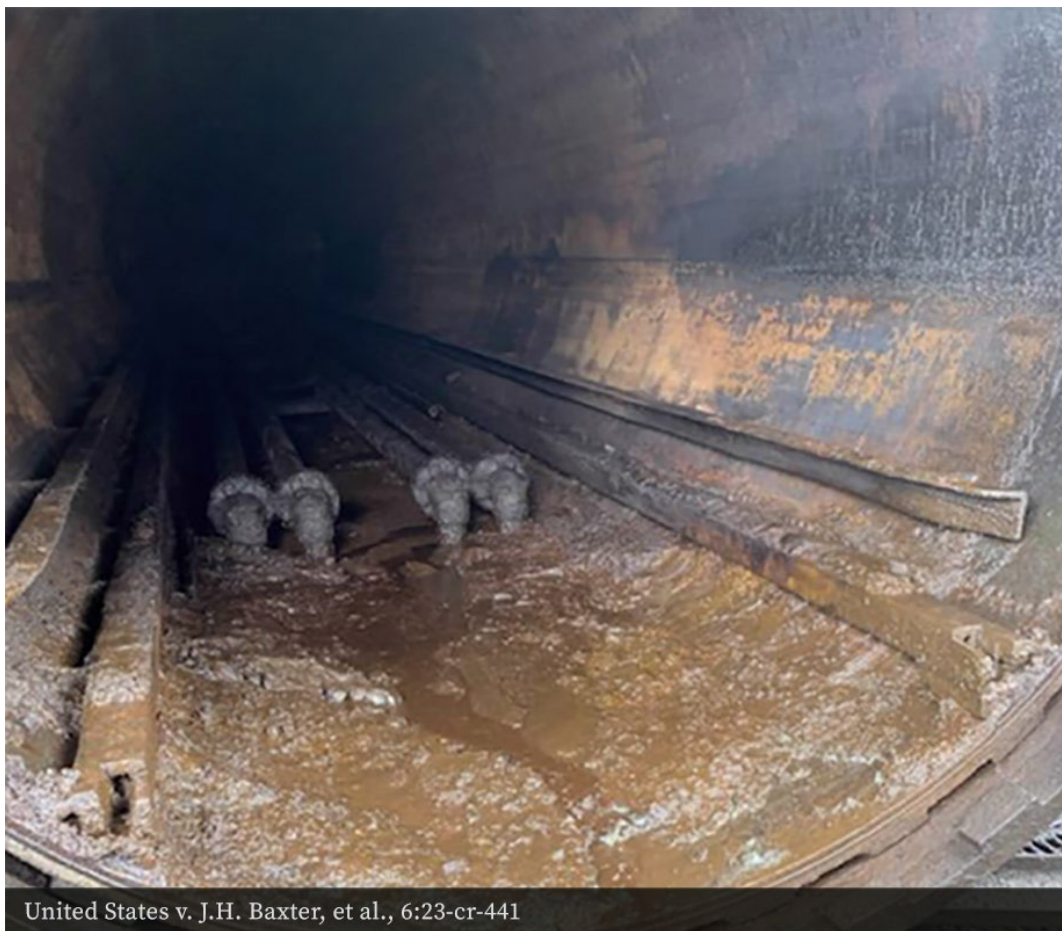
“The J.H. Baxter companies knowingly mishandled hazardous waste and repeatedly violated the Clean Air Act by venting hazardous substances directly into the air, right across the street from people's homes. The company president then lied to cover up these crimes,” said Acting Assistant Administrator Jeffrey Hall for EPA's Office of Enforcement and Compliance Assurance. “Today's sentencing highlights the significant penalties that Congress has provided for illegally treating or disposing of hazardous waste as well as the Agency's continued efforts to ensure that Americans have clean air, land, and water.”

“The defendant companies boiled hazardous waste into our community's air instead of properly dealing with it and Georgia Baxter-Krause lied when confronted about it,” said Nathan J. Lichvarcik, Chief of the Eugene and Medford Branches of the U.S. Attorney's Office for the

District of Oregon. “The U.S. Attorney’s Office will continue to work with our federal, state, and local partners to investigate and prosecute those who put Oregonians at risk in violation of federal law.”

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.



*Photo sent to Georgia Baxter-Krause in 2019, depicting the inside of a J.H. Baxter retort after weeks of boiling hazardous waste, from the government’s sentencing memo in United States v. J.H. Baxter, et al., 6:24-cr-441 in U.S. District Court for the District of Oregon.*

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, during

the illegal treatment, employees were directed to open all vents on the retorts, allowing discharge to the surrounding air.

After Oregon inspectors discovered this activity, they requested information about the companies' practice of boiling off hazardous wastewater. On two separate occasions, Georgia 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 Georgia 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. Georgia Baxter-Krause was also aware that during this time J.H. Baxter used four of its five retorts to boil off wastewater.

This case was investigated by the EPA Criminal Investigation Division with assistance from the Oregon Department of Environmental Quality, Lane Regional Air Protection Agency, EPAs Pacific Northwest (Region 10) office, and the Oregon State Police. It was 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.

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