

Tribe wants Stella-Jones to commit to environmental responsibility

By Nicole Montesano
Smoke Signals staff writer

The Tribe’s Ceded Lands Department held a consultation with the federal Environmental Protection Agency, state Department of Environmental Quality and city of Sheridan recently, regarding fines pending against wood treatment facility Stella-Jones Corporation from multiple agencies.

Stella-Jones has a facility located in Sheridan, which is also part of the Tribe’s ceded lands.

Stella-Jones is a Canadian manufacturer and a leading producer in the U.S. of treated wood products such as railroad ties, utility poles, residential lumber and industrial products.

“Their site sits on top of the former Taylor Jones Lumber site that was already cleaned up as a Superfund site,” Tribal Environmental Policy Analyst Keri Handaly said. “DEQ’s inspection found that (Stella-Jones) practices were re-contaminating portions of the (Taylor Jones) capped cleanup area with new hazardous chemicals.”

Over the past three months, Stella-Jones has been charged with multiple violations by the EPA, the DEQ and the state Department of Justice.

“We support the timber industry, but each company needs to do its part in protecting the environment from hazardous chemical spills and releases that cost millions to clean up (often funded by public money when companies file bankruptcy),” Handaly said.

She noted that the company has professed support for the environment and for Indigenous peoples, but that it also has records of environmental violations in Washington, Alabama and Virginia.

“I hope to meet their new environmental compliance person and

establish a relationship, such that they understand the importance of staying on top of their operations and personnel training,” Handaly said. “I’m relieved to see that both of the agencies have held (Stella-Jones) accountable for improving their spill plans, training, house-keeping, equipment repairs and testing, poor record keeping and inadequate secondary containment, among others.”

In early September, the state DEQ announced it had issued a \$1 million civil fine against Stella-Jones for “numerous violations of environmental regulations for water quality, hazardous waste, and spill response and cleanup at their wood treating facility in Sheridan.”

The DEQ said the wood preserving chemicals used at the plant “pose a risk to public health and the environment when not properly managed.”

It said in a letter to the company, “\$877,225 of the civil penalty represents the economic benefit you gained as a result of these violations.”

If the company corrects the issues, the penalty may be reduced.

The DEQ said in its court filings that Stella-Jones “generates at least 2,200 pounds of hazardous waste on a monthly basis at the facility,” and that it “disposed of approximately 2,000 tons (3.8 million pounds) of waste filter cake from the filter press generated from respondent’s storm water treatment system,” and from sediment and debris from the system “at the Riverbend Landfill (during 2013-2021) and the Coffin Butte Landfill (during 2021-2022). ... Riverbend and Coffin Butte landfills do not have hazardous waste disposal permits issued by DEQ.”

In addition, the court filing said,

tanks of hazardous materials are not properly labeled and there were several overflows and spills, some of which it did not report to the DEQ. Staff also failed to conduct multiple required inspections and water discharges into the Yamhill River contained chemical contaminants that, in some instances, were more than 10 times the allowed concentration.

In a parallel case in late August, Oregon Attorney General Dan Rayfield announced that the company had pleaded guilty to 10 misdemeanor counts of second-degree unlawful water pollution, for violations of its state-issued water quality permit.

He said Stella-Jones will pay a \$250,000 fine, \$50,000 of which will be suspended if it avoids permit violations involving pentachlorophenol (a wood preservative) during three years of probation. The company also will be required to put corrective actions into place to bring its operations into compliance with state environmental standards and clean up potentially affected areas at its facility.

In July, the EPA levied a \$98,000 fine against Stella-Jones as part of

a settlement agreement for violations of the Clean Water Act.

“Oregonians expect businesses to follow the law and protect our environment,” Rayfield said in the press release. “When companies cut corners and pollute our rivers and streams, it harms communities, natural resources and public trust.”

According to the EPA, use of pentachlorophenol (also called PCP) is being phased out. However, “wood treatment facilities will be allowed to use their existing stocks of PCP to produce treated wood until Feb. 28, 2027.”

According to the Centers for Disease Control and Prevention, it can cause liver damage, primarily to workers who are exposed for long periods of time. Children should not play or sit on railroad ties, it states, and should not play in the dirt near hazardous waste sites.

“The chemical they use now, DCOI (an oil-borne wood preservative), is not well studied, so long term risks of releases are not well known. For the moment, it is considered less toxic than its predecessor, Pentachlorophenol,” Handaly said. ■



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Questions? Please reach out to the Culture Committee:

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