

To: Chair Helm and members of the House Energy and Environment Committee
Subject: HB 2669 – Need for Pesticide Reporting Section 10 (a)
Date: March 20, 2017

Section 10 (a) of HB 2669 requires manufacturers using pesticides as part of their manufacturing process for wood treatment to report those chemicals under the Toxics Reporting and Community Right to Know program.

Section 10 (a) is important to maintain in final legislation because it helps communities who are suffering from the fumes and vapors caused by creosote chemical manufacturing. There are facilities that create creosote and creosote-like compounds in neighborhoods where they are located directly across the street from homes, parks and other public spaces. Examples include AmeriTies which is located in The Dalles and J.H. Baxter and McFarland's both of which are located in West Eugene.

Please read the attached article published in EnviroGorge in March 2017. It describes the difficulties of families who live near creosote manufacturing facilities that emit naphthalene and other highly toxic and noxious chemical vapors. Residents near these facilities want to know what they are breathing and they want regulatory agencies to get a handle on how much chemical is being used at these facilities.

Thank you very much,

A handwritten signature in black ink that reads "Lisa Arkin". The signature is written in a cursive, flowing style.

Lisa Arkin

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If it smells bad, is it bad?

By Valerie Brown.

People who live in The Dalles are especially familiar with the smell of mothballs. Some may be so familiar with it that they don't smell it any more. It's the smell of naphthalene.

The Dalles has never made any bones about being a functional, burly industrial town. The dam of the same name, the large rail yard, and the cherry processing plant are the face travelers see as they pass by on the freeway. But beyond the



Stacks of treated and untreated railroad ties at the AmeriTies Plant in The Dalles, OR

industrial strip, the town spreads out into the business district and pleasant residential neighborhoods. Homes that climb up the steep hillsides and perch on the bluff give residents spectacular views of the mighty Columbia and the Washington hills.

Given the city's history and location, it's not surprising that The Dalles is home to a company that makes pressure-treated wood for railroad crossties, switch ties, and bridge timbers. In a town of only about 14,000 people, it's an important employer. Owned since 2005 by AmeriTies West, the plant has been there on Tie Plant Road along the tracks since 1922. The land is still owned by the Union Pacific Railroad.

At the plant, lengths of wood are put into retorts where, under heat and high pressure, they're exposed to a mix of creosote and oil, which penetrates the wood deeply enough to prevent insects and moisture from disintegrating the wood for decades. After treatment the ties and timbers are stacked outside on drip pads to dry.

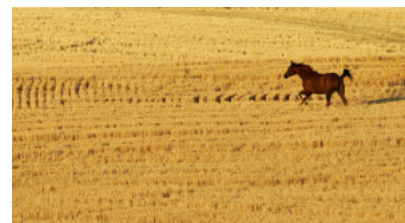
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Behind railroad cars, dark treated ties are stacked. Light-colored untreated ties await treatment behind them.

Fumes from the drying ties waft out across the city, even reaching the neighborhoods up on the bluff. That's where Kris Cronkright encountered them in August 2014, not long after she, her husband and their small son moved to The Dalles from Parkdale.

"I'm awoken at six a.m. and my entire house is just rank with creosote. It was very alarming," she recalls. Cronkright immediately associated the smell with walking railroad tracks in Michigan as a child. "I didn't know where it was coming from," she adds. "I shut all my windows and doors and I googled." That's how she learned that AmeriTies was the source of the odor, and that she was not the first resident to find the odor overwhelming.

For Cronkright and other residents, it's not just a bad smell – they suspect emissions from AmeriTies may have more serious health effects. And this is where concerned residents part company with both the Oregon Department of Environmental Quality (DEQ) and the corporation.

Creosote is a coal tar product comprising hundreds of chemicals, most of which are carcinogenic or otherwise bad for human health and the environment. Naphthalene makes up the largest percentage of creosote, and it has the strongest smell of all creosote components.

Since 2014 Cronkright has become an activist, campaigning to get the State of Oregon and the company to take the odor problem seriously as a health issue rather than a "nuisance," which is how the state currently defines it. As a nuisance, the state says, the odor may cause minor health effects such as headaches and burning eyes and throat, but is not considered a toxic exposure at the levels the public encounters.

"We've had complaints for a long time," says DEQ spokesperson Greg Svelund. When the agency gets more than ten odor complaints in 60 days, Svelund says, it investigates. This happened in 2016. An initial round of air monitoring by DEQ last summer found average levels of naphthalene at a city park on the bluff more than ten times the concentration the [Oregon Health Authority \(OHA\) considers safe to breathe over long periods](#) (0.03 micrograms per cubic meter for more than a year), and more than 100 times that concentration at a Wasco County building closer to the plant.

This caused consternation among residents and spurred the state and federal governments to delve further. One more set of air monitoring remains to be completed this year, and the cumulative data will be used in a [health consultation](#) by the Agency for Toxic Substances and Disease Registry of the Centers for Disease Control (ATSDR),



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"An initial round of air monitoring DEQ last summer found average levels of naphthalene at a city park on the bluff more than ten times concentration the Oregon Health Authority (OHA) considers safe to breathe over long periods...and more than 100 times that concentration at a Wasco County building closer to the plant." Read the full article at EnviroGorge.

There is a public meeting March where the DEQ will review air monitoring results Columbia Gor Community College 6pm third flo

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OHA and DEQ to be released some time in 2017, says Svelund. The DEQ issued an [interim report](#) on March 3 and will hold a public meeting on Tuesday, March 21 in the third floor auditorium in Building 2 at Columbia Gorge Community College, 400 E. Scenic Drive in The Dalles.

How much of a health risk is naphthalene?

There are many sources of naphthalene in the environment, and for most people exposures are highest indoors. (See table). Even so, for The Dalles residents, the tie plant has to be considered a major source of exposure.

Naphthalene is a polycyclic aromatic hydrocarbon (PAH), a class of chemicals that are almost all very bad actors. The Environmental Protection Agency considers naphthalene a possible human carcinogen. Non-cancer effects of naphthalene exposure can include rashes, irritated eyes, vomiting, and hemolytic anemia, a type of red blood cell disorder. Children and people with a heritable type of enzyme configuration are especially vulnerable to this anemia.

Sources of Naphthalene Exposure (Not in order of magnitude)	
Indoor	Outdoor
Wood fireplaces Coal fireplaces Tobacco smoke Moth repellents* Toilet deodorizers Air fresheners Attached garages (vehicle exhaust) Caulking	Coal tar pavement sealant Diesel exhaust (especially creeping & idling) Gasoline exhaust Slow cure asphalt Wildfires Industrial boilers
*The single largest incidence of acute naphthalene exposure is small children eating mothballs	
<small>Sources: Jia & Batterman, 2010. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2922736/, etc.</small>	

Graphic: Valerie Brown

Many of these symptoms occur at higher exposures than the DEQ and OHA believe The Dalles residents are experiencing. But [based on research](#) on other PAH compounds, it's possible that naphthalene can damage health at lower exposures. For example, both pre- and post-natal exposure to PAHs are [known to be associated with neurological disorders in children](#), and [emerging science](#) suggests that PAHs can collect on ultrafine particles (or "nanoparticles" – less than billionth of a meter in diameter) in the air that can travel along the olfactory nerve in the nose into the brain. PAHs and metals in fuel exhaust that behave this way are implicated in neurodegenerative diseases like Parkinson's and Alzheimer's. These events can take place in everyday situations like idling at a stoplight. And it's also important to realize that everyone is exposed to mixtures of chemicals, whose combined health effects are mostly unknown.

To reduce odors, AmeriTies has substituted copper naphthenate for the chemical it was using on bridge materials and changed its main creosote formula to reduce overall naphthenate by half, according to Michelle Cole of Gallatin Public Affairs, a spokesperson for AmeriTies. The

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company has also changed its treatment schedule and the way its ties are stacked. But regardless of their smell, the company's air emissions are **well within the limits** of the DEQ's air contaminant discharge permit.

The state and federal agencies will likely use as a model their **study** of another Oregon creosote tie plant,

the J.H. Baxter facility in Eugene. (The AmeriTies site was operated by the J.H. Baxter company from 1959 to 1987.) The **DEQ investigated the Eugene site** in the 1980s, but it wasn't until 2003 that the DEQ, OHA and ATSDR looked into resident complaints.

A follow-up **report on the Eugene plant** in 2007—that included air monitoring data for the first time—found no emissions higher than acute or chronic limits. The agencies did see an area-wide elevated incidence of lung cancer and of acute myelogenous leukemia (AML) in some years among people in one neighborhood near the J.H. Baxter plant. It could not rule out an environmental cause for the AML, but noted that all of the AML cases smoked, as did all but one lung cancer case. Since smoking is considered a strong contributor to both diseases, the report implied that the J.H. Baxter emissions were not the main factor.

Because the health consultation for The Dalles will be patterned after the Eugene study, it will not be a full-fledged epidemiological, exposure or biomonitoring study, and the only new data will be the final air monitoring results. Thus it's unlikely to provide a clear answer to residents' worries about the difference between a nuisance and a health threat.

Cronkright moves

Cronkright was happy her family moved to The Dalles, she says, because she enjoys the sunshine so abundant there. But her son is autistic and she suffers from migraines, and she doesn't want to add any more health problems to the family's list – which she feels the



The completed and installed product – railroad ties.

naphthalene and creosote fumes might do. The family lasted two months in their home on the bluff and have since moved to the Cherry Heights area west of downtown where the smell is far less intrusive.

She's planning to keep pressing for better air quality in The Dalles. "I've been told on Facebook that if I think something smells I should go wash myself," she says. "I feel kind of like a pariah. But I don't care. I tell people I'm not going anywhere. I wish I didn't have to fight my own community. But I'll fight for your kid, if you don't want to."