

**From:** Mitch Patton <[bradfordislandcleanup2024@gmail.com](mailto:bradfordislandcleanup2024@gmail.com)>

**Sent:** Thursday, August 14, 2025 8:53 PM

**To:** Bradford Island Public Comment Inbox

**Cc:** EJC Environmental Justice Council <[envjustice@ejc.wa.gov](mailto:envjustice@ejc.wa.gov)>

**Subject:** Re: Questions on Bradford Island superfund site and Hamilton Island and surrounding areas and please add to written public comment please.

I have a correction to make i misspoke and said **Meghan from USACE had stated that fish do not metabolize PCBs—meaning these toxins remain in the fish's tissues, fats, and lipids** I had the right name but wrong spelling i need to read more carefully so sorry for the confusion the Megan that said fish don't metabolize PCBs was fish specialist Megan Christian/OHA fish advisory expert: not **Meghan from USACE** and here is what the other **Megan** had to say and please add this to my public comment with the correction and clarification that i misspoke by using the wrong department i will do better next time sorry for the confusion .

Migratory fish are considered a safe and healthy choice is because they don't spend long periods of time in the area of contamination that bass or other resident fish do. Even if they eat a crawdad or two from the bottom of the dam pool, the levels of contamination will be below screening levels. They don't accumulate high levels of contamination that the resident fish that are day in and day out eating in the contaminated area. OHA's approach is that migratory fish, specifically salmon, steelhead and shad are safe and healthy eating options because while they might eat one or two things as they pass through, they're not spending a long enough time in the contamination area to accumulate contamination to be harmful to people's health.

On Thu, Aug 14, 2025 at 7:56 AM Mitch Patton <[bradfordislandcleanup2024@gmail.com](mailto:bradfordislandcleanup2024@gmail.com)> wrote:

**Questions and Concerns for the Next RAB Meeting**

First, I want to say that I feel our meetings are being rushed. We need to slow down and meet **monthly** so we can get clear answers to important questions and waiting 60 days seems to not work well as it is hard to cover everything on the agenda and leave time for discussion i feel it would be best to hold meetings every month and have a short meeting then have meetings every 60 days with very little time for discussion or having to table question that seem to get lost over that 60 day time period —especially when human health and safety are at stake. instead of rushing through meetings like what seems to be the case today.

Right now, this cleanup seems to be focused on securing grant money rather than putting public safety first. The water is contaminated, and the shoreline most likely is too. Yet the USACE, EPA, OHD, and other agencies appear more concerned about process than about protecting the public.

I also find it troubling that Hamilton Island was ever given a “clear” status—declaring no further cleanup necessary—when it’s now clear that procedures were not followed properly, and that some studies may have been submitted by people who were not acting with honesty or transparency.

Today, the handling of toxic waste and on-site containment by USACE appears to be in **gross violation of environmental laws**, causing daily environmental damage and putting public safety at risk. Yet Rich from EPA said it is not a time sensitive site? So clarification on that matter needs to be given at the next meeting. Or the definition of site sensitive needs to be written more clearly and amended as it's clear the Bradford island superfund site is clearly causing environmental damage daily but not considered time sensitive?

This is even more alarming when you consider that tribal fishers are catching and selling fish to the public from these waters. Megan from USACE has stated that fish do not metabolize PCBs—meaning these toxins remain in the fish’s tissues, fats, and lipids. In my experience, I have never seen a salmon, steelhead, or sturgeon from this river without some fat remaining for human consumption , especially when smoked with the skin on it still or cut into steaks. Salmon and steelhead steaks are often marbled with fat, and many people eat the skin—which contains both fat and oils—after simply descaling the fish. Given that PCBs concentrate in these fatty areas, the idea that eating salmon or steelhead from these waters could ever be considered “safe” is simply not realistic.

Many of these fish are caught miles upstream and many days after potincinoly eating contaminated crawdads and ingesting contaminated water full of PCBs in the Bonneville Dam pool—one of the most contaminated sites in the nation—and I have personally caught and fed sturgeon from there to my family. My kids and I have spent many

days fishing in these contaminated waters and eaten hundreds of pounds of fish from that site, yet USACE and EPA have known for years that these sites, and the shorelines, are contaminated and that water is still open today for fishing. One of my daughters has a brain tumor in an unusual place between her brain lobes. The other daughter has autoimmune issues. One must stop and think about the large amount of fish we have eaten from that site and could that possibly be the underlying link to these issues my kids have today. And I fed my kids PCBs that were well known to be in that water?

Because of this, my trust in USACE and EPA is virtually nonexistent. I do not believe you are acting in the best interest of the public. From what I've seen, the focus has been on protecting USACE's interests—not ours or my kids.

Accountability is nonexistent. Many highly paid employees within USACE, EPA, the Washington and Oregon Departments of Ecology, and the state health departments are now retired and collecting substantial pensions—yet they knew full well that something was seriously wrong at this site. They chose to do nothing to protect the public.

One last thing I would like to ask for is the latest video from the Columbia riverkeeper and the Yakama Nation put out to be added to the next RAB meeting or add a link to show appreciation for their participation in holding public safety first.

These are just some of the serious concerns I have about the Superfund site, and I expect direct answers at the next meeting. And here are a few laws that I feel have been broken long before Bradford Island became a Superfund site and everyone seems to overlook the issue that's gone on for far too long without any accountability whatsoever. So please read the below facts and then ask yourself if you think honesty and state and federal laws were followed by employees or were laws broken that need to be looked at today. I also feel like Skamania County is in violation on multiple accounts at both their old landfills and the old landfill in Stevenson could be part of the Bradford Superfund site knowing its location and the fact USACE has told me many times we just don't have any record from that time where waste was hauled. Just stop and think USACE not having records in the late 70s early 80s is just not reasonable and I feel it withholding information that leads to a much larger Superfund site than just Bradford Island. Or places like the relocation of the town of North Bonneville that was built on construction waste from the USACE site. Who knows what was in that stuff with no records I guess we will never know.

## **Possible Law Violations if Officials Failed to Report Contamination**

### **1. Federal Laws**

#### **CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act)**

- **Citation:** 42 U.S.C. § 9603
- **Requirement:** Any release of a hazardous substance above the “reportable quantity” (for PCBs, that’s **1 pound or more in 24 hours**) must be reported immediately to the **National Response Center**.
- **Violation:** Failure to notify is a federal offense. Penalties can include civil fines up to \$59,017 per day and criminal charges (up to 3 years in prison for knowing failure).

### **TSCA (Toxic Substances Control Act)**

- **Citation:** 15 U.S.C. § 2619; 40 CFR § 761.125
- **Requirement:** Any discovery of PCB contamination in excess of 50 ppm must be reported and addressed under EPA cleanup standards.
- **Violation:** Knowingly failing to report or properly address PCB contamination can result in civil penalties up to \$50,120 per violation, per day, and potential criminal prosecution.

### **Clean Water Act**

- **Citation:** 33 U.S.C. § 1311, § 1319
- **Requirement:** Discharge of pollutants (including PCBs) into navigable waters without a permit is illegal, and spills/releases must be reported.
- **Violation:** Knowingly failing to report or prevent discharge can carry up to \$50,000/day in civil fines and criminal penalties including imprisonment.

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## **2. Washington State Laws**

### **Model Toxics Control Act (MTCA)**

- **Citation:** RCW 70A.305.040
- **Requirement:** Any person who owns, operates, or has knowledge of a release of a hazardous substance must report it to the **Washington Department of Ecology** immediately.
- **Violation:** Failure to report can lead to daily civil penalties, cost recovery lawsuits, and, in some cases, criminal charges.

### **Official Misconduct**

- **Citation:** RCW 9A.80.010
- **Requirement:** Public servants must faithfully perform their duties.
- **Violation:** If an elected official knowingly withholds contamination information to the detriment of public safety, they commit a gross misdemeanor.

### **Reckless Endangerment**

- **Citation:** RCW 9A.36.050
  - **Requirement:** It is a crime to recklessly engage in conduct that creates a substantial risk of death or serious physical injury.
  - **Violation:** Knowing contamination exists and failing to warn or act could fit this definition.
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### **3. How This Applies to Bradford/Hamilton Island**

- **PCBs in Fish:** PCBs do not break down in fish, and they bioaccumulate in fatty tissue.
  - **Public Health Impact:** Tribal and non-tribal fishers are catching salmon, steelhead, and sturgeon from contaminated waters. The Bonneville pool is one of the most contaminated PCB hotspots in the U.S.
  - **Agency Knowledge:** USACE, EPA, and state health departments have known for decades about contamination in the sediment, water, and shoreline.
  - **Possible Violation:** If these agencies or officials failed to promptly disclose contamination risks or to follow mandatory reporting procedures, they may have broken both **federal environmental laws** and **Washington criminal statutes**.
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**Please see below statements from our last RAB meeting**

Q. Mitch: I'm confused as to why Hamilton Island was a Superfund site then was deemed safe. What were the contaminants that were found there?

A. Meghan: We have a lot of information to cover, and I ask that we table any Hamilton Island discussion to the end of the meeting if we have time.

A. Rich: I am ready to discuss it when the time comes.

A. Rich: Previous samples were taken from the mouth of Eagle Creek which had hits of PCBs. We believe that Goose Island is contaminated, and PCBs are probably being carried downriver. Because it's at the mouth of Eagle Creek, we want to make sure that there isn't another contamination source. We don't think that there's anything, but in conversations with the Tribes and Regulators and all the parties involved, there is concern that maybe there's something else going on up there. We want to have enough lines of evidence where we can say with some degree of certainty that this comes from Goose Island, not from Eagle Creek.

Q. Mitch: Steelhead in the Columbia River have aggressive feeding habits. If they eat a crawdad or some plant life, how long does it take for PCBs to get into the meat that somebody would consume?

Q. Mitch: What about that fish study done about 5 miles downriver?

A. Rich: In the shallow area north of Ives Island and part of the river south North Bonneville, they did take fish samples and that's part of EPA's presentation in September.

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Mitch Patton