

# Superfund plan for Columbia River sparks debate in Northwest

April 10 2024, by Mike Magner, CQ-Roll Call

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It would create one of the largest Superfund sites in America and the first in which most of the toxic pollution comes from another country. But those are not the only unique aspects of an EPA proposal to add the

upper reaches of the Columbia River in Washington state to the list of the nation's most contaminated lands and waters.

A final designation of about 150 miles of the river under the Comprehensive Environmental Response, Compensation and Liability Act, better known as the Superfund law, could finally bring some closure to a dispute between the United States and Canada that began a century ago after wastes from a massive smelter in British Columbia started flowing across the border.

The designation is also expected to help restore diminished salmon runs that Native Americans in the Northwest have relied upon for thousands of years.

The upper Columbia River basin includes natural resources that "have been and continue to be integral to our subsistence and culture since time immemorial," Gregory Abrahamson, chairman of the Spokane Tribal Business Council, said in a January letter to the EPA.

"Historic and ongoing releases of hazardous substances to the Site threatens or directly affects the health and welfare of our members, our economic security, and the Spokane Tribe's political integrity," Abrahamson wrote.

Other tribes in the region, Washington Democratic Gov. Jay Inslee and state environmental agencies are backing the EPA's Superfund proposal, but it faces opposition from many local officials and some Republicans, including House Energy and Commerce Chair Cathy McMorris Rodgers, R-Wash.

"The congresswoman recognizes the importance of addressing potential contamination in the Upper Columbia River, but she has serious concerns about what this listing would mean for the region," Rodgers

spokesman Kyle VonEnde said via email. "She is actively engaging with the EPA and community members to ensure transparency in this process as next steps are determined to protect the environment as well as people's health and safety."

## **Cross-border contaminants**

The long stretch of the river from the Grand Coulee Dam to the Canadian border has been contaminated by at least nine types of hazardous wastes, including arsenic, lead and zinc, that mostly came from one of the world's largest smelters 10 miles inside Canada. The Teck Metals facility in Trail, B.C., has been dumping metals and other harmful compounds directly into the river and through its air emissions since it opened in 1896, according to the EPA.

The agency completed an assessment of the risks to human health in 2021, finding that lead in soils in residential areas posed the biggest threat. An ecological risk assessment is underway, but preliminary findings show that "cadmium, lead and zinc present the greatest and most widespread risk to plants, invertebrates, mammals, and birds exposed to soil in the upland area," the EPA said.

The waters in the river basin, including the popular Lake Roosevelt behind the Grand Coulee Dam, are safe for recreation, the agency says.

Toronto-based Teck Metals says it has spent more than \$170 million on studies of the river contamination, and between the company and the EPA more than 50 residential properties have been cleaned up. But the agency says about 150 other properties still have lead levels above a recently tightened standard for protecting human health.

Disputes over the pollution date back to the 1930s when the United States first demanded that Canada pay for damages in the state of

Washington caused by the smelter. But it wasn't until 2003, in response to a petition from tribes in the region, that the EPA ordered Teck to conduct studies of the contamination.

What followed were two decades of risk debates and cross-border litigation, including a lengthy federal case over whether air pollution can be considered a source of contamination at a Superfund site, an argument the EPA eventually lost.

From the state's perspective, the process has taken too long, which is why a Superfund designation is needed, said Brook Beeler, Eastern regional manager at the Washington State Department of Ecology.

"We're really supportive of the notion of listing this so EPA has all of the tools available to them to compel action and get it out of the mire of litigation that we've been in for the past 20 years," Beeler said in an interview.

The spokesman for Rodgers, who represents the area of the proposed designation, said she believes the EPA should wait until it has completed all its studies before deciding how the site should be defined.

## **Assessments pending**

Many local officials in the region, including 16 counties represented by the Eastern Washington Council of Governments, have written to the EPA opposing the Superfund designation, citing concerns about the impacts on property values and the region's economy, and about the transparency of EPA's process.

They also say the EPA should complete a Remedial Investigation and Feasibility Study as required by the Superfund law before deciding on a designation.

"If the EPA continues to move forward with a NPL Listing (Superfund Designation) without completing the RI/FS studies first, you leave us with no other option but to challenge your actions in court," the Stevens County Board of Commissioners told the EPA in a January letter. "This seems like a big waste of public funds on both sides when after twenty years of waiting for the RI/FS studies to be complete, we are only a couple of years away."

The EPA, which is taking public comments on the proposal until May 6, says there are many steps ahead before the Columbia River can be added to the Superfund's National Priorities List, but it doesn't want to wait until the process is finished before taking actions.

"Completion of RI/FS activities can take many years and early actions can be implemented by EPA during the RI/FS process to address portions of the site," said Kristin Ching, community involvement coordinator in the EPA Region 10 office, via email.

Once the studies are complete, the agency will then evaluate final options and take more public comments before deciding on a cleanup plan, she said.

Under a 2006 [settlement agreement](#) with EPA, Teck Metals agreed to perform and fund all RI/FS activities, Ching said. "We hope that, after the remedy is selected, Teck will agree to finance/perform the cleanup," she said.

The upper Columbia River, if designated at 150 miles, would not be the largest Superfund site, but it would be near the top of the list. The Hudson River Superfund site in New York has 200 miles of contamination, and the Bunker Hill site in Idaho contaminated by mining wastes includes about 166 miles of the Coeur d'Alene River, according to the EPA.

A Superfund cleanup would help restore the river's salmon fishery, but it would just be one part of a larger plan to accomplish that, said Carrie Sessions, senior policy adviser on environment and water in the Washington governor's office.

"There are many, many different efforts to restore salmon runs in that area, not all connected with this Superfund proposal," Sessions said in an interview. "The governor has been really active on that."

Washington's two Democratic senators, Maria Cantwell and Patty Murray, have also supported efforts to restore the salmon runs, though neither has taken a position on the Superfund designation.

Last September, Cantwell and Murray announced an agreement between the U.S. and several tribes in the region to reintroduce salmon in the river's upper basin, with the Bonneville Power Administration providing \$200 million over the next 20 years and the Interior Department's Bureau of Reclamation providing \$8 million over two years.

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Citation: Superfund plan for Columbia River sparks debate in Northwest (2024, April 10) retrieved 23 June 2024 from <https://phys.org/news/2024-04-superfund-columbia-river-debate-northwest.html>

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