

Nearly 40 years later, one of Colorado's longest-running Superfund sites still has no radioactive waste cleanup plan

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Toxic

Credit: Pixabay/CC0 Public Domain

Jeri Fry was six years old when she toured the uranium mill outside town

where her dad worked.

It's the smell she remembers best, more than 60 years later: a deep sulfur odor that permeated the mill and sometimes wafted downwind to the neighborhood where she grew up, two miles away.

"I remember my dad saying to not play in the water when we watered the lawn," Fry said.

Her father, the mill's lead chemist, was a whistleblower who alerted authorities to the [health consequences](#) of processing the radioactive element. Now 68, Fry has been deeply enmeshed in the decades-long effort in Cañon City to clean up the mill site and the surrounding areas it contaminated.

She cofounded a local group, Colorado Citizens Against Toxic Waste, to educate people, while she and other [community members](#) have spent thousands of hours reading planning documents and attending meetings.

But nearly 40 years after federal regulators designated the mill and surrounding areas a Superfund site and mandated its cleanup, the [radioactive waste](#) remains. There still is no plan for how to deal with the millions of tons of radioactive material sitting just south of Cañon City, a city of 17,000 located about 35 miles southwest of Colorado Springs.

The dedicated group of community members that's been pushing the site owners and [government agencies](#) to make progress is increasingly frustrated at the slow pace of change—especially after the company that took on the cleanup responsibilities ran out of money this year, delaying the already drawn-out process once again.

"We the community have been calling 'fire' and nobody has come running," Fry said. "The citizens have had to hold the feet to the

fire—always, always, always."

There are seven steps a Superfund site must go through to be removed from the National Priority List of environmental disasters. After four decades, the site outside Cañon City is on step three.

"There's not a defined timeline for it," said Mary Boardman, Superfund and site assessment unit leader at the Colorado Department of Public Health and Environment. "We don't have all the data to even fully characterize the site as far as nature and extent of contamination."

About 5.8 million tons of radioactive waste sits at the former mill site, which covers four square miles south of Cañon City, tucked into a ridge-lined bowl above the Arkansas River. The Superfund site covers the former mill as well as adjacent property nearby that was contaminated when a flood washed contamination into the Lincoln Park community, where Fry grew up.

Most of the mill buildings were destroyed and buried, but a few remain visible between the ridges that encircle the mill site. Homes surround the northern and western perimeters. Dozens of them are less than a mile from a large orange road sign warning passersby that radioactive and other hazardous materials are present.

It's one of the few indications along the road of the Superfund site's existence.

State and federal regulators say the waste poses little risk to human health so long as people don't drink the well water at Lincoln Park. The residents who have worked on the issue for decades, however, say there are too many unanswered questions about the potential spread of contamination to be sure.

"It hasn't really been said, how bad is that stuff and what are they going to do about it?" said Tim Payne, a member of the Community Advisory Group tasked with weighing in on the cleanup process. "I guess that's the big question."

'Too much ambiguity' about contamination impact

The Cotter mill is one of 20 active Superfund sites in the state and one of the oldest.

Cotter Corporation—a Denver-based subsidiary of General Atomic—opened the uranium mill in 1958. The mill stored radioactive and heavy metal liquid wastes in unlined ponds, which weren't replaced with lined ponds until 1979. Cotter also processed and stored hazardous wastes from other locations at the site—including waste from the Manhattan Project's creation of the atomic bomb.

Contamination from the site has leaked into the surrounding community, especially the Lincoln Park neighborhood just north of the mill. In 1965, a flood washed the waste held in the ponds into Sand Creek, through Lincoln Park and into the Arkansas River. Contaminants have seeped into the groundwater and soil in the area.

The mill processed uranium intermittently until 2006. Cotter closed the mill permanently in 2011, though leaks from the site's water system continue.

Studies of the potential health impacts from the site have found limited effects unless someone were to drink from a well in the Lincoln Park neighborhood for an extended amount of time. The groundwater near Lincoln Park contains molybdenum—a mineral that can cause gout-like symptoms if consumed in excess—and uranium, which can cause cancer and kidney damage. Testing also has discovered elevated levels of the

carcinogen trichloroethene near the former mill building, but not outside the fenced-off restricted area.

The last cancer study was completed in 1998 and didn't find a statistically significant increase in the number of cancer cases in the Lincoln Park area, though many people who worked at the mill later developed diseases and cancers connected to the work there.

Fry's father, Lynn Boughton, won a lawsuit alleging his lymphoma was caused by radiation from the mill. He died in 2001 from the cancer. Others have wondered if exposure to contaminated water or air caused illness, though pinning sickness directly on the site can be difficult.

A full assessment of the site's contamination of the surrounding soil, water and air—and the potential risks those contaminants could pose to people and the environment—has yet to be completed. The community also doesn't know how contaminated water from the mill flowed through the abandoned coal mine shafts beneath the site.

"There's too much ambiguity about this—people deserve to know," Fry said.

The CDPHE, the EPA, the Community Advisory Group and Cotter are working on a draft plan of how to collect the data needed to assess the potential health and environmental threats the site's contaminants pose.

While the timeline for full cleanup is unknown, several intermediate steps have already been completed over the years to reduce contamination, said Boardman from CDPHE.

Lincoln Park residents were connected to the Cañon City water system, allowing them to stop using well water. Cotter removed contaminated soils and installed systems to try and keep water inside the mill site. Site

operators regularly monitor the air, water and soil, said Jim Grice, radiation program manager at CDPHE.

"The agencies are fully intending to move this process forward as quickly as possible," Grice said. "We understand that there are delays in the process from time to time."

Insolvency, setbacks as site responsibility shifts again

One of those setbacks came in February when the company tasked with maintaining and cleaning up the site told state and federal regulators that it no longer had the money to do so.

Cotter in 2018 completed a deal in which the company paid a different company, Colorado Legacy Land, an undisclosed amount to take over ownership of the former mill and also assume responsibility for the legally required cleanup.

In a news release, the corporation that owned Colorado Legacy Land said the company was formed specifically to buy the Cotter site. It promised that the majority of the site would be "put back to productive use," such as solar energy production or residential and commercial use. Leaders of Colorado Legacy Land promised swift action.

But after Colorado Legacy Land reported this year that it had run out of money, the regulating agencies scrambled to find people to continue the work.

Colorado public health officials used bond money put up by Colorado Legacy Land to pay a company named Ensero about \$150,000 a month to continue the day-to-day maintenance and monitoring of the site. The EPA took over the creation of a draft plan to conduct a health and environment risk assessment.

Recently, regulators announced Cotter Corp. would resume long-term responsibilities at the site.

But the loss of Colorado Legacy Land will set progress back months as Cotter gets up to speed. Colorado Legacy Land last November published a draft work plan to conduct a remedial investigation and a feasibility study, a key step toward cleaning up the site. The plan laid out how data about the site should be collected, and the feasibility study evaluated possible options for cleaning up the site, such as whether workers should transport the waste elsewhere or contain it on site.

That plan was deemed deficient in February by the EPA and the CDPHE.

Cotter, now back in charge, will start over on the work plan, Boardman said.

"That document most likely won't be revived," she said. "Rather, as Cotter comes up to speed on the site, they will have to start over on drafting that work plan."

Moving forward

Twenty community members who gathered in a Cañon City meeting room Wednesday let out a collective sigh when [federal regulators](#) laid out the latest timetable.

Before Cotter can start the sampling necessary to assess contamination, it needs to produce a quality management plan, said Rebecca Gerhart, the remedial project manager for the site at the EPA.

That document is due Nov. 30, but the review process for that plan could take up to 150 days, she said. After that plan wins approval, Cotter will

have to turn in another quality assurance document that could also take up to 150 days to review before testing of soil, air and water can begin, she said.

Gerhart said her goal was for people to start collecting test samples from the site and the nearby area by the end of 2024.

Fry accused Colorado Legacy Land of simply walking away from its responsibilities, leaving the community in the lurch.

An EPA attorney, Max Greenblum, pushed back on that idea.

"It can certainly be viewed as walking away, but CLL, for what we know, is insolvent," he said. "They have no ability to fulfill their legal obligations."

"Obviously," he continued, "this has taken longer than everyone wishes."

Cotter's newly hired project manager, Toby Wright, says he plans to work with community members and the regulatory agencies to minimize the number of revisions documents need.

"Cotter has given me the direction to move through this process as quickly as we can," he said.

Some community members at the meeting expressed cautious hope about the potential for progress.

"We have gained a lot in 12 years, inch by inch, but I think we'd like to see progress in yards instead of inches," Payne said. "It sounds like we're going in that direction."

After decades of frustrating delay after delay, Fry has pivoted her efforts

away from the cleanup process and toward broader community education.

She still attends the Community Advisory Group meetings. She provides comments on documents and processes. But now her primary goal is making sure people living near the site know what is behind those ridges. She's working on creating an exhibit about the Superfund site and its history that is expected to open by the end of the year at the Royal Gorge Regional Museum and History Center.

Her neighbors need to know what parts of their communities are contaminated—and with what—so they can make informed decisions about their lives, she said.

Maybe the waste will never be moved. Maybe they will have to learn to live with it as best they can. After all, the radioactivity of any material in the ground will outlast everyone alive today.

"This site lives in geologic time," she said. "We don't."

Fry has asked herself over the years why she keeps at this frustrating work. Ultimately, she said, it's simple.

"If you saw a barn burning," Fry said, "what would you do? I can't pretend it's not there."

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