

# Chronology of Key Events About Valmont Butte

from

## ***“Valmont Butte: Toxic Mess for Sale”***

A 1998 Report by CU Students\*

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- \* In 1941, Morse Bros. Machinery sold the Valmont Butte property to General Chemical Company.
  
- \* In 1971, the owner of the Valmont Butte at that time, Allied Chemical Corporation, accepted radioactive soil for free from a site in Boulder where low to moderate income housing was being built, and the project halted when soil radiation readings 20,000 times above normal background were recorded. Records show that 150 truckloads of this contaminated soil were dumped at Valmont, while 25 barrels of the most contaminated material were shipped to a nuclear site in Nevada. In that article, the Valmont property was referred to as an “approved disposal site.”
  
- \* In 1967, Colorado Department of Health Radiological Health Specialist Al Hazle notified Glen E. Allen of General Chemical on Valmont Road of the results of radiation analyses they had taken the prior month from the company’s “mill tailings pond and from wells in the vicinity.” The pond at the pump house was found to have a level of gross alpha radiation at 290 picocuries per liter (pCi/L) (plus or minus 33) (*Note: a picocurie is a measure of radiation; under present standards the acceptable level of gross alpha is 15 pCi/L.*) Radium 226 was also documented in the pond, at 11.0 (plus or minus 0.6). The private well of one residence across the street from one of the pond dams was noted to have gross alpha radiation at 64.0 (plus or minus 10.7) and radium 226 at 0.18 (plus or minus 0.13). “Because of the nature of water supplies and your tailings pond as a possible source of this radioactivity, I feel we should repeat this sampling on a routine basis.” (*Note: In 1967, the resident’s well did not exceed potable water guidelines under the standards of those times, but it does exceed today’s standards or 15.0 pCi/L, or about 4 times higher than is presently allowable.*)
  
- \* In 1970, Al Hazle of CDH wrote to Harry Puttuck of Allied Chemical, notifying him of fluoride and radiation tests taken from the onsite pond and domestic wells from 8 residences along Valmont Road. All had detectable levels of radium 226, and all had gross alpha radiation levels at many times above the level measured in the drinking water tap supplying the Allied Chemical Company’s office. Four domestic wells showed gross alpha radiation levels above that which would be considered safe by today’s standards.

\* In 1971, Allied accepted 150 truck loads of soil radioactively contaminated at 20,000 times above background area soil at no charge from a site where low-income housing was being constructed in Boulder.

\* In 1972, The Colorado Health Department did an inspection of the industrial wastewater discharge and found that the excess tailings pond water was being pumped to the PSCo Valmont cooling ponds.

\* In 1972, The Colorado Health Department found that there were two unpermitted discharge points at the Allied Valmont Mill, one to the irrigation ditch northwest of the mill and another from the tailings pond to the Public Service Valmont Plant cooling ponds, with the notation that the "tailings pond excess is pumped to PSCo Valmont cooling ponds." CDH recommended that "further surveillance" be conducted. Boulder Creek was noted as the receiving stream. This letter was copied to the Boulder City-County Health Department.

\* In 1973, the Boulder City-County Health Department issued a "Special Environmental Health Report," investigating a "complaint by the Sheriff's Department that Allied Chemical was discharging chemicals into ditch along the road." On inspection, it was found that the liquid had a pH of greater than 8.0. The health official placed dye into the stream and found that it crossed under the road "and empties into a holding pond locate near the park on Valmont Rd. near the KOA Campground. From the pond the water empties into a ditch and then into Boulder Creek."

\* In 1975, CDH's Water Quality Control Division wrote to Mr. Charles Fountain of Englewood "RE: Holding Pond Requirements for the Allied Chemical Company, Boulder, Colorado." In it, the following recommendation was made: "The pond should be totally sealed so that there is zero seepage loss from the pond. This will require installation of an impervious liner."

\* In 1976, Michael Jelen sold to Tusco, Inc., a Nevada Corporation for \$10.00 and other undisclosed consideration the property at Valmont . It is described as the same premises conveyed to General Chemical Company by deed of Morse Bros. Machinery in 1941 .

\* In 1982, the Colorado Department of Health submitted the Hendricks Milling Site of Boulder, Colorado (the Valmont Butte) to EPA Region VIII as a candidate for possible cleanup under the Superfund Program.

\* In 1982, the EPA and Colorado Health Department jointly conducted a radiation study of the area. According to their analyses, the considered the background levels to be 25-30 MR (millirem, another way of measuring radiation). The highest radiation readings found were along

the northern boundary of the site, parallel to Valmont Road. The highest reading in that vicinity was 900 MR, or a level 30-36 times higher than the background level recorded. From the names of EPA staffers present, I recognized them to be with the EPA Region VIII's Superfund program at that time.

\* February 11, 1983, a company called Strategic Metals International Inc., which operated at a facility at 11728 Highway 93 adjacent to the Rocky Flats Nuclear Weapons Plant, wrote to the Boulder County Health Department about its plan with Hendricks Mining Company "to place mineral tailings from our operation into his tailings pond" with Hendricks' agreement. "This will be an ongoing project," the letter stated, and "We anticipate to be placing 25 tons per week within two months, and 50 tons per week in six months." Further the letter stated, "These concentrates will be treated in our Rocky Flats facility for precious metal extraction, neutralized with calcium hypochloride (bleach) to destroy all free cyanide to less than .05 parts per million, and pumped as a slurry into a holding tank for placement in the holding pond." (Note: This letter was copied to Al Hazle of CDH, who at that time headed the state's radiation division.)

\* In 1983, the Colorado Health Department seems to threaten, if not execute a "Notice and Claim Against Allied Chemical Corporation for Costs and Damages Pursuant to 42 U.S. C. 9612." (Note: this was under the federal Superfund law, which was passed in 1980). In the notice and claim (unsigned, unexecuted), CDH alleges that the company was operating a facility "at the time hazardous substances were disposed of, contracted, agreed or otherwise arranged for the disposal at the facility and accepted hazardous substances for transport to the facility at Valmont, substances including, but not limited to, radium and progeny. And "there have been releases of hazardous substances from said facility into the soil and groundwater "within and around the facility." The described releases resulted in losses and damages "in the amount of \$50 million per release."

\* In 1983, The Colorado Department of Health corresponded with Boulder's County Health Department "RE: Radioactive contamination near the Justice Center." This was prompted by radiation readings found between 100-200 times normal background near the bicycle path on the east side of the Justice Center. One suggestion was to see if Hendricks Mining (Valmont Butte) would take it, though no record as to the final disposition of this radioactive soil was obtained by the students for their report. A copy of this correspondence was provided to the City of Boulder's then City Manager Robert Westdyke and Planning Director Edward Gawf.

- \* In 1985, the Boulder County Health Department's Sanitarian wrote up a "Special Environmental Health Report" in which residents to the north of the Hendricks Mill site were interviewed. One resident related, "when the tailings pond on the other side of Valmont Butte was installed, their old well became unusable (taste)." The well was described as 18 feet deep. It also was noted: "The Butte Ditch flows close to the well." Samples were collected on the day of the visit to two resident's homes on the north side of Valmont Drive, later shown to be radioactive
- \* September 1, 1987, Colorado Brick Company, President, Gerald Gunning, by quit claim deed sold to Tusco, Inc., a Nevada Corporation, vacant land described as Parcel J - 0.019 acre, in Section 22 and Parcel T - 8.742 acres in Section 22. Amount paid: \$10.00.
- \* On July 13, 1994, Loren E. Smith, President of Valmont Butte Corporation sells 1/3 or the undivided interest in three parcels of land at Valmont Butte for \$10.00 and "other valuable consideration" (undisclosed) to Lincoln Trust Company FBO William Smith, excepting easements and rights of way of record.
- \* Also on July 13, 1994, Tusco, Inc., a Nevada Corporation sells to the Valmont Butte Corporation, a Colorado Corporation, three parcels of land within Sections 22 & 23, and including all mineral and water rights, and 84 shares of the Jones and Donnelly Ditch Company. Amount paid: \$10.00 and "other goods and valuable consideration" (undisclosed). This was signed by J.W. LaFollette, President, Tusco, Inc.
- \* December 2, 1998, students in Adrienne Anderson's "Environmental Ethics" class at CU Boulder photographed the Hendricks site from the fence line. One student while looking down below the cemetery saw over 10 55-gallon drums, partially buried and badly corroded, with their cemented contents exposed. He also observed during his walk around the entire perimeter a very old faded sign on the fence with a barely visible radioactive symbol on it. Another sign indicated it was for sale, for \$3 million, by Tim Smith.
- *NOTE: "Valmont Butte: Toxic Mess for Sale" is an unpublished student report produced as a semester "Pollution Profile" research project for Adrienne Anderson's "Environmental Ethics: Race, Class & Pollution Politics" course for Fall Semester, 1998. A reference copy can be reviewed in the CU Environmental Center in the UMC, 3rd Floor, University of Colorado at Boulder.*

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Working to End Local Hazards and the Global Threat**