

Cotter at the Crossroads

A community grapples with a uranium mill's past, present and future



Deyon Boughton peers into a well Thursday at her Lincoln Park home in Cañon City. Boughton's husband, Lynn, worked at the Cotter Corp.'s uranium mill, 2 miles away, for many years before his death. Times-Call/Jeff Haller

Digging Dirt

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CAÑON CITY - To a pair of 29-year-old parents with three small children, Cañon City in 1958 seemed like a dream.

The picturesque little city on the banks of the Arkansas River had it all.

Great weather.

Great soil for farming, gardening and raising a few animals.

A great 4-H program for the kids.

And a great job on the ground floor of a burgeoning industry.

Lynn and Deyon Boughton thought they were buying a slice of heaven when they moved from their native Grand Junction in 1958. Lynn had a new job as the assistant chief chemist at the Cotter Corporation's uranium mill just south of town. Deyon was able to grow much of the family's food on the three acres surrounding their beautiful old stone farmhouse on Cedar Avenue. The place had a big barn, fields and plenty of room to raise their three future Baby Boomers - a 5-year-old son, a 3-year-old daughter and second son barely a year old.

For the first 20 years the family blissfully went about its way as the kids excelled in school and 4-H and Lynn moved up to the position of chief chemist at the mill -- only a 2-mile drive from the family home. Deyon was able to start a gardening store, which she now calls "fun and satisfying" but hardly lucrative. It was the mill that paid the bills.

"The idea of being part of peacetime uses of nuclear material was awesome," Deyon said, recalling the enthusiasm of her now-deceased husband. "There was bright future."

By the late 1970s, however, the dream was starting to turn into a nightmare that would get worse for the next 20 years.

The name Boughton, long respected throughout the county, would soon become a four-letter word in some circles.

During the 1970s, the normally healthy Lynn had often been ill. Never a smoker or a drinker, Boughton had begun experiencing violent episodes of vomiting and subsequent blood loss. His wife recalled him receiving "about 12" blood transfusions within a few years.

"His illness was diagnosed as ulcers and we changed his diet - changed our lifestyle," she said. "It didn't help."

In 1979 Lynn came home sick from work again and Deyon had seen enough. She told him not to go back - the family could survive on the store profits and the stress at the mill wasn't worth it anymore. Lynn, who had also become increasingly suspicious of the policies and procedures at the mill, agreed. He left the job he had loved for most of the 21 years he spent there. Deyon says he lost two important things the day he left Cotter.

"He lost his identity and his medical insurance," she said.

The loss of identity might have been hard to detect in a man whose stoic manner never allowed him to become angry or bitter. The loss of his medical insurance, he would later learn, was going to be a much bigger problem.

After leaving Cotter, Boughton, according to his wife, began researching the industry that he had once revered.

"He didn't like what he found," she said.

One of the things he found out while still at the mill was that about 100,000 tons of waste generated in producing the bombs dropped on Hiroshima and Nagasaki, Japan in August of 1945 had been moved to Cotter in open railroad cars in the late 1960s. Until his death, Boughton maintained that Cotter officials never told him - or anyone else in the lab or the mill - that the material was actually the Manhattan Project residue and a product of the most radioactive ore on earth. He also claimed the material, from which uranium was milled, was never tested or assayed for other materials and that the mill's process was not equipped to detect or remove those materials. He claimed that dangerous isotopes, as well as metals such as molybdenum and lead, ended up in the mill's tailings ponds.

Cotter executives acknowledged Sept. 4 in an interview that the wastes from the early bomb projects were brought there and that some of the waste is still there unprocessed. Some is in the detention ponds on the site. Uranium and thorium were recovered from it, the Cotter executives said.

Deyon Boughton now says the presence of the Manhattan Project waste became "a secret to snicker about and that distressed Lynn."

In 1983 the Environmental Protection Agency stepped in - designating the mill site and the Lincoln Park neighborhood as a Superfund site and placed it on the list of the nation's most polluted areas. That same year the state of Colorado sued Cotter, claiming it released pollutants that escaped the mill and entered the ground, air and water in a several-mile-wide area. By that time Lynn Boughton, when not working at the family's Lynde Garden Center, was continuing his research and quietly mobilizing his Lincoln Park neighbors.

It was also in 1983 that Lynn Boughton began keeping a diary - a sparse daily log that listed his activities but which contained little commentary. The diary reads like a scientist's log, listing life-changing events as matter-of-factly as one would describe a trip to the hardware store.

"April 23, 1984," the diary reads. "Dad died, left for Fruita."

While in Fruita for his father's funeral, Boughton made note of his own health problems.

"April 24, ulcer flared up last night. Signs of bleeding. Started taking Tagament today."

Later that summer, the news would get worse. On Sept. 9, Boughton checked into St. Thomas More Hospital. The diary simply read, "surgery conducted." The next day's diary entry clerically records, "In hospital - told I have lymphoma. Removed approximately 14" lower bowel and also told that lymphoma is treatable."

While taking medication and receiving chemotherapy, Lynn Boughton also stayed busy working at the store, attending public meetings regarding Cotter and closely tracking the state's lawsuit against the mill. When the state's suit was settled in late 1987, he wrote a guest opinion for the Cañon City Daily Record decrying what he saw as a weak settlement that left many Lincoln Park-area residents out in the cold. By this time, Boughton has become a pariah both at the company he had worked for and in the community.

"He quietly tried to obtain support for the neighborhood from the community, but it became a 'kill the messenger' crusade until he had enough and pushed for a lawsuit," Deyon Boughton said of her husband's efforts of the late 1980s. "You wouldn't believe how many 'one-finger salutes' he got around town." Active membership in a new group - the Lincoln Park Area Concerned Citizens - further identified him as the leader of a group referred to as whackos, alarmists and tree-huggers.

Boughton, however, had already experienced the wrath of some community leaders. A diary entry in April 1986 recalls a meeting at the home of a former Cañon City mayor. Also listed as attendees were another former mayor, a longtime local attorney and two Cotter executives.

"Cotter tried to downplay the thorium and tried to discredit me," he wrote in his diary. He said the group hit him with "rapid-fire questions." When he got home he told his wife more than he put in the diary.

"He told me he didn't think he was going to get home," Deyon Boughton said. "He said, 'I thought I was going to be tarred and feathered.' "

In September of 1989 Lynn and Deyon Boughton and 550 other Lincoln Park-area residents made good on their threat to sue Cotter - filing a \$500 million federal suit charging that radiation and metals from the mill had contaminated their property. After a series of legal

maneuvers, eight plaintiffs were chosen as "bellwether" plaintiffs in a trial that would see five plaintiffs -- Lowell and End Siesta, Marjorie Lowed and Patricia and James Shelby - split a jury award of just over \$141,000.

The second wave of plaintiffs in that case, including the Boughtons, agreed to an out-of-court settlement that remains sealed. The Boughtons, who were without medical insurance, weren't thrilled with the settlement but accepted it. That settlement is believed to have included medical monitoring for the plaintiffs.

By 1993 the Lynde Garden Center was also in trouble. The garden center's note was called.

"I also believe people were boycotting us because of our stand regarding Cotter," Deyon said.

In late 1993 the couple agreed to sign the store over to the bank in an arrangement that also gave them one year to pay off \$95,000 or lose their home. Lynn's brother, Keith, later bought the bank's position - saving his brother's home.

Throughout the 1990s, Boughton's diary is littered with references to blood transfusions, chronic fatigue and cancer treatments as well as community meetings and speeches. He often stayed home sick from his part-time job as a handyman at St. Thomas More Hospital.

As his health deteriorated, Boughton realized his family was ill prepared to go on without him and in 1996 filed a worker's compensation action against Cotter, alleging that his cancer was caused by years of over-exposure to radiation at the mill. As part of a hearing before an administrative law judge, samples of tissue removed from Boughton during his 1984 surgery were tested and found to have 700 times the normal background radiation found in the human body. Cotter's lawyers did not dispute the results, which were produced at a lab approved by them, but claimed he was not exposed at the mill.

Prior to his 21 years at Cotter, Boughton had worked in a uranium-assay lab in Grand Junction for three and-a-half years, but his wife discounts the theory that he was overexposed during that time.

"That's a pretty remote possibility when you consider how long he worked at Cotter," she said.

The judge agreed and in late 1997 ordered Boughton to be paid just under \$500,000.

"Great news for us this Christmas season," Boughton wrote in his diary.

Legal fees and costs reduced the worker's comp payment by about \$63,000. The check was issued in May of 2000, but Lynn Boughton's time to savor a victory was limited. He would be dead within a year.

"Lynn wanted to provide for me and worked on that work comp case in his last years to make sure I was cared for," Deyon said.

During his last months Boughton, who rarely mentioned his illness publicly, maintained a fairly busy schedule when he wasn't being treated. It was business as usual for man who had precious little time left.

Boughton's diary for April 16, 2001, mentions an appointment for hip replacement surgery - the least of Boughton's health problems. The April 17 entry mentions a DeWeese Ditch board meeting he attended.

"Good meeting" were his only written words that day.

The April 19 entry in the diary was made not by Lynn, but by Deyon.

"Lynn died between 3 a.m. and 5 a.m.," it says. "Coroner: no autopsy needed."

Boughton's death certificate says the 71-year-old died of lymphoma caused by radiation exposure at a uranium mill located at 0502 County Road 68. The name Cotter, the only uranium mill in the county, is not mentioned. Cotter, meanwhile, maintains it has never injured anyone at its mill.

For Deyon Boughton, who is also a cancer survivor, the fight against what she calls "pollution, cover-ups and lies" continues. She is involved in the Citizens Committee Against Toxic Waste, which is currently fighting Cotter's efforts to store waste from another Superfund site. The couple's daughter, Jeri Fry, co-chairs the group.

The decision to keep fighting was easy, Deyon said.

"To do otherwise would disrespect Lynn's memory," she said.

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