

Cotter at the Crossroads

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



Lincoln Park Superfund to be tested for plutonium

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DENVER - Colorado health officials soon will conduct their first-ever tests for plutonium in the Lincoln Park Superfund area and will test for other contaminants, the agency's director confirmed Wednesday.

The tests will be conducted in about 20 locations beginning sometime in the next few weeks, according to Doug Benevento, the acting executive director of the Colorado Department of Public Health and Environment.

The new round of tests will come eight years after controversial privately conducted tests indicated an airborne release of plutonium-238, 239 and 244 from the Cotter mill south of Cañon City.

"Questions have been raised there and we would like to find answers," Benevento said, calling the tests a "spot check" to determine if more testing is needed.

"We're meeting now to determine where the tests need to be conducted," he said. "We think it's appropriate to conduct these tests."

The tests will be conducted only outdoors and will be conducted on soil, Benevento said.

He declined to say whether tests would be conducted at the Cotter mill site and he did not identify what other materials that health officials would test for in addition to plutonium.

In a recent interview, CDPHE radiation lab director Jake Jacobi said the department has never found plutonium at the mill. But he also admitted that the agency has never looked for it.

"Generally, we don't make a habit of going out and looking for things that have a very remote possibility of showing up," he said last week.

Allegations of plutonium contamination began in 1994 when New York-based physicist Marvin Resnikoff, working for attorneys representing a group of people suing Cotter, conducted tests on and around the property at 1226 Elm Ave. in Cañon City. In reports issued in 1994 and 1995, Resnikoff calculated dosages of plutonium, uranium and thorium ingested by breathing. All his analyses indicated elevated levels of airborne contaminants.

Tests performed on attic dust at 1226 Elm Ave. also indicated high levels of plutonium contamination.

The plutonium tests, however, were not introduced into court

because the laboratory that produced the results was indicted for fraud in connection with an unrelated series of tests. Operators of that lab, Controls for Environmental Pollution Inc. of Sante Fe, N.M., were indicted in 1994 for allegedly falsifying results of worker-exposure tests conducted for the Sandia National Laboratory near Albuquerque.

The Department of Energy swiftly issued a warning stating that the incident had tainted all the lab's work.

The tests conducted by CEP indicated that the 1226 Elm house - owned by Joseph Dodge from 1972-94 - was contaminated with plutonium-238 at a level of 0.19 picoCuries per gram, 264 times higher than the 0.00072 pCi per gram of background or naturally occurring level for plutonium-238 - which comes from nuclear weapons testing in the western United States.

The same tests indicated a plutonium-239 content of 0.05 pCi per gram. The background level for plutonium-239 is 0.009 pCi per gram. They also documented the presence of plutonium-244 - an extremely rare form of naturally occurring plutonium - at 11.5 pCi per gram. Neither the government nor scientists have established a background level for Pu-224 because it is believed to be found in very small amounts in only a handful of materials in the world.

Two of those materials - monazite sands and the Manhattan Project waste, also known as Cotter Concentrate - are believed to have been processed over the years at the Cotter mill.

Cotter has admitted processing the Manhattan material, and Resnikoff's report said monazite sands mined in the southeastern United States were processed there from 1968-72.

Cotter has denied the presence of plutonium, and current Cotter Executive Vice President Rich Ziegler said the Manhattan waste was tested or assayed "for everything" when it arrived at the mill.

That statement contradicted an earlier statement by former mill manager Myles Fixman, who in a deposition in a lawsuit initiated by the Dodge family against Cotter at first said there was plutonium in the Manhattan waste. He later retracted the statement, saying he was mistaken.

In that same deposition, Fixman said the mill did not have the sophisticated equipment needed to test for material such as platinum and plutonium and that Cotter "had a laboratory analysis sent to us before it (the Manhattan waste) was purchased."

Resnikoff's work was never introduced at the Dodge trial, in which Dodge and 15 others were awarded more than \$16 million in damages. Cotter attorneys successfully argued against the admission of plutonium studies and the separate dosage calculations, which were based on results produced at the Hazen Laboratory in Golden.

The company's attorneys argued that the findings produced by

Resnikoff - who operates Radioactive Waste Management Associates in New York - were scientifically unsound and biased.

Resnikoff's report also included results of an interview he conducted with James Blue, a former Cotter employee who told Resnikoff that he and five other workers operated an incinerator used to burn plutonium waste at night. Blue has since died and Resnikoff said the other five workers preceded Blue in death and "died of lung cancer."

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