

# Rocky Mountain Peace and Justice Center

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August 5, 2008

Re: Valmont Butte

Boulder City Council  
Boulder, Colorado

Dear Council Members:

Since October 2007 we at the Rocky Mountain Peace and Justice Center have addressed several messages to Boulder city officials regarding the City's Valmont Butte property. Our present letter asks that the City of Boulder refrain from further action regarding sale, non-sale or alternate use of the Valmont Butte property until the City has taken two steps that we are requesting.

Our first request is for the City to compile and make available to all interested parties free of charge a complete record of all documents having to do with ownership, use, inspection, and contamination of the Valmont Butte property and nearby areas. This record will include the full documentary record from the City of Boulder, the Boulder County Health Department, the US Environmental Protection Agency, and the Colorado Department of Public Health and Environment, formerly Department of Health (including this agency's Radiation Control, Water, Hazardous Waste Management, and Air Divisions). In previous communications we pointed out that contradictions regarding radioactive contamination at Valmont Butte exist between what EPA documents say at one time and what they say at another, and that the same is true regarding documents from CDPHE/CDH.<sup>1</sup> Evidently the documentary record used by the City of Boulder when it purchased the Valmont Butte property in 2000 was

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<sup>1</sup> For a chronological list of references to environmental conditions and deed transfers at Valmont Butte to 1998, two years prior to purchase of the property by the City of Boulder, see [http://www.rmpjc.org/vb\\_chron](http://www.rmpjc.org/vb_chron). This list, which was prepared by CU environmental studies students, presents a record apparently not considered by the City when it purchased the Valmont Butte property. The City has only recently posted this list of items on its web site at RMPJC's request.

woefully incomplete in that it did not reflect these contradictions.<sup>2</sup> If so, taxpayers of the City may have been adversely affected fiscally. But even worse, all persons who reside near, work at, or visit areas at or near Valmont Butte or eat food products grown in downstream areas may have their health jeopardized, not only now but into the indefinite future. The problem with Valmont Butte is not simply an issue from the past.

What therefore emerges for all affected parties is a right to know the truth about Valmont Butte. The City of Boulder can meet this fundamental right by making available the full Valmont Butte record. Indeed, as owner of the Valmont Butte property, the City has an obligation to do precisely this. Incidentally, when the Rocky Mountain Peace and Justice Center recently requested the 300 or so documents on Valmont Butte indexed at the EPA, we were informed that all EPA's Valmont Butte records are "considered confidential." Having reviewed the index, we see no legitimation for EPA to claim that its full record on Valmont Butte is "confidential." The City therefore needs to acquire and to make publicly available all EPA documents on Valmont Butte.

Our second request to the City is that, once the City has compiled and made available the full Valmont Butte record, it convene a public hearing to provide all affected parties with an opportunity to voice their concerns about Valmont Butte directly to City officials. Such a hearing should not take place, however, until the public has had ample time - we suggest sixty days -- to study the full record about Valmont Butte as compiled and made available by the City.

Thank you for your attention to these requests. We look forward to your timely response. If you have questions, please call 303-444-6981 or email me at [leroymoore@earthlink.net](mailto:leroymoore@earthlink.net).

Yours sincerely,

LeRoy Moore, Ph.D.

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<sup>2</sup> For former City Manager Frank Bruno's representations about awareness within the City government of the record of contamination at the Valmont Butte site when the City purchased it, go to [http://www.rmpjc.org/vb\\_council](http://www.rmpjc.org/vb_council), scroll down to RMPJC-Bruno-Ltr.pdf222 and look in particular at items numbered 1 and 6. The City of Boulder has posted Mr. Bruno's letter on its own web site.