



## Office of Representative Heath Shuler

Representing North Carolina's Eleventh Congressional District  
**For Immediate Release**  
**September 3, 2008**

Contact: Hayden Rogers, Chief of Staff  
office: (202) 225-6401

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### **Rep. Shuler Requests Comprehensive Report from EPA on Mills Gap CTS Site**

*Washington, D.C.* – Representative Heath Shuler sent a letter to the regional administrator of the Environmental Protection Agency today requesting a full and comprehensive report on the status of any and all testing of wells, springs, soil, and air that has been conducted in the Mills Gap area as a result of suspected contamination from the vicinity of the CTS site and the costs of any environmental assessments or clean-ups.

“I have a deep concern for the health and welfare of residents of the Mills Gap area and am committed to ensuring they have all the information available about the cleanup of the former CTS plant location,” Rep. Shuler said. “I will continue to work closely with the EPA and the North Carolina Department of Environment and Natural Resources to ensure the site is properly remediated and made safe for families.”

The EPA and the North Carolina Department of Environment and Natural Resources have been involved in removal actions in the immediate vicinity of the former CTS plant as a result of the detection of trichloroethylene (TCE) in soil and in spring and groundwater samples.

Rep. Shuler's letter requests information regarding the possibility that contamination could spread or intensify.

Rep. Shuler's complete letter to regional EPA Administrator J. I. Palmer, Jr. is copied below.

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September 3, 2008

J. I. Palmer, Jr.  
Region 4 Administrator  
Office of the Regional Administrator  
U.S. Environmental Protection Agency  
Sam Nunn Atlanta Federal Center

61 Forsyth Street, SW  
Atlanta, GA 30303

Dear Administrator Palmer:

I am greatly concerned for the health and safety of several of my constituents who reside in the Mills Gap area of Buncombe County, North Carolina. The Environmental Protection Agency (EPA), as well as the North Carolina Department of Environment and Natural Resources (NCDENR), has been involved in removal actions in the immediate vicinity of the former CTS plant as a result of the detection of trichloroethylene (TCE) in soil and in spring and groundwater samples.

I request your assistance in better understanding this very serious problem, the steps that have already been taken to examine and remedy this problem, and what more can be done to ensure that none of my constituents are harmed by exposure to dangerous contaminants in the air, ground water, surface water, or soil. Specifically, I ask that you provide me with the following information:

- A complete history of EPA's involvement in any assessment and remediation of contamination in the area surrounding the CTS site, as well as the financial cost of these actions. I would ask that this history date back to 1985, and the submission of information by Norman Lewis at the request of EPA.
- Information on any costs of assessment or cleanup, incurred by EPA, that EPA has recovered from a potentially responsible party (PRP), namely CTS Corporation and Mills Gap Road Associates.
- A description of any cleanup actions financed independently by either of these PRPs, in which EPA has taken an oversight role.
- A list of all Preliminary Assessment Petitions that have been submitted in relation to this site and the outcome of each petition.
- A comprehensive report on any and all testing of wells, springs, soil, and air that have been conducted in the Mills Gap area as a result of suspected contamination from the vicinity of the CTS site. Please include the results of each test, as well of the date of the test and location from where the tested samples were taken. I would ask that this report include any testing results that show the presence of volatile organic compounds or any other potentially hazardous substance, even if the levels of these substances do not exceed an applicable standard or other requirement that would require corrective action by EPA or by a PRP. A brief explanation of each potentially harmful contaminant that is detected in the results of these tests, the health risks that these substances could pose, and the Maximum Contamination Level (MCL) that EPA has assigned each substance.
- Whether EPA has determined that further action is warranted under CERCLA to ensure that contamination in ground water does not migrate further and does not become more concentrated. If EPA has determined that further action is warranted, what is the basis of that determination, what actions are deemed necessary and within what time frame? Further, does EPA plan to pay for such action upfront and later recover the costs from potentially responsible parties, or to allow those parties to undertake those actions with oversight by EPA?

- An explanation of how EPA plans to determine definitively the source of this contamination, as I understand that the source remains an open question.
- An explanation of other potential sources in the area that might introduce the possibility that the CTS site is not the source of the surrounding contamination in ground water. Please explain why monitoring data that has so far been collected is insufficient to determine the source.
- An account of any communication between EPA and any of the PRPs regarding the CTS site in Buncombe County. Please be sure to include any information regarding plans for an upcoming assessment to be conducted on the eight acre tract where the CTS building is located.

I am grateful for EPA's willingness to address this issue at the community level through informational meetings in the area, and for the attention that the agency has paid to this situation thus far. However, I am concerned about the potential for contaminants, specifically trichloroethylene (TCE), to migrate or become more concentrated in the future, especially since the source of this contamination has not been definitively identified.

I am also concerned by test results from a particular well in this area that has been utilized by three homes on Shelby Drive. The well, which did not show any significant amounts of TCE when tested by Buncombe County health officials in January of 2008, has since shown four times the EPA's Maximum Contamination Level. The testing results of this particular well may be indicative of movement of the plume of contamination, which is why I strongly urge continued testing of all wells within a two mile radius of the CTS plant, and occasional retesting of wells to monitor changes in TCE contamination levels.

Again, I thank you for your agency's attention to this matter. I encourage you to do all that you can to expedite a thorough assessment of contamination in this area of Buncombe County. Please do not hesitate to contact Ryan Fitzpatrick in my Washington office should you need clarification of the requests I have made in this letter, or if I can be of any assistance to you in bringing resolution to this matter.

Sincerely,

Heath Shuler  
Member of Congress