

Community Advisory Group
Mills Gap Groundwater Contamination Site
EPA NCSFN0406988 a.k.a. CTS of Asheville, Inc. Site
EPA ID NCD003149556
82 Southside Village Drive
Asheville, NC 28803

FEDEX OVERNIGHT

May 15, 2009

Ms. Bonnie S. Ware
Project Manager
Superfund Section
North Carolina Division of Waste Management
585 Waughtown Street
Winston-Salem, NC 27107

Re: CTS /Mills Gap Road Associates Toxic Disaster Site, Docket # 97-SF-132

Dear Ms. Ware:

Please find the enclosed signed petitions from North Carolinians stating their adamant opposition to **any** voluntary remediation agreement with CTS Corporation and the State of North Carolina.

In light of recent developments, which include the disclosure of information pertaining to the dumping of trichloroethylene (TCE) and other toxic substances outside of the 9-acre fenced in area, it would not be prudent to entertain the possibility of voluntary remediation with the responsible parties.

You are well aware of this site's history. There has been little or no action for close to two decades. What the site requires is a full and proper cleanup, conducted in a timely matter without regard for the cost of a cleanup.

As stated by Dr. James Webster, PHD of the U.S. EPA, Region 4, in 2002, the site presents an imminent hazard and immediate remediation of the source areas contributing to groundwater contamination are needed without regard for cost or further study.

EPA, Region 4, specifies the contaminated media, contributing to the groundwater contamination, is soil beneath the former plant building and extending outward and the volume is 17,000 cubic yards. This is precisely why a voluntary remediation with any cap with regard to financial liability to the responsible parties should not be considered. This is made especially obvious when the very agreement under consideration provides an escape clause available to CTS Corporation.

The Buncombe County Commissioners, in conjunction with the Asheville City Council, has expressed their opposition to such a voluntary remediation agreement with the responsible parties.

As a result of the community' investigation of the CTS / MGRA site, Senator Burr has called for the Inspector General of the U.S. EPA to investigate the handling of this Superfund site over the last twenty years. This is further evidence that the site has not been dealt with as the imminent hazard it was designated to be by EPA Region 4. It has not been respected for the imminent dangers it presents to the citizens of South Asheville as identified by state toxicologist, Dr. Hanna Assefa, in 1993. The resulting neglect has cost the lives of residents and made countless more sick with life-threatening illnesses. For these reasons, among others, thousands of members of the greater Asheville area have spoken with a resounding voice.

The citizens of western North Carolina, respectfully, call for immediate action and an investigation that will lead to an effective response to the continuing imminent hazard that the CTS/MRGA site poses.

Under the state's imminent hazard law (N.C.G.S. 130A-310.5) the state is absolved from any mandate to enter into a voluntary remediation because the imminent hazard statute supercedes. This allows for the government agencies to conduct the complete cleanup and the opportunity to bill the responsible parties for the cost associated with full remediation.

We look forward to working together to bring the proper conclusion this toxic disaster site.

Sincerely,

Glen E. Horecky, RFC, CSA
Community Advisory Group (CTS of Asheville Site)
President

P.S. The community has made copies of the enclosed petitions with 3,000+ signatories, as well as the other material, which it will be forwarding to Governor Perdue.

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