

The Critique Is Weak At the CTS Site in Skyland, North Carolina

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For two decades the neighbors of the CTS Asheville site on Mills Gap Road in Skyland, North Carolina have been asking state and federal environmental agencies to identify the full extent of trichloroethylene (TCE) contamination there and get it cleaned up. I visited the area in September 2008, and I wrote up my report, “Flowing through the Cracks,” in February 2009. See <http://www.cpeo.org/pubs/CTSAshville.pdf>.

Community members continue to fight for cleanup, but North Carolina’s Department of Environment and Natural Resources (DENR) has done little, and Region 4 of the U.S. Environmental Protection Agency (EPA) shows continuing reluctance to list the site on the “Superfund” National Priorities List. Region 4 officials have told me that it’s difficult to score the site high enough, under EPA’s Hazard Ranking System, because people are not currently drinking the contaminated water. But the reason no one is drinking the TCE-laced water is that people have been provided alternate water supplies *because* of the contamination.

I was heartened, therefore, to read in late May, 2010, that the EPA Office of Inspector General (OIG) had published a report critical of agency activities at Mills Gap Road. The local *Mountain Express* reported, “The Environmental Protection Agency failed to find contamination promptly, adequately address its cleanup, or communicate effectively with residents affected by air and water contamination from a former industrial plant near Asheville, according to a stinging report released last week by an independent office of the EPA.” See http://www.mountainx.com/features/2010/052610the_green_scene.



My September 2008 photo of CTS



OIG photo, July 2009

However, when I finally read the OIG report, I was disappointed. The Inspector General's team, which spent over \$380,000 preparing the report, repeated two of Region 4's serious mistakes. To download the report summary, go to

http://www.epa.gov/oig/reports/2010/20100517-10-P-0130_glance.pdf

To download the full report, go to

<http://www.epa.gov/oig/reports/2010/20100517-10-P-0130.pdf>

First, the most serious shortcoming of the environmental agencies at Mills Gap Road has been their failure to listen to the community. Yet I can find no evidence, either in the report or in talking with local activists, that anyone from the OIG ever interviewed the activists who have devoted an enormous amount of time to documenting contamination and possible health impacts at the Skyland site. Accordingly, the report contains a series of recommendations about how EPA can better communicate *to* the public, but nothing about the need to hear and address community concerns.

Second, the OIG report explains and accepts Region 4's Removal Action Level (RAL) for TCE, which "is based on protection for a residential indoor air exposure setting." That standard is 37 parts per billion by volume (ppbv), which for TCE is equivalent to 124 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). Other EPA regions use a residential air action level of 1.0 or 1.2 $\mu\text{g}/\text{m}^3$, two orders of magnitude more protective, and if EPA's draft Toxicological Assessment for TCE is finalized in its present form, that number could fall to .25 $\mu\text{g}/\text{m}^3$.

In the OIG report, Region 4 states that it found TCE in crawlspace air as high as 3.78 ppbv (20.31 $\mu\text{g}/\text{m}^3$), but it considers that number acceptable: "As none of the indoor or crawlspace results for either the initial or follow-up sampling events approached the RAL, Region 4 believes that indoor air has been adequately evaluated and no further sampling is necessary."

On that single data point alone, I believe otherwise. People may be exposed to unsafe levels of TCE in their homes around the clock. EPA and DENR should move quickly to conduct a vapor intrusion investigation at Mills Gap Road and provide mitigation (sub-structure depressurization systems) to impacted homes as soon as possible.

Furthermore, EPA headquarters should act quickly to issue national guidance, proposed and then withdrawn during the Presidential transition period in early 2009, to ensure that people across the country are protected against unsafe levels of TCE in their homes.

Finally, EPA Region 4 should stop playing "see no evil, hear no evil, speak no evil" and list the site on the NPL, to provide the Skyland community with the oversight normally associated with the nation's most seriously contaminated properties. This is one of them.