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**Department of Historic Resources**

2801 Kensington Avenue, Richmond, Virginia 23221

L. Preston Bryant, Jr.  
*Secretary of Natural Resources*

November 15, 2005

Kathleen S. Kilpatrick  
*Director*

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Don Klima, Director  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
Old Post Office Building  
1100 Pennsylvania Avenue, NW, Suite 809  
Washington, D.C. 20004

Re: Columbia Forest Products Draft Air Permit, Registration No. 30120  
Town of Chatham, Pittsylvania County, Virginia  
DHR File No. 2006-0144

Dear Mr. Klima:

I am writing to ask the Advisory Council's assistance in requesting the Environmental Protection Agency's evaluation of its responsibilities to comply with Section 106 for its delegation of air quality permits to the Virginia Department of Environmental Quality. Both the Advisory Council and our Department have been copied on letters to the EPA from property owners expressing concern for the effects of noise and emissions on their historic properties in the Town of Chatham, Pittsylvania County, Virginia (copies enclosed). Many of the affected properties are within the Chatham Historic District, a district listed on the Virginia Landmarks Register and the National Register of Historic Places. Other properties outside the district may be individually eligible.

It is our understanding that Columbia Forest Products has applied for an amendment to a permit for installation of a replacement boiler and wood grinder at its facility in Chatham, Virginia. The permit would allow the source to operate its hardwood panel consolidation facility. In response to the property owners' requests to initiate the Section 106 process, the Senior Counsel of Region III Office of Enforcement, Compliance and Environmental Justice responded by letter of February 16, 2006, stating that an individual permit application such as that submitted by Columbia Forest Products pursuant to a federal delegation of authority under the Clean Air Act, is not an undertaking subject to Section 106 review (letter enclosed). We question, however, whether the federal delegation itself

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is not an undertaking and if so, we do not believe that the Environmental Protection Agency is not in compliance.

This permit, if issued, appears likely to pose serious and unresolved adverse effects to the historic character of the Chatham Historic District and other potential eligible properties in the vicinity through the introduction of unreasonable noise levels that conflict with the historic setting. In addition, this application raises important policy issues regarding the Environmental Protection Agency's Section 106 responsibilities for the State-delegated operating permits under the Clean Air Act. There is, moreover, considerable public concern for the potential effects of the proposed permit amendment, as you see from the enclosed correspondence. We also understand that the property owners have raised questions about enforcement directly EPA on the grounds that the record keeping has been misleading, and, we are told, EPA has been unresponsive to date.

If we may provide any further information or if you have any questions concerning our comments, please do not hesitate to contact me at (804) 367-2323, ext. 112; fax (804) 367-2391; e-mail [ethel.eaton@dhr.virginia.gov](mailto:ethel.eaton@dhr.virginia.gov).

Sincerely,



Ethel R. Eaton, Ph.D., Manager  
Office of Review and Compliance

Enclosures

c: Allen Armistead, Virginia Department of Environmental Quality  
Patricia Haman, EPA Federal Preservation Officer  
Joyce A. Howell, Region III Office of Enforcement, Compliance and Environmental Justice  
John Eddins, ACHP