

P. O. Box 429  
Chatham, VA 24531-0429  
Telephone 800-967-2867  
January 26, 2006

Ms. Samantha Fairchild, Director  
The Office of Enforcement, Compliance and Environmental Justice  
Mail Code 3EC00  
1650 Arch Street  
Philadelphia, PA 19103-2029

Re: Chatham, Virginia, and Section 106 of the National Historic Preservation Act.

Dear Ms. Fairchild:

We request to be included as consulting parties in the Section 106 process involving a revised air permit for Columbia Forest Products, Chatham, Virginia (registration #30120). We are advised by Virginia DEQ that the permit is currently in its preliminary phase, and that the release of its draft for EPA review and public comment is imminent.

Our home and its surrounding property are adjacent to the Columbia Forest Products facility. Our house, which we have owned and occupied since 1975, is an 1875 structure of the Italian villa style, associated with prominent early political and entrepreneurial families (Whittle and Sims), and is in process for listing on the Virginia Landmarks Register and on the National Register of Historic Places. Since 2001 we have been periodically inundated with smoke and odor and are severely affected by escalating around-the-clock noise from the Columbia Forest facility. The noise has continued to rise to the point that this month we are of necessity suspending our bed-and-breakfast business, which we have conducted for over twenty years. Two other properties adjacent to Columbia Forest Products, one the 1870's Moses Mill residence, and the other an 1894 home on land occupied by the Watson family since 1739, are among the nearby homes affected. At a greater distance, the situation is affecting properties within the registered Chatham Historic District.

Since the summer of 2003 we have been in constant contact with the Virginia Department of Environmental Quality about the situation, and since early 2004 have also communicated with various offices within EPA. We have met with Virginia DEQ Director Robert Burnley twice, and much of our written correspondence involves an appeal to him (rejected) regarding the burning of plastics (defined as "woodwastes" in the current and proposed permits) at the plant, and our questioning of the present and proposed emission factors and calculations (so far rejected except for one point) which allow the plant to continue to be permitted as a synthetic minor, rather than major, emission source. We have also expressed concern regarding what we believe to be an inappropriately short boiler stack (both present and proposed), and with regard to so-far-unidentified but very troubling emissions from the finishing department's air vents. We have accumulated more than two thousand pages of communications and associated records in this process, and will be happy to share copies of any which are needed. We have also communicated by telephone and e-mail with EPA staff members in the

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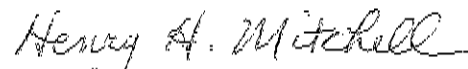
Research Division in North Carolina, and at the Philadelphia and Washington, D. C. offices, in looking for reports, documentation, and technical information; and in seeking relief.

Throughout the process, we have been advised without exception by DEQ and EPA personnel that these agencies have no responsibility or jurisdiction over noise, even though the noise is caused by EPA- and (and by delegation, DEQ- ) required and/or permitted equipment. However, it is our understanding that Section 106 requires the agency to consider the effects of their actions on historic properties and to do so in consultation with the State Historic Preservation Officer and other stakeholders. The regulations governing the Section 106 process at 36 CFR 800 include among adverse effects the introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features. Normal use of our property is already impossible, and we are advised that the new proposed air permit modification includes an approximate doubling of burning capacity and the installation of several potentially very noisy pieces of equipment. It is our contention therefore that issuance of an air quality permit to Columbia Forest Products should be considered an adverse effect on our own property as well as others, including the National Register listed Chatham Historic District. As affected property owners and concerned citizens, we are requesting to enter into the Section 106 consultation process and to consult on ways to reduce, avoid or eliminate these adverse effects.

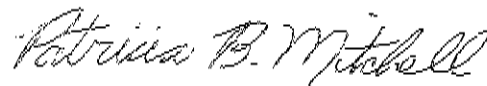
We are also advised by the State Historic Preservation Office that no consultation has yet taken place on this permit and that this is not consistent with the regulations governing the Section 106 process. We ask that you investigate this situation and ensure that consultation takes place in a timely manner.

Thank you for your assistance with this matter.

Yours truly,



Henry H. Mitchell



Patricia B. Mitchell

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Copies to:

Ethel R. Eaton, Ph.D., Manager, Office of Review and Compliance, Virginia Department of  
Historic Resources, 2801 Kensington Avenue, Richmond, VA 23221

✓ Mr. Thomas L. Henderson, Director, Virginia Department of Environmental Quality, South  
Central Regional Office, 7705 Timberlake Road, Lynchburg, VA 24502

Mr. Javier Marqués, Associate General Counsel, Advisory Council on Historic Preservation,  
1100 Pennsylvania Avenue, NW, Suite 809 Old Post Office Building Washington, DC 20004