



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

SOUTH CENTRAL REGIONAL OFFICE

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Secretary of Natural Resources

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Regional Director

July 17, 2006

Henry and Patricia Mitchell  
P. O. Box 429  
Chatham, VA 24531-0429

Subject: Comments Received During Public Comment Period  
Concerning Draft Permit for Columbia Forest Products

Location: Chatham, Virginia  
Registration No.: 30120  
EPA ID No.: 51-143-00017

Dear Mr. and Mrs. Mitchell:

The Virginia Department of Environmental Quality (DEQ) has received your comments submitted concerning the draft permit for Columbia Forest Products (CFP) Chatham facility and DEQ understands and appreciates your concerns regarding this facility and shares the desire to see that changes at the facility will not adversely affect the health or welfare of its neighbors. Attachment 1 is a summary statement for each comment followed by the DEQ's response. As explained in the comments, consideration of citizen input has resulted in changes to the permit as compared to the draft. Attachment 2 is a copy of the final permit.

The comments included reference to a previous submittal, "Appeal of plastics-burning practice at Columbia Forest Products – Chatham," dated January 5, 2005 (2005 Appeal). Because the referenced document was prepared well before the draft permit was generated, its contents are not specific to the draft permit. DEQ staff has reviewed that submittal in light of the draft permit and understands the comments that are relevant to this draft permit to be 1) an objection to permit approval of a fuel that contains "urea-formaldehyde and polyurethane resins and acrylic finishes and stains"; and, 2) questions as to whether methods used for emissions estimates are appropriate considering the non-wood constituents of the approved fuel (see page 1-17 of the 2005 Appeal). However, DEQ recognizes that the entire document, as well as DEQ's response, is background information relevant to this permit action. In addition, this information was considered in the development of the final permit. The comments from the 2005 Appeal as described above have been addressed in DEQ's response to comment #2.

The comment concerning the applicability of Section 106 of the National Historic Preservation Act is addressed as item # 6. As stated in the response, the determination of whether Section 106 applies to the proposed permit action is a decision made at the federal level,

not by the state. While DEQ has no authority to conduct a historic resources review, DEQ consulted with the Virginia Department of Historic Resources (DHR) to clarify the scope of the CFP project, identify potential impacts and explore potential for DEQ resolution in any areas of concern by DHR. DHR's review is limited to changes to preexisting conditions that may impact historic resources. Noise, air emissions, aesthetics, light, vibration, traffic and archaeological sites were explicitly noted as being given consideration.

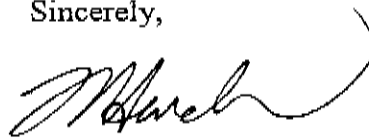
Correspondence dated June 14, 2006 (Attachment 3) from DHR to DEQ provided DHR's finding that the project would not cause adverse impacts. The June 14, 2006 letter was not presented nor intended as a response to your comments on the draft permit. The comments on the draft permit, with respect to impacts on historic resources, focused on the applicability of Section 106 of the National Historic Preservation Act. The correspondence between DHR and DEQ was concerned with potential impacts on historic resources regardless of whether Section 106 applied.

As pointed out in your June 19, 2006 letter, the content of the June 14, 2006 DHR letter does indicate miscommunication between DHR and DEQ concerning the potential for decreased noise from the boiler. DEQ has encouraged CFP to take steps to minimize noise and monitor the impact that this project has on noise. However, as you have been previously advised, DEQ does not have the authority to regulate noise and therefore has not required noise reductions or noise monitoring as a condition of the CFP permit.

Any allegation of bias in implementation of DEQ programs, as was indicated in your June 19, 2006 letter, is of great concern to me. However, the record of this case appears to demonstrate that the opposite is true. DEQ has gone to great lengths to solicit input from all interested parties, provide open and honest access to information, and provide impartial assessment and consideration of concerns raised.

DEQ appreciates your contribution to the compliance evaluation and permit process for this facility. Should you wish to discuss or further clarify any issues covered by your June 19, 2006 letter or the response to comments on the draft permit, please contact Allen Armistead or Jed Brown at 434-582-5120.

Sincerely,



T.L. Henderson  
Regional Director, South Central Regional Office

cc: David K. Paylor

Attachments DEQ response to six comments to citizen letters of February 24, 2006, and June 19, 2006  
Copy of Columbia Forest Products permit  
Copy of letter from DHR to DEQ dated June 14, 2006