

August 17, 2021

David K. Paylor  
Director, Department of Environmental Quality  
1111 East Main Street, Suite 1400  
Richmond, VA 23219

Re: September 17, 2021 Quarterly State Air Pollution Control Board Meeting and Mountain Valley Pipeline's "Lambert Compressor Station" Air permit, Registration No. 21652

Dear Director Paylor,

Appalachian Voices and the undersigned organizations write again to express serious concerns about the public engagement and participation process for the Lambert Compressor Station (LCS) air permit—specifically, public access to the September 17, 2021 meeting of the State Air Pollution Control Board, during which a case decision on the permit is expected.

Members of the public and the Board have expressed concerns about public access to the proceedings, and transmission of COVID-19 is quickly rising in the Commonwealth again; therefore, we ask that you provide a virtual option for public participation in the meeting. Citizens must be provided with safe and equitable access in order to ensure a fair, open, and transparent process.

Hundreds of citizens, including directly impacted community members, submitted comments on the proposed LCS permit. To facilitate their participation in the process, we reiterate that it would be reasonable for DEQ to (1) include remote or virtual participation options, (2) hold the meeting over two days to accommodate the large number of commenters, (3) provide the option for written submissions from commenters unable to attend in person to be read by their on-site proxies, and (3) include both daytime and evening opportunities for public participation.

As noted in a July 25 letter from the Pittsylvania County NAACP, without a virtual meeting option, members of the community impacted by the proposed LCS will be required to travel several hours to the potential meeting location in Richmond. Moreover, holding an in-person meeting while COVID-19 transmission rates are sharply rising is likely to hinder public participation.

We remind you that *meaningful involvement*, as defined in the Virginia Environmental Justice Act, requires that “community residents have access and opportunities to participate in the full cycle of the decision-making process about a proposed activity that will affect their environment or health.”<sup>1</sup>

The meeting as currently designed fails to allow for meaningful public participation or engagement. Accordingly, we renew our request that the Department offer an opportunity for virtual participation by the public during the September 17, 2021 quarterly meeting of the State Air Pollution Control Board.

Thank you for your timely attention to this matter.

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<sup>1</sup> Va. Code § 2.2-234.

Respectfully,

Appalachian Voices  
Allegheny-Blue Ridge Alliance  
ARTivism Virginia  
Bridging The Gap In Virginia  
Center for Sustainable Communities  
Chesapeake Climate Action Network  
Concerned Citizens of Charles City County - C5  
Eastern Woodland Lacrosse  
Extinction Rebellion- Richmond, VA Chapter  
Food & Water Watch  
Green New Deal Virginia  
Haw River Assembly  
Loudoun Climate Project  
Mothers Out Front - Virginia  
NAACP Pittsylvania County Branch #7096  
National Parks Conservation Association  
Preserve Montgomery County VA  
Preserve Salem  
Protect Our Water Heritage Rights  
7 Directions of Service  
Sierra Club Falls of the James Group  
350 Triangle  
Tidewater DSA  
Union Hill Freedmen Family Research Group  
Virginia Conservation Network  
Virginia Environmental Justice Collaborative  
Virginia Interfaith Power & Light  
Virginia League of Conservation Voters  
Virginia Pipeline Resisters  
Virginia Youth Climate Cooperative  
VNDER  
Yogaville Environmental Solutions

CC:

Members of the State Air Pollution Control Board  
M. Norman Oliver, MD, MA, State Health Commissioner  
Renee Hoyos, DEQ Environmental Justice Director  
Anita Walthall, Air Permit Writer, Department of Environmental Quality  
Clark Mercer, Chief of Staff, The Honorable Ralph S. Northam, Governor of Virginia