

# **Blue Ridge Environmental Defense League**

8260 Thomas Nelson Hwy., Lovingson, VA 22949 (434) 420-1874 ponton913@msn.com

Submitted via Email to [airdivision1@deq.virginia.gov](mailto:airdivision1@deq.virginia.gov)

**PERMIT NAME:** Minor Source Construction Permit issued under the authority of the Air Pollution Control Board

**APPLICANT NAME AND REGISTRATION NUMBER:** Atlantic Coast Pipeline, LLC; 21599

**FACILITY NAME AND ADDRESS:** ACP – Dominion Energy Buckingham Compressor Station; 5297 S. James River Hwy, Wingina, VA 24599

To: Virginia Air Pollution Control Board

Date: January 3, 2019

From: Sharon Ponton

Re: Union Hill History & Site Suitability

I am submitting comments regarding site suitability and the historic significance of the Union Hill community as it relates to the draft air permit for the proposed Atlantic Coast Pipeline Compressor Station. I have worked in and with this community for over four years. I have visited in the homes of many Union Hill community members. I have learned Union Hill's history firsthand and respect the rights of all Virginians to a clean environment, including the residents of the historic African American community of Union Hill.

The Virginia Department of Environmental Quality (DEQ) intimated at the December 19, 2018 meeting that because there are no historical structures dating to the Reconstruction era, Union Hill, itself, has no historical value. There were several plantation homes in the area during the late 1700's to early-mid 1900's. The particular plantation home that would offer "value" to Union Hill, I assume, would be the plantation home built in 1798 by Colonel William Moseley and his wife known as Variety Shade. After Colonel Moseley's death, Colonel Thomas Moseley Bondurant and his wife Marcia Louise Mosely Bondurant became its owners. The home at Variety Shade was torn down by the descendants of its Bondurant owners in the late 1950's or early 1960's because they lived elsewhere, no one wanted to restore it, nor live in it as stated by the Variety Shade Landowners Association (VSLA). The portion of the property where the Variety Shade plantation home stood was ultimately sold to Continental Can, a forestry company.

There was and still is a second plantation home tied to this family called Perry Hill. The Perry Hill plantation home is on the National Register of Historic places and was built by Colonel Thomas Moseley Bondurant for his daughter Angelina who married William Paxton Hall, M.D. These well-to-do white colonial families all had intertwined connections through the generations. The surnames Perkins, Moseley, Taylor, Bondurant, Hall, et cetera can be found in genealogic records for Buckingham County...surnames which were also used by the freedmen who settled the Union Hill community during and after reconstruction. Those surnames are still found in the African American community of Union Hill today.

The Variety Shade Landowners Association is made up of the descendants of the white plantation owners. VSLA owns hundreds of acres in the Union Hill area, some of which is/was crossed by existing Transco pipelines. When approached by Dominion, the VSLA sold 68 acres for \$2.5 million, ten times the going rate for property in Buckingham County for Dominion ACP's compressor station site. This sale of this site, knowingly or not by VSLA, will continue the exploitation and marginalization of the

descendants of the very people their ancestors had enslaved prior to the Civil War if the SAPCB approves the draft air permit for the proposed ACP compressor station.



*Variety Shade plantation home. Photo taken late 1940's before the decision to tear down the home by family members living away from the area. Included for educational purposes only.*

Dominion, DEQ, FERC and local government were all made aware of the majority African American community of Union Hill repeatedly during the permitting process for the pipeline and compressor station. In addition to the many comments made at public hearings, I researched, prepared and filed a Title VI Civil Rights complaint with the Environmental Protection Agency (EPA) in June, 2018 regarding this subject with copies submitted to Dominion and DEQ. When writing the complaint, I asked DEQ if they had completed an EJ analysis, I was told by Ann Regn, DEQ wasn't required to.

My colleague, Mark Barker, has spent his Christmas holiday researching the false and misleading claims presented to you at the December 19, 2018 Air Board hearing regarding the "EJ analysis" DEQ attempted. Because of Mark's excellent work which is being submitted separately from my comment, I will make only two points here:

- 1) The EPA uses "dasymetric data." To explain, dasymetric data spreads out evenly the population in a census block over the land mass area of that census block, minus those areas it deems uninhabitable which includes features like water bodies, wetlands, and slopes greater than 25%. For example, a given census block has 1,141 people in an area 2 miles wide by 10 miles long or 20 square miles. A determination is made that there are 2 square miles of uninhabitable land mass in the block. The

population is then spread out among the remaining 18 square miles. This is why both the EJScreen and the ESRI findings could present data to you indicating only 4 homes were located within ½ mile of the compressor station site, when in actuality there are at least 16. It is also why DEQ and ESRI could claim there are only 29.2 people per square mile when in actuality the Union Hill community's population per square mile is much higher.

2) There are three census blocks which are a part of the calculations for Environmental Justice concerning the siting of the compressor station in Buckingham with varying minority populations in each census block. Because the Union Hill community is split between the three census blocks and because "dasymetric data" distributes the population evenly among each census block, it is very difficult to interpret where the minority population actually lives. Union Hill, itself, encompasses a very small portion of the land mass within those three census blocks. It is why the EPA clearly states that the EJScreen is just a tool, that additional analysis and local input must be considered in making any determination regarding whether a particular community is an EJ community which DEQ has flagrantly failed to do in this case.

In conclusion, the attempt to erase the black lives of a predominantly African American community by Dominion and the regulatory bodies overseeing the permitting for the pipeline and compressor station has been astounding to me, personally. DEQ's Mike Dowd attempted to discredit the historical significance of the Union Hill community because some 60 to 70 years ago, the descendants of the white slave owners tore down the plantation home where the ancestors of Union Hill residents were enslaved. As I said earlier, I have sat in many kitchens and living rooms in the homes of residents in Union Hill. I know who lives there and the history of the community. At the Air Board hearing on November 8-9, Carlos Brown, Dominion Vice President and General Counsel, stated Dominion had "no intent to discriminate." In making that statement, he admitted that Dominion has a problem in Union Hill. However, intent is not the question. What Dominion and the permitting agencies do to stop the blatant environmental injustice is what is important. Dominion's attempts to buy-off the community with its \$5.1 million community investment fund should not be a part of the discussion in your permitting decision. The fund should not even be included in the record because it has no part in determining whether Union Hill is an EJ community. In my estimation, the fund is yet another admission by Dominion that it has a problem in Union Hill. Why else would they attempt to buy off the community? What Dominion has accomplished with its fund is fracture a community and cause terrible rifts between families and friends who have lived side-by-side for years and years. Dominion's behavior and that of DEQ in attempting to erase this community and the black lives who live within it, is despicable.

I ask you to deny the Air Permit for the compressor station for the proposed Atlantic Coast Pipeline because Union Hill is an Environmental Justice community. Therefore, the site is unsuitable for this industrial facility.

Sincerely,

/sp

Sharon Ponton  
Stop the Pipelines Campaign Coordinator  
Community Organizer