

**REPORT OF THE VIRGINIA COUNCIL ON ENVIRONMENTAL
JUSTICE (VCEJ)**

2025 Annual Report of the Virginia Council on Environmental Justice

**TO THE OFFICE OF GOVERNOR ABIGAIL SPANBERGER AND
THE OFFICE OF THE SECRETARY OF NATURAL AND
HISTORIC RESOURCES SECRETARY BULOVA**



Report Prepared by Members of the Virginia Council on Environmental Justice

**COMMONWEALTH OF VIRGINIA
RICHMOND
JUNE 2026**

LETTER FROM THE CHAIR

Dear Governor Spanberger,

I am writing to submit the Virginia Council on Environmental Justice 2025 Annual Report, which outlines critical issues affecting environmental justice communities across the Commonwealth and presents actionable recommendations for moving forward. This report is a culmination of our collective efforts to address the pressing challenges faced by marginalized communities and to begin to help define effective policies and programs that address environmental justice concerns raised by communities and community members in the Commonwealth of Virginia. Throughout 2025, we held five meetings, during which we dedicated time for public comments.

We also conducted our Q1 meeting on April 27, 2026. The meeting was well attended and included representation by Secretaries David Bulova, Katie Frazier, and Carrie Chenery, and representatives from the Departments of Transportation, Health and Human Resources, and Education. A copy of the meeting minutes can be found [here](#). Community presentations and testimonies focused on a variety of issues around the Commonwealth which impacts quality of life, and public health.

Chapter 1 of the report emphasizes the urgent need to focus on environmental justice. We are concerned of the lack of attention to recommendations we made on behalf of Virginia citizens in the past. It is crucial that we recognize the evolving landscape of environmental challenges and adapt our administrative and policy frameworks accordingly to ensure that all Virginians, particularly those in underserved communities, can enjoy a healthy and sustainable environment. We stand ready to work with your Administration to lend our assistance to pave the right path for all.

Throughout 2025, we held five meetings. During each meeting we dedicated time for public comments. In Chapter 2, we discuss a variety of pressing issues and experiences shared with the Council from members across the Commonwealth. These issues include flooding from sea level rise and from aging storm and drainage infrastructure, air and soil contamination, the need for improvements in emergency management, neighborhood blight, waterways, land use, housing affordability, energy efficiency, and support for our agricultural and small farmers and tribal communities.

Additionally, we heard of the critical concern of PFAS migrating from farmers' fields to contaminate our waterways (which is also impacting our small farmers), which poses significant risks to the health and economic vitality. The interconnectedness of these issues underscores the necessity for a comprehensive and coordinated response from state agencies and local governments.

Chapter 3 focuses on innovative approaches to improve the Council's interaction with the public. We recognize the importance of engaging with communities intentionally and effectively to foster trust and collaboration. We want to work with your Administration to find ways to rebuild the relationships with the Office of the Governor and Ex-Officio members, as well as the establishment of new partnerships with other agencies, particularly the Department of Public Safety and Security and the Chief Diversity Officer. Furthermore, the Virginia Department of Environmental Quality is a critical partner in addressing EJ issues in the Commonwealth, adequate funding and staffing is critical to be able to provide relevant

information, resources and services throughout the Commonwealth, particularly in rural areas, and under-resourced communities.

It is of upmost importance to set a gold standard for our agencies to follow to identify and determine the right sized solutions relating to EJ concerns. Solutions could include developing an EJ definition, along with more concise thresholds determining EJ indicators such as health, economics, access to transportation, etc. that would be implemented and enforced on a state and local level.

We appreciate your attention to these matters and look forward to providing your Administration with value-added context and recommendations in addressing the pressing environmental justice issues that affect our communities. We welcome the opportunity to discuss the findings of our report with you directly.

Thank you for your commitment to fostering a healthier, more sustainable Virginia.

Sincerely,

[Karen Campblin](#)

Karen Campblin

Chair

Virginia Council on Environmental Justice

2025 VIRGINIA COUNCIL ON ENVIRONMENTAL JUSTICE

- Theresa L. Burriss, PhD,
- Karen T. Campblin, AICP
- Kendyl Crawford
- Aliya Farooq
- Reverend Dr. Faith B. Ronald Howell, Jr.
- Janet Phoenix, MD, MPH
- Harrison Wallace
- Lydia Lawrence
- Meryem Karad, Richmond
- Hope Cupit
- Honorable Eurika Tyree
- Lisa Kardell
- Courtney Malveaux, Esq.
- Eddie Ramirez
- Morgan Whayland
- Lieutenant Colonel (Retired) Ronald
- Olswyn White
- Elizabeth Cherokee Williamson
- Kerry McAvoy
- John Boyd

Members are individually appointed using a framework of regions of the state as well as academic, environmental and grassroots affiliations. In any organization, the integrity of decision-making is paramount. However, we recognize at times, members may face conflicts and/or potential biases. We further recognize opting not to vote, or abstain, is a reasonable choice, ensuring that decisions are made in the best interest of the Council and its purpose. This practice not only upholds the integrity of the voting process but also encourages a culture of accountability and trust.

Ex-Officio Members

- David Bulova, Secretary of Natural and Historic Resources
- Carrie H. Chenery, Secretary of Commerce and Trade
- Katie Frazier, Secretary of Agriculture and Forestry
- Marvin Figueroa, Secretary of Health and Human Resources
- Jeffery O. Smith, Secretary of Education
- Nick M. Donohue, Secretary of Transportation

LIST OF RECOMMENDATIONS

CHAPTER 1: URGENT NEED TO BUILD VIRGINIA'S ENVIRONMENTAL JUSTICE LENS

VCEJ 2024 Annual Report

Specific suggestions and recommendations accompanied the following headings: community action, addressing cumulative impacts, and land use/zoning. Council members provided actionable steps the Governor's Office could take to ensure environmental justice for all communities, especially those historically marginalized and oppressed.

Unfortunately, none of the Council's 2024 suggestions or recommendations were implemented by the Youngkin administration. Indeed, contrary to environmental justice, Governor Youngkin withdrew Virginia from the Regional Greenhouse Gas Initiative (RGGI) in 2023. Governor-elect Spanberger has an opportunity to reactivate Virginia's membership in RGGI and actively work to address environmental injustices in the Commonwealth to ensure fair treatment of all Virginians.

2021 Interagency Environmental Justice Working Group

Recommendations from The 2021 IEJWG Report

We would like to highlight two items in the "Work to Do" section of the 2021 report that remain just as relevant in 2025.

Prior Recommendation: The first is developing a consistent, cross-agency approach to "disproportionate impact" analysis, including creating a definition for the term, and

Prior Recommendation: The second is standing up a single, shared EJ data mapping portal with Quality Assurance/Quality Control (QA/QC) and data-layer governance. Noted in the previous section, DEQ has launched some mapping tools, which demonstrates progress. However, they don't replace a uniform, codified standard across top agencies.

Although the IEJWG is still legally authorized through 2031, it has not met since 2021. This has left a major lag in cross-agency coordination and progress on EJ recommendations. In light of recent federal rollbacks, executive orders targeting diversity, equity and inclusion across agencies, the elimination of Justice40 and the White House EJ Advisory Council, and EPA's dismantling of its EJ office and grants, the report's recommendations are even more vital now. They will allow the state to continue to progress regardless of what is happening at the federal level.

Specific Recommendations to the Incoming Governor and Administration include the following:

1. Reconvene the Interagency EJ Working Group

- Description: Issue an executive directive or budget language requiring the Interagency EJ Working Group to reconvene quarterly, beginning in 2026, with representatives from each Secretariat, and publish annual public reports.

- Why: The IEJWG is still in statute but dormant; reconvening reestablishes coordination across agencies like DEQ, VDH, and DHCD.
2. Convene a Robust Stakeholder Workgroup on EJ permitting, regulations, and the potential of codifying a “disproportionate impact” standard statewide
 - Description: A stakeholder workgroup to evaluate impact and potential of EJ permitting guidance that would include “disproportionate impact”. The workgroup would include a variety of stakeholders such as communities, community advocates, agency staff, the business community, workers, health professionals, tribes, first responders/emergency managers, and academics.
 - Why: The workgroup would evaluate the impact of a uniform EJ standard.
 3. Fund a Shared EJ Data Portal
 - Description: Appropriate funding for DEQ to maintain VAEIScreen+ as a statewide tool, with data governance and Quality Assurance/Quality Control across agencies. Require VDH, DEQ, and others to integrate their data layers.
 - Why: The 2021 report flagged the lack of a unified mapping system; DEQ’s tool is a start, but funding and cross-agency adoption are needed to make it durable.
 4. Require Public Transparency and Accountability
 - Description: Direct each agency (DEQ, VDH, DHCD, VDOT, etc.) to publish annual EJ accountability scorecards showing:
 - How community input shaped decisions,
 - How mitigation was required where disproportionate impacts were found, and
 - How funds were spent in EJ/fenceline communities.
 - Why: This provides the Council with much-needed material for continued effective recommendations.
 5. Sustain and Protect EJ Funding
 - Description: Create a dedicated EJ and Just Transition fund in the state budget to support local community-driven EJ projects and capacity.
 - Why: With federal EJ funding being rolled back, Virginia needs its own steady resource stream.
 6. Council–Agency Alignment
 - Description: Require agencies to brief or send a report to the EJ Council at least once annually on their EJ implementation work, including IEJWG progress, funding use, and policy changes/impacts, including how frontline community input changed decisions, what mitigation commitments were made when impacts were found, and how just transition metrics were integrated into program design.
 - Why: This ensures the IEJWG informs the Council’s advisory role, instead of operating in a silo.

Addressing Public Comments Received

To address the failure to acknowledge community narratives received as a part of public comment period, the following recommendations should be implemented:

Public Comment Recommendation One: Integration into Reports: Ensure that community narratives are prominently included in council reports and recommendations, highlighting specific stories that illustrate the impact of environmental policies and reinforcing the connection between lived experiences and policy outcomes.

Public Comment Recommendation Two: Regular coordination with Ex-Officio Members: Ex-Officio members were identified because of their roles in shaping environmental policy and programs in Virginia. Their active participation is crucial for integrating diverse perspectives, ensuring informed decision-making, and fostering collaboration among stakeholders.

Public Comment Recommendation Three: Re-establish regular meetings with the Office of the Governor to discuss issues heard and provide advice to potential changes.

Public Comment Recommendation Four: At each meeting, the Council shall invite community members, organizations and agencies to provide an overview/update regarding Environmental Justice Issues. By doing so, the Council receives supplemental resources, reports, and presentations. Because we are required to share information with members of the public in a transparent manner, we would benefit from having an opportunity to store this material in electronic/digital form to comply with FOIA.

CHAPTER 2: HEALTH OF A COMMUNITY

Data Center Development

The council recommends the Governor address the impacts of data center development through the following:

Data Center Development Recommendation One: Create a separate customer class for high energy industries to pay for the infrastructure costs

Data Center Development Recommendation Two: Change state law to allow for the best available backup energy technology.

Data Center Recommendation Three: Require data center industry to report on energy usage, energy efficiency, diesel generator use, and water consumption.

Data Center Recommendation Four: Tie state tax subsidies for data center to clean energy use and fossil fuel reduction.

Environmental Justice and Health Considerations

Environmental Justice and Health Recommendation One: Establish Environmental Health Equity Zones: Designate high-need rural communities as Environmental Health Equity Zones and allocate targeted funding for clean water systems, septic repair, weatherization and environmental health monitoring

Environmental Justice and Health Recommendation Two: Expand Climate Resilience and Cooling Infrastructure: Expand Climate Resilience and Cooling Infrastructure: Increase investments in cooling centers, emergency backup power for vulnerable households, and energy assistance programs. Emergency plans should include tailored outreach strategies for rural and isolated residents so that they are aware of these resources.

Environmental Justice and Health Recommendation Three: Improve Rural Transportation and Health Services Access: Support community-based transportation models such as subsidized rideshare programs and mobile medical units to increase rural access to health care, nutritious food and essential services.

Environmental Justice and Health Recommendation Four: Enforce Safe and Healthy Housing Standards: Strengthen housing inspections, provide remediation grants and hold landlords accountable for substandard housing conditions.

This chapter also includes recommendations from guest speakers. Please review the appropriate sections to review recommendations made.

CHAPTER 3: EDUCATION AND COLLABORATION ON ENVIRONMENTAL ISSUES

Understanding Basic Environmental Requirements

The Council and environmental justice communities would benefit from education about the current environmental requirements. We recommend educational sessions to focus on basic air, water, and waste regulations for both audiences. A session may address the regulations in reference to a new or existing permitted facility, as an example.

Stakeholder Collaboration on Environmental Concerns

The Council can facilitate engagement between environmental justice communities and stakeholders. By receiving feedback from communities, the Council can assist in identifying a community in need of a solution and help to define the problem. Armed with enhanced environmental education, the Council can endeavor to bring together the appropriate stakeholders to achieve an eventual solution. With the correct stakeholders in place, the parties can work through the Model steps together. The Council can serve in an accountability role as the “glue” to ensure the process continues until a solution is achieved. Stakeholders might include affected community members, DEQ, local grassroots organizations, and industry members operating in the community. DEQ environmental justice coordinators would be excellent facilitators of stakeholder discussions. The Council can report on the success of these collaborative opportunities across the Commonwealth in its Annual Report.

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CHAPTER 1: URGENT NEED TO BUILD VIRGINIA’S ENVIRONMENTAL JUSTICE LENS

The Virginia Council on Environmental Justice (VCEJ) was established in 2017 by an Executive Order issued by Governor Terry McAuliffe and was subsequently codified into the Virginia Law in 2020 under the Virginia Environmental Act. Since its inception, The Council continues to serve as an advisory body to the Office of the Governor and the General Assembly, on issues and concerns of Virginians as it pertains to sustainability, equity, and the elimination of disproportionate impacts that affect the environment and quality of life. This chapter aims to highlight that, despite the recommendations made by the Council or other relevant agencies, little to no action has been taken, and underscores the need for urgent focus to properly define environmental justice and set guidelines for future long-term planning and policy development.

VCEJ 2024 ANNUAL REPORT

Chapter 1 from the 2024 Report from the Virginia Council on Environmental Justice (<https://www.naturalresources.virginia.gov/media/governorvirginiagov/secretary-of-natural-resources/pdf/ej/2024-VCEJ-Report.pdf>), includes national historical and contemporary contextual information on environmental justice (EJ) and EJ communities. In light of these frameworks and guidelines, this year the Council is reviewing our past recommendations and assessing their status, while contributing new recommendations based on current community input and consequent Council due diligence. It’s important to note the Council’s 2023 Report: (<https://www.naturalresources.virginia.gov/media/governorvirginiagov/secretary-of-natural-resources/pdf/ej/2023-VCEJ-Report.pdf>),

Chapters 2-6 in the 2024 report clearly identify Council’s recommendations and include the following general headings:

- Community Action: Tidewater Region (Suffolk, Pughsville, and Chesapeake)
- Addressing Cumulative Impacts for Environmental Justice
- Land Use and Zoning
- Funding and Technical Sources
- Council Governance / Rules of Engagement

Recommendations

Specific suggestions and recommendations accompanied the following headings: community action, addressing cumulative impacts, and land use/zoning. Council members provided actionable steps the Governor’s Office could take to ensure environmental justice for all communities, especially those historically marginalized and oppressed.

Unfortunately, Virginia was withdrawn from the Regional Greenhouse Gas Initiative (RGGI) in 2023. Governor-elect Spanberger has an opportunity to reactivate Virginia’s membership in RGGI and actively work to address environmental injustices in the Commonwealth to ensure fair treatment of all Virginians.

2021 INTERAGENCY ENVIRONMENTAL JUSTICE WORKING GROUP REPORT

The [2021 Interagency Environmental Justice Working Group](#) (IEJWG) underscored that the Environmental Justice Act of 2020, introduced by Senator Ghazala Hashmi (SB406) and Delegate Mark Keam (HB704), established environmental justice as the official policy of the Commonwealth and charged state agencies with carrying it out. This section revisits the 2021 report, highlights recommendations that remain urgent, provides a brief update, and identifies specific asks to the governor.

Role of the Council and Upcoming Opportunities

As an advisory council, the VCEJ is positioned to push for accountability and updates. It is also uniquely able to push for continuity across administrations. We are considering asking for updates on the 2021 recommendations, mapping tools, cumulative impact frameworks, and regional EJ coordinators from the new administration. This is important as we continue to emphasize that EJ must be shaped by frontline voices and embedded across health, permitting, and planning decision-making.

The IEJWG, if reactivated, ideally would function as a bridge between policy concepts and agency implementation. It would coordinate and build tools. The VCEJ's role is to monitor results and implementation. The Council surfaces community priorities and holds them accountable through public briefings and targeted recommendations—especially at DEQ, VDH, and VDOT where EJ shows up most in permitting, public health protection, and infrastructure.

Allocating additional resources to the Council and implementing practices such as quarterly updates, public dashboards, scorecards, or community-facing briefings would help the VCEJ to remain informed and to assist in keeping communities engaged. In turn, our annual reports to the Governor and General Assembly can spotlight whether agency actions align with Virginia's EJ commitments. This approach would keep Virginia moving forward even as federal EJ supports are dismantled.

Progress and Ongoing Gaps

Since the 2021 report, one of the most notable steps forward has been the creation of the Department of Environmental Quality's Office of Environmental Justice. Established in 2021, it was staffed with regional coordinators and helps to support educational outreach and public participation, as well as develops guidance for identifying and engaging EJ and fenceline communities for certain permitting and regulatory processes. Other initiatives launched by DEQ include [VA EJScreen+](#) and the [Virginia Environmental Data Hub](#), which are aimed at increasing transparency through mapping and screening resources. Additionally, DEQ's draft permitting guidance, still awaiting, calls for extra review for "permits of concern" in EJ communities. For certain situations, the guidance could bolster meaningful involvement and mitigation when disproportionate impacts are found. This guidance document should be updated to include new information and concerns expressed by the community including addressing cumulative impacts.

Cumulative impact assessments remain a large ongoing gap. These assessments are not binding, largely discretionary, only required in specific cases, and are not institutionalized across state agencies. Also, there is no uniform definition of “disproportionate impact” nor a cross-agency EJ portal containing key shared data. As a result, agencies apply EJ inconsistently, and any accountability is extremely limited. Thus, many of the 2021 recommendations remain valid, needing both policy and procedural implementation.

Recommendations

Recommendations from The 2021 IEJWG Report

We would like to highlight two items in the “Work to Do” section of the 2021 report that remain just as relevant in 2025. The first is **developing a consistent, cross-agency approach to “disproportionate impact” analysis, including creating a definition for the term**, and the second is **standing up a single, shared EJ data mapping portal with Quality Assurance/Quality Control (QA/QC) and data-layer governance**. Noted in the previous section, DEQ has launched some mapping tools, which demonstrates progress. However, they don’t replace a uniform, codified standard across top agencies.

Although the IEJWG is still legally authorized through 2031, it has not met since 2021. This has left a major gap in cross-agency coordination and has impeded progress on EJ recommendations. In light of recent federal rollbacks, Executive Orders targeting diversity, equity and inclusion across agencies, the elimination of Justice40 and the White House EJ Advisory Council, and EPA’s dismantling of its EJ office and grants, the report’s recommendations are even more vital now. They will allow the state to continue to progress regardless of what is happening at the federal level.

Specific Recommendations to the Incoming Governor and Administration include the following:

1. Reconvene the Interagency EJ Working Group

- Description: Issue an executive directive or budget language requiring the Interagency EJ Working Group to reconvene quarterly, beginning in 2026, with representatives from each Secretariat, and publish annual public reports.
- Why: The IEJWG is still in statute but dormant; reconvening reestablishes coordination across agencies like DEQ, VDH, and DHCD.

2. Convene a Robust Stakeholder Workgroup on EJ permitting, regulations, and the potential of codifying a “disproportionate impact” standard statewide

- Description: A stakeholder workgroup to evaluate impact and potential of EJ permitting guidance that would include “disproportionate impact”. The workgroup would include a variety of stakeholders such as communities, community advocates, agency staff, the business community, workers, health professionals, tribes, first responders/emergency managers, and academics.
- Why: The workgroup would evaluate the impact of a uniform EJ standard.

3. Fund a Shared EJ Data Portal

- Description: Appropriate funding for DEQ to maintain VAEJScreen+ as a statewide tool, with data governance and Quality Assurance/Quality Control across agencies. Require VDH, DEQ, and others to integrate their data layers.
- Why: The 2021 report flagged the lack of a unified mapping system; DEQ's tool is a start, but funding and cross-agency adoption are needed to make it durable.

4. Require Public Transparency and Accountability

- Description: Direct each agency (DEQ, VDH, DHCD, VDOT, etc.) to publish annual EJ accountability scorecards showing:
 - How community input shaped decisions,
 - How mitigation was required where disproportionate impacts were found, and
 - How funds were spent in EJ/fenceline communities.
- Why: This provides the Council with much-needed material for continued effective recommendations.

5. Sustain and Protect EJ Funding

- Description: Create a dedicated EJ and Just Transition fund in the state budget to support local community-driven EJ projects and capacity.
- Why: With federal EJ funding being rolled back, Virginia needs its own steady resource stream.

6. Better Align EJ Work of the Council with Agencies

- Description: Require agencies to brief or send a report to the EJ Council at least once annually on their EJ implementation work, including IEJWG progress, funding use, and policy changes/impacts, including how frontline community input changed decisions, what mitigation commitments were made when impacts were found, and how just transition metrics were integrated into program design.
- Why: This ensures the IEJWG informs the Council's advisory role, instead of operating in a silo.

ADRESSING PUBLIC COMMENTS RECEIVED

The Virginia Council on Environmental Justice (VCEJ) operates to serve as an advisory body to address environmental issues that disproportionately impact marginalized communities across the Commonwealth. Despite this mandate, there remains a concerning trend of a systemic failing to adequately acknowledge the narratives of these communities. Community narratives encompass the personal stories and lived experiences of individuals and groups affected by environmental policies and practices. These narratives provide essential context and depth to the quantitative data collected as a part of the decision-making process. However, when decision-makers overlook these stories, they miss critical insights into the real-world implications of environmental degradation, pollution, and climate change on the health and livelihoods of community members. The lack of acknowledgment of these narratives is problematic for several reasons:

1. **Dehumanizing Data:** While statistical data is vital for understanding environmental challenges, it often strips away the human element. Including community narratives as a part of the process will allow for a more in-depth understanding of the struggles and resilience of individuals and communities are facing.
2. **Wrong Policy Decisions:** This disconnect can lead to oversimplified decisions, overlooked issues, and failed understandings of the urgency and significance of the issues at hand.
3. **Erosion of Trust and Engagement:** Neglecting community narratives undermines trust with our communities.
4. **Overlooking Systemic Inequities:** Community narratives often reveal systemic inequities that data alone cannot capture. Ignoring these stories allows patterns of discrimination, neglect, and environmental racism to persist unchallenged.

Recommendations

To address the failure to acknowledge community narratives received as a part of public comment period, the following recommendations should be implemented:

1. **Integration of Community Narratives into Reports:** Ensure that community narratives are prominently included in council reports and recommendations, highlighting specific stories that illustrate the impact of environmental policies and reinforcing the connection between lived experiences and policy outcomes.
2. **Regular coordination between the EJ Council and it's Ex-Officio Members:** Ex-Officio members were identified because of their roles in shaping environmental policy and programs in Virginia. Their active participation is crucial for integrating diverse perspectives, ensuring informed decision-making, and fostering collaboration among stakeholders.
3. **Meetings with the Office of the Governor:** Re-establish regular meetings with the Office of the Governor to discuss issues heard and provide advice to potential changes.
4. **At each meeting, the Council invites community members, organizations, and agencies to provide an overview/update regarding Environmental Justice issues.** In doing so, the Council receives a lot of supplemental resources, reports, and presentations. In order to comply with FOIA, having an opportunity to store electronic information to share with members and public transparency would prove beneficial to our efforts.

The following documentation represents comments received during 2025 with relevant agencies highlighted. Council members expressed an interest to have more intentional and in-depth discussions and responses to comments received. .

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
Dann Sklarew, George Mason Univ			
Kelly Hengler, Suffolk	• Physician assistant and ex-military • Was in Cali for 20 years • Witnessed h1n1 • Located on lower James, Suffolk • Heart disease and cancer and aging health issues • Comprehensive planning • Disaster response systems • Excited to see SB1254, which suggests an EJ strategy for comprehensive planning • Executive president of local civic league • Communication issue as people don't know about boil water issues in Oakland (rural) • Communication is a major issue especially around disaster response	• Natural and Historic Resources • Health and Human Services	• Public Safety and Homeland Security •
Kim Sudderth, Norfolk	• Berkely neighborhood • Multiple industrial and hazardous waste sites • Important to consider inequities in public policy and cumulative impacts, need a cumulative impact bill • Storm surge concerns – her neighborhood was not included in the Army Corps of Engineers hard infrastructure project • Army Corps declared that the cost of the wall is more than the value of the neighborhood • Want to reflect on the past and not commit to perpetuating past harms • Asked the city to help them advocate to the Army Corps of Engineers, process started in 2015, very difficult • Would be nice to have resilience centers that are solar powered – community would know that's where to go • Especially in vulnerable neighborhoods	• Natural and Historic Resources • Health and Human Services	• Public Safety and Homeland Security •

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	• Make community meetings more accessible, 5pm meetings are very hard for working parents to make		
Lorna Taylor, Suffolk	• Flooding, sand pits, trucks and noise • Wants her community to be taken into consideration in the report • Oakland Village still on boil water alert, still using pipes from the 1930s	• Natural and Historic Resources	
Mary Hill, Suffolk;	• Represents historic African American village • Needs action and specific shovel-ready projects now to resolve flooding issues • Working with Wetlands Watch and Del. Hernandez carrying a bill about flood risk disclosure for selling homes	• Natural and Historic Resources	
Carolyn White, Pughsville	• Took a look at the May 14 draft which looks good • Submitted pictures from Pughsville, but unfortunately had an email bounce back • Neighborhood dealing with old African American movie theater. The theater had asbestos found in it. • It has since been demolished but the site that may still contain asbestos is being redeveloped • There is not enough attention being paid to the potential for the asbestos to be disturbed and redistributed during the redevelopment process	• Natural and Historic Resources	
June 17, 2025 No public comments were offered			
August 21, 2025			
Vicky Hu, Ashburn	Ladies and Gentleman of Council, My name is Vicky Hu, and I live in Ashburn, Virginia. Our community received a phone call from Mr. Rob Richardson from Dominion Energy, on 6/13/2025. The nature of the call was that the Loudoun County School Board and Loudoun County denied proposals for a 500V & 230V high voltage power line for the Golden to Mars project that cuts through the Rock Ridge High School property and along Loudoun County Parkway. So, Dominion Energy decided to propose not only having the High Voltage Power line go behind our properties, but in the middle of my property and potentially the yards of all my neighbors. We strongly feel that Dominion Energy is targeting us and neighboring communities because 70% of our residents are first generation Asian immigrants, coming from India,	• Natural and Historic Resources • Commerce and Trade	• State Corporation Commission

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	China, and surrounding countries. We settled in Ashburn, Virginia 25 years ago because we were drawn by the beautiful forest, lush wetland, wonderful wildlife, and having all-underground utility lines that wouldn't disrupt the community. We purchased our homes to raise our kids and retire in, keeping it for our families. But it was shattered after this disturbing phone call on 6/13/2025, three months after Dominion filed their application for the proposal. The purpose of these high voltage power lines isn't for our communities – we already paid for underground power 25 years ago -- but for Data Centers so they can make millions of dollars. With Dominion's proposal, they will cut down all the trees in our backyards and pollute the wetlands just behind us. This proposed power line project is a breach of our civil rights and a clear case of environmental injustice. Would any of Dominion Energy's employees, CEO, or management live under or next to one of their own High Voltage power lines? If the high voltage power line was rejected by the school board due to the hazard to student health, why does Dominion Energy think it would be good or beneficial for the residents who live in the houses within 100 feet of the proposed wire 24/7? I ask you now to lend your support in fighting Dominion Energy and make it clear that we don't want any power lines near our community, or any other communities. We have the right to keep our home and land natural and beautiful as we purchased our homes as 25 years ago. Thank you for taking the time to hear our story. I have a slideshow of images taken from my own backyard that I will show you after this speech to show what might be lost if we don't act now. We hope you will support us to help keep our homes, our trees and our watershed for generations to come! Link to photos Link to NBC4 news story		
Matt Allenbaugh, Roanoke	Councilmembers. Good afternoon, my name is Matt Allenbaugh and I am a resident of the City of Roanoke and work with the organization Appalachian Voices. Following on Dr. Faulkner's excellent presentation, my comment today is on energy efficiency as it relates to environmental justice and low-income communities. I want to spotlight the story of a woman who reached out to our organization after we highlighted the passage of a bill in 2024 that prohibited utility disconnections during	• Natural and Historic Resources • Health and Human Services	

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	extreme temperature events and states of emergency. Elisha lived in southwest Virginia and was a single mother and had received a disconnection notice and was behind on her bills. Elisha reached out to us in desperation for help after having been disconnected previously. We were able to help her get enrolled in a percentage of income payment program through her electric utility and connected her to other organizations who could provide further direct assistance. Energy efficiency as it relates to environmental justice is particularly important in southwest Virginia where a significant portion of the population are low income. In Dickenson County over 20%¹ of the population lives in poverty, in Tazewell more than 19%², and Buchanan County at nearly 24%³ and Lee County over 26%⁴ of the population live in poverty. Energy efficiency's benefits exceed lowering utility bills. Efficient homes, schools, and commercial buildings better control moisture, air quality, and temperature, are more comfortable, and climate resilient. They provide health benefits such as fewer asthma attacks and emergency department visits for respiratory-related illnesses⁵. In the counties noted previously the life expectancy is significantly lower than the state average of 78.1 years. In Buchanan County it is 6.1 years lower, Lee County 5.3 years less than the Virginia average, Dickenson 5.9 years lower and residents of Tazewell County live a staggering 6.9 years less than the state average⁶. In the three years that Virginia participated in the Regional Greenhouse Gas Initiative air pollution from power plants decreased by 22%⁷ and over \$413⁸⁹ million was directed to low-income energy efficiency programs across the state. Addressing both air pollution's negative health impacts and energy affordability for low-income individuals and communities. However, since leaving the Regional Greenhouse Gas Initiative at the start of 2024, air pollution is up 20.5%¹⁰ and low-income Virginians have missed out on hundreds of millions of dollars of program funding. I offer these comments as a note of support for the recommendation to re-join the Regional Greenhouse Gas Initiative as noted in the 2024 Annual Report of the Virginia Council on Environmental Justice. I ask your further support in re-joining the Regional Greenhouse Gas Initiative as it will provide people like Elisha, low-income communities in Southwest Virginia and across the state access to critical funding to address energy efficiency and its associated health impacts.		

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	¹ United States Census Bureau. <i>Dickenson County, Virginia</i>. https://data.census.gov/profile/Dickenson_County_Virginia?g=050XX00US51051#income-and-poverty ² United States Census Bureau. <i>Tazewell County, Virginia</i>. https://data.census.gov/profile/Tazewell_County_Virginia?g=050XX00US51185#income-and-poverty ³ United States Census Bureau. <i>Buchanan County, Virginia</i>. https://data.census.gov/profile/Buchanan_County_Virginia?g=050XX00US51027#income-and-poverty ⁴ United States Census Bureau. <i>Lee County, Virginia</i>. https://data.census.gov/profile/Lee_County_Virginia?g=050XX00US51105#income-and-poverty ⁵ <i>Occupant Health Benefits of Residential Energy Efficiency</i>. (2016). E4 the Future, Inc. https://e4thefuture.org/wp-content/uploads/2016/11/Occupant-Health-Benefits-Residential-EE.pdf ⁶ WRIC. <i>Counties with the shortest life expectancy in Virginia</i>. (2024, July 15). https://www.wric.com/news/virginia-news/counties-with-the-shortest-life-expectancy-in-virginia/ ⁷ <i>Clean Air Markets Program Data: custom data download</i>. (2025, August 20). U.S. Energy Information Administration (EIA). https://campd.epa.gov/data/custom-data-download ⁸ The Virginia Department of Housing and Community Development. <i>Housing Innovations in Energy Efficiency</i>. https://www.dhcd.virginia.gov/hiee ⁹ Regional Greenhouse Gas Initiative. <i>Auction Results</i>. https://www.rggi.org/auctions/auction-results ¹⁰ <i>Clean Air Markets Program Data: custom data download</i>. (2025, August 20). U.S. Energy Information Administration (EIA). https://campd.epa.gov/data/custom-data-download		
Yugonda Sample-Jones, Newport News	Good afternoon, Council Members, My name is Yugonda Sample-Jones, and I live in the East End of Newport News, a fence-line community next to the Dominion Terminal and Kinder Morgan coal terminals. These facilities store over 3.1 million tons of coal in	Natural and Historic Resources	

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	large, open piles. Hampton Roads exports more coal than any other region in the country, and my community has carried the burden of that industry. Because of coal operations, my Son and many of my neighbors suffer from high asthma rates, respiratory issues, and even strokes. Migrating coal dust falls on our homes, cars, and porches, forcing families to spend money and time power-washing just to keep their property livable. This is not only a nuisance—it is an unfair burden that hurts our health and our finances. Through my work with Empower All LLC, I’ve been fortunate to collaborate with partners such as the UVA Repair Lab, Sierra Club, and the City of Newport News Sustainable Cities initiative. Together, we’ve connected with resources like Johns Hopkins Hospital and other medical professionals to better understand and address the health disparities caused by coal pollution in our community. There are solutions we can act on now. For example, wind fences are proven to reduce wind speeds and can lower coal dust emissions by 70–80% or more. This would provide immediate relief for residents and show that the health of people living in frontline communities matters. Today, I am asking this Council for your support in helping us mitigate this environmental injustice. My community deserves clean air, good health, and the peace of mind that comes with knowing that our homes are safe. Thank you for your time and for standing with communities like mine.	Health and Human Services	
Kim Sudderth, Norfolk			
Gabrielle Spenacchio-Parker, Blacksburg			
Thien Chan, DC			
Rev. Leslie Dean, Radford			
Alyssa Carpenter, Blacksburg			

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
Becky Evenden, Bristol	My name is Becky Evenden, and I am submitting comments regarding the Bristol Virginia Landfill, on behalf of HOPE for Bristol and residents of Bristol, VA and Bristol, TN. The Bristol VA Quarry Landfill (SWP588) is an elevated temperature landfill located within a rock quarry and owned by the City of Bristol, Virginia. In recent years, the elevated waste temperatures have altered the intensity and the chemical composition of both the landfill gases and the leachate. Furthermore, the quarry containment of the waste adds complexity to the issue and may require near-perpetual removal of stormwater and groundwater from the site. The landfill has gained national attention due to the impact of its off-site emissions and odors on the surrounding community, including reports of serious health symptoms by residents and self-evacuation of residents from their homes at night to escape the choking, burning, and nauseating gases. Our community is grateful for the attention the Bristol Virginia Landfill has received from the Commonwealth toward alleviating the impact of the landfill's airborne emissions on our residents. Specifically, we recognize these recent steps taken by the Commonwealth in an effort to bring relief to residents living near the landfill: (1) Assembly of an Expert Panel in 2022 to recommend steps to prevent the landfill's noxious from entering the greater Bristol community; (2) Efforts by the Office of the Attorney General and the Department of Environmental Quality (DEQ) in encouraging the City of Bristol, VA to implement the Expert Panel's recommendations; and, (3) Substantial funding provided to the City of Bristol, VA, to alleviate the financial burden of the remedial work on the taxpayers of Bristol, VA. To date, the City of Bristol, Virginia, has implemented most but not all steps recommended by the Expert Panel Report. Installation of an EVOH geomembrane cap, an important step toward full capture of landfill gases and to prevent stormwater intrusion, has been postponed due to concerns for rates of subsidence of the waste. Additionally, although the remedial work has generally decreased the intensity of the landfill's emissions into our community as well as the radius of impact, some	• Natural and Historic Resources • Health and Human Resources	

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	neighborhoods still report the landfill gases entering homes and causing concurrent health symptoms, particularly at night and during colder weather. Finally, as residents continue to be exposed to the landfill emissions, concerns persist about the short-term health symptoms experienced and the long-term possibilities for cancers and other diseases. The CDC's Agency for Toxic Substances and Disease Registry (ATSDR) began a Public Health Assessment back in 2021, but as far as we can find, the report was never released to the public. Our inquiries have not yielded access to a report. At this time, we humbly ask for your assistance or attention on the following matters concerning the Bristol VA Landfill: (1) Due to continued odor reports by the surrounding community, and particularly an increase in recent months, <u>we request that DEQ conduct regular site visits during periods of increased odor reporting, in addition to working with the facility to identify and remedy sources of off-site emissions or odors.</u> (2) In March 2024, the 2023 Consent Order between DEQ and the City of Bristol, VA, was amended to delay installation of the EVOH geomembrane cover system to December 1, 2026. Our community is concerned that this installation not be further delayed. <u>We ask for the Commonwealth to enforce the December 1, 2026 timeline.</u> Should the City of Bristol request another extension of the timeline, we would request that the Expert Panel be consulted in full to consider alternate solutions, such as partial geomembrane cover on areas of the landfill with less subsidence, or other interim solutions. This is requested due to the Expert Panel's original confidence in recommending the geomembrane as a solution to containing the landfill gases and as a feasible engineering control. (3) Many in our community are still concerned about long-term health risks from past and ongoing to the landfill's airborne emissions. Personally, I regularly receive messages from residents of Bristol, VA, and Bristol, TN, sharing the heartbreaking news of cancer diagnoses and other health conditions and asking if this could be from their close and personal exposure to the landfill gases. We request your help in two ways.		

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	First, we humbly request that your office initiate <u>an official inquiry to the Agency for Toxic Substances and Disease Registry concerning the status of the Public Health Assessment around the Bristol VA Landfill and the release of the final report to our community</u>. Second, we wish to inquire about <u>the feasibility of an epidemiological study</u> into cancer, respiratory, and thyroid diseases in the populations that have reported exposure to the landfill's gases and odors. Such a study would ideally involve cooperation of health agencies in both the Commonwealth of Virginia and the State of Tennessee due to the geographic location of the landfill. Thank you for considering these requests. Respectfully, Becky Evenden, BS ChE HOPE for Bristol - Board of Directors		
November 5, 2025			
Gray Montrose, Henrico	I would like to draw the Council's attention to the environmental justice implications of Senate Bill 974, which was passed by last year's General Assembly and took effect in July. The full impacts of this bill were unclear to me until it was cited in a recent matter in Henrico County as legal justification for an attempt to deter a constituent from appealing to their supervisor regarding a Plan of Development (POD) for an asphalt plant in an environmental justice community. In short, this new law removes all public accountability, public oversight, and public participation from any land use decision where the zoning is already in place. It was publicized as a way to improve access to housing, but buried in the text, in paragraph 12 citing another statute's definition of "commercial" development to include "all real property used for commercial or industrial uses", it is made clear that this law applies to <i>all</i> kinds of development. The implications for environmental justice communities are twofold. First, this law removes nearly all of the options EJ communities have to combat or change a legacy of	Natural and Historic Resources	

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	race- and economic status-based discriminatory siting for industrial developments. If a site was approved in a community generations ago, receiving zoning approval from officials who may have done so explicitly citing the race and/or poverty of the surrounding community, there is nothing now to stop unelected Planning Directors from continuing to approve new, polluting industrial uses, even over the objections of local Supervisors. This is exactly what seems to have happened in Henrico County, where a local contractor applied for the new use of a hot-mix asphalt plant on a site currently used for a mulch business and the disposal of natural materials (e.g. soil) from construction sites. This site is less than a mile from an elementary school in the community of Montrose, which by any measure appears to be a textbook environmental justice community where new information collected by the school board indicates asthma may be the number one reason given for school absences. There are residences on three sides, including a senior living facility approximately 800 feet away. Hot-mix asphalt production is known to produce significant air pollution that would directly impact the school, which will now be the only school I know of sandwiched between two landfills, a trucking and distribution center, and an asphalt plant. Yet, according to internal documents, Henrico Planning's concerns seem to have been focused on visual screening of the asphalt plant from the <i>highway</i>. Those same internal documents showed Henrico County staff debating whether to include a reference to SB 974 "to preclude [constituent] appeal to the BOS member regarding the application". Despite the local Supervisor asking for and scheduling a meeting with the Planning Director to discuss the proposal, the Planning Director approved the POD application one day after the meeting was scheduled (for six days later). Second, there is a tremendous opportunity for local supervisors and council members to change the zoning codes in a way that is not transparent. Zoning updates are rarely well-publicized and materials can be dense with industry language. In Henrico, a recent change in the zoning code to include data centers under the M-1 manufacturing zoning category was only apparent if someone knew to check the use tables at the end, so		

Name / Organization	Comments	Key Agencies VCEJ Council	Key Agency Non VCEJ Council
	reasonably, many community members assumed data centers would be subject to the restrictions of the O or office-use zoning category, the only zoning category where data centers were expressly mentioned in the text. If a local government wanted to encourage a use they envision might be unpopular, they could simply quietly adjust the zoning category and by doing so, open up sites with the new zoning already in place as Henrico did. The key difference is that now, those subsequent approvals would be essentially unaccountable to the public. Alternatively, rezonings that seem innocuous, where the owner is speculating on future potential without a named buyer or developer, as we've seen frequently in data center cases where data centers (or landfills or power plants, or even say, casinos) are "one possible use" among many, may slip past a community absent unusual vigilance with the same result. In any case, this legislation represents a serious risk to environmental justice communities' hopes of ever being anything else. Respectfully, I would ask this body to examine this legislation and consider potential remedies that address these concerns. Yours, Gray Montrose		

CHAPTER 2: HEALTH OF A COMMUNITY:

Data Center Development

In June, the Virginia Council on Environmental Justice received a presentation on the impacts of data center development on the state of Virginia. Ann Bennett of the Virginia Sierra Club presented to the Council on the significant impacts of hyperscale data center development on Virginia communities (Bennett, 2025). While small data centers have existed for decades to support offsite data storage, the rapid expansion of artificial intelligence (AI) has resulted in the need for hyperscale data center development that has far outpaced the resources that support it. According to Virginia Sierra Club's Cumulative Impact Report, data centers' anticipated energy commitments in Virginia alone have ballooned from 25 GW to 60 GW in less than one year. The industry's projected needs are forcing coal plants, that were scheduled to sunset, to be kept online, and new natural gas power plants to be built. Additionally, data centers require large diesel generators for backup power as their customers expect reliability and continuity. Northern Virginia alone hosts over 7,000 diesel generators. Finally, data centers rely on extensive water consumption for cooling its servers; in 2022, Microsoft's global water consumption grew 34% to 1.7 billion gallons due to AI.

This development has created several environmental justice threats to communities across the state. Air pollution from data centers' backup diesel generators pose a significant threat to residential communities. In its 2024 report (Joint Auditory Legislative and Review Commission, 2024), the Joint Legislative Audit & review Commission (JLARC) warned against the noise, environmental, and pollution impacts of data center development near residential communities, citing Fairfax County as having the most data centers cited less than 500 feet from residential communities. The diesel exhaust emitted by data centers can threaten the well-being of children, the elderly, and those with lung diseases such as asthma. Furthermore, exposure to diesel exhaust may increase the risk of heart problems, premature death, and lung cancer.

Finally, data centers' extensive energy needs have caused Virginians' energy bills to increase. In Dominion Energy's Integrated Resource Plan submitted to the State Corporation Commission (SCC) (Busse, 2025), Dominion Energy proposed to increase the average residential bill on average 15% over the next two years. It also proposed raising the monthly fuel rate by \$10.92 for its average customer. According to Virginia Sierra Club's study, Virginia allows nearly 110% of the costs associated with new power plants to be passed on to customers. This rate increase creates an additional burden for every Virginian, especially low-income residents.

Recommendations

The council recommends the Governor address the impacts of data center development through the following:

Data Center Development Recommendation One: Create a separate customer class for high energy industries to pay for the infrastructure costs

Data Center Development Recommendation Two: Change state law to allow for the best available backup energy technology.

Data Center Recommendation Three: Require data center industry to report on energy usage, energy efficiency, diesel generator use, and water consumption.

Data Center Recommendation Four: Tie state tax subsidies for data center to clean energy use and fossil fuel reduction.

Environmental Justice and Health Considerations

Area of Focus: Roanoke, Christiansburg, & Montgomery County, VA (2025)

The Council held its second quarterly meeting in Radford on August 21, 2025. Discussions focused on key issues and concerns of the area's residents and community leaders and included a general overview of the health of the community and available resources.

A community-profile was developed by the Council to provide an overview and to highlight key issues of the area.

Community Profile: Health Through an Environmental Justice Lens - Christiansburg & Montgomery County

Environmental justice encompasses more than pollution; it addresses the distribution of power, access, and opportunity. It recognizes that where individuals live and work directly influences their access to health, safety, and a sustainable future. In Montgomery County and the broader New River Valley, this reality is illustrated by the interplay of regional assets and long-standing disparities.

Although the region benefits from the presence of institutions such as Virginia Polytechnic Institute and State University and Carilion Clinic, low-income, rural, and historically marginalized communities continue to face inequities in environmental quality, access to healthcare, and infrastructure. This report examines the health of the communities within this region through the lens of environmental justice, emphasizing the connections between environmental conditions and public health outcomes. Though particular areas were discussed and highlighted in this report regarding a particular issue or concern, it should be viewed that these issues are prevalent throughout the region, and the Commonwealth. Careful attention must be made to consider local and regional solutions, programs, collaborations, technical support, and most importantly, funding.

Environmental Health Inequities

A. Climate and Infrastructure Vulnerability

Montgomery County experiences increasing weather volatility, including heatwaves, winter storms, and flash flooding. These events disproportionately impact residents in mobile homes, aging housing stock, and rural areas. The vulnerabilities are intensified by high utility costs and the prevalence of energy-inefficient housing, limiting the ability of many to remain safe and healthy during extreme weather.

B. Air and Water Quality Concerns

Air quality concerns, particularly particulate pollution from wood burning, disproportionately affect residents with respiratory and cardiovascular conditions. Many rural households depend on private wells and septic systems, some of which are aging or failing. Flooding events often result in septic backups or well contamination, compromising drinking water safety.

C. Transportation and Land Use Disparities

A lack of reliable public transportation isolates many residents from essential services. Access to employment, healthcare, childcare, and nutritious food is often limited for individuals without personal vehicles. These transportation inequities also contribute to public health threats, as unsafe roadways, inadequate sidewalks, and long commutes reduce opportunities for physical activity and community engagement.



Figure 1 - Towne Branch stream restoration helps reduce erosion and protect local waterways.

Community-Reported Health and Environmental Challenges

Community stakeholders have consistently identified concerns related to mental health, chronic diseases, housing insecurity, and environmental safety. Youth are particularly affected by a shortage of behavioral health services, with long waitlists reported. Families face high childcare costs and limited affordable housing options. Elderly residents frequently report fear and uncertainty during storms, particularly when living alone or in poorly insulated homes.

During the 2024 boil water advisory, prompted by turbidity following flooding, residents in Christiansburg and Blacksburg expressed distrust in water safety and inequity in public communication. One Montgomery County resident, a mother in Riner, stated, “We had cloudy water for days and no clear answers. I have small children—I had to rely on bottled water and still didn’t know if it was safe to bathe them.”

Another resident and community volunteer added, “I checked on my elderly neighbor every day during that advisory. He didn’t have internet or a smartphone—so how was he supposed to know when the water was safe?”

Although authorities followed protocol, community leaders noted that information distribution and service restoration were slower in rural, lower-income areas, reinforcing a legacy of environmental inequity. Concerns extended beyond the advisory to include chronic issues such as septic system failures, flood-related runoff, and well-water contamination, especially during storms. These conditions underscore the critical need for investment in resilient and equitable infrastructure.



Figure 2 - Christiansburg boil water alert shared on public websites during October 2024 advisory.

Key Environmental Justice Priorities

Priority Area	Environmental Justice Concern
Housing	Overcrowding, energy inefficiency, exposure to mold and toxins
Water & Sanitation	Private well contamination, septic failures, delayed communication
Air Quality	PM2.5 exposure from wood smoke and transport corridors
Infrastructure Resilience	Vulnerability to storms, power loss, and lack of cooling centers
Land Use	Unequal burden of rezoning, development, and pollution exposure
Transportation Equity	Isolation due to limited transit, unsafe walkways, access gaps

SW Region Recommendations

Environmental Justice and Health Recommendation One: Establish Environmental Health Equity Zones: Designate high-need rural communities as Environmental Health Equity Zones and allocate targeted funding for clean water systems, septic repair, weatherization and environmental health monitoring

Environmental Justice and Health Recommendation Two: Expand Climate Resilience and Cooling Infrastructure: Expand Climate Resilience and Cooling Infrastructure: Increase investments in cooling centers, emergency backup power for vulnerable households, and energy assistance programs. Emergency plans should include tailored outreach strategies for rural and isolated residents so that they are aware of these resources.

Environmental Justice and Health Recommendation Three: Improve Rural Transportation and Health Services Access: Support community-based transportation models such as subsidized rideshare programs and mobile medical units to increase rural access to health care, nutritious food and essential services.

Environmental Justice and Health Recommendation Four: Enforce Safe and Healthy Housing Standards: Strengthen housing inspections, provide remediation grants and hold landlords accountable for substandard housing conditions.

Conclusion

Environmental justice is ultimately about safeguarding people. The health of Christiansburg and Montgomery County depends on more than medical care—it requires clean air, safe drinking water, resilient housing, and freedom from environmental harm. By prioritizing equitable investment and policy reform, state leadership can ensure that every Virginian, regardless of income or geography, has the opportunity to thrive.

Council Site Visit – Radford Army Ammunition Plan

The following is a summary of the site visit conducted by Councilmembers Janet Phoenix and Karen Campblin at the Radford Army Ammunition Plant on August 20, 2025.

Visitors:

Karen Campblin, Chair, VA EJ Council

Janet Phoenix, MD, MPH, Vice Chair, VA EJ Council

Hosts:

Barron J. Feit, II, Risk Management Chief

Robert N. Davis, Deputy to the Commander

Laura Dickerson, Environmental Protection Specialist

Nelson Hernandez, BAE Environmental Manager

Discussion Prior to Tour

Viewed films that are present on the website

Issues Raised

- 10% of solid, energetic waste stream contains potentially combustible materials that could spark e.g. metal bits.
- They have over time been able to reduce the proportion of waste that needs to go to the open burning ground pans.
- This combustible material has to be burned in the open burning ground pans
- They are constructing a new piece of equipment that can burn this type of waste in an enclosed burn chamber, nearly eliminating the need to use the open pits
- That new facility will not come on-line for at least a year; estimated operating timeline Summer 2026
- The new contained burn chamber has a price tag of 145 million
- Construction of the contained burn chamber, and its associated air pollution control devices, began in the fall of 2023 and is expected to be fully commissioned by the summer of 2026.
- That facility is much more efficient than the old incinerators; it does require scrubbers and other environmental controls (advanced air pollution controls); burns relatively clean when compared with older incinerators
- The old incinerator is still in use, , is equipped with air pollution control devices, have undergone multiple sustainment efforts, with more planned in the future.
- They also use biological materials (bacteria and other microorganisms?) to break down materials so that it can be safely discharged into the New River at two discharge points
- There are no nuclear materials in use or being disposed of at Radford
- The steam from the natural gas boilers powers turbines that generate power for the plant

Tour Sites:

1. Biological Decomposition Facility (Equalization Basins)
Impressions: Large building with water based biological decomposition taking place
2. Secondary Biological Facility (Rotating Biological Contractors and Clarifiers) where solid particles are extracted from the liquid waste
Impressions: Big wheel shaped rotating drums that separate solid matter from the decomposing slurry.
3. New Gas Fired Boilers
Impressions: This seemed very modern; did not notice any odors
4. Open Burning Ground
Impressions: none in operation on the day we visited; these are covered; very close to the New River
5. Construction Site for New Facility that can accept and incinerate the more combustible waste stream (the 10%).
Impressions: Cylindrical enclosed structure that should be able to accept the portion of the waste stream. Adjacent structure not yet finished.

Guest Presentations

Radford Army Ammunition Plant - Results of Air Monitoring in Summer 2018

The following is a summary of the Radford Army Ammunition Plant Air Monitoring Project presentation by Linsey Marr, University Distinguished Professor, Virginia Tech, during the August 21, 2025, meeting of the Virginia Council for Environmental Justice in Roanoke, Virginia.

The purpose of the study was to determine concentrations of metals and selected volatile organic compounds around the Radford Army Ammunition Plant (RAAP). There were two sampling sites in residential areas north of the site, RAAP Fire Station, and Kentland Farms. Metal samples were collected for approximately three times a week for two months. Organic compounds were collected over 1 week for 5 weeks in the air. Testing was completed in accordance with industry standards. Results of the study included:

- Levels of lead were well below the National Ambient Air Quality Standard. Levels of other metals were at least 200x lower than occupational standards.
- Levels of all compounds were at least 30 times lower than EPA's Inhalation Reference Concentrations.

Bristol Landfill Community Update

The following is a summary of the Bristol Landfill Community Update presentation by Becky Evenden/HOPE Bristol during the August 21, 2025, meeting of the Virginia Council for Environmental Justice in Roanoke, Virginia.

The Bristol Landfill is a quarry landfill that opened in 1998. Residents and community leaders began to formally organize in 2020 in response to a drastic increase in noxious emissions and chemical odors from the landfill. Noxious fumes and odors were so severe, residents were forced to sleep with air masks on, in their cars, or other unconventional spaces in order to rest and breathe easier.

In 2022, the Virginia Department of Environmental Quality announces a formation of an Expert Panel to make recommendations. The landfill closed in 2022 and the City and DEQ have been working on the recommendations from the expert panel. There are no current plans to reopen in the future.

A Community Perspective Now Survey was conducted and some of the feedback received included:

- “We don’t experience the landfill emissions as often as we used to, but when we do it is still bad. We are still running 4 air purifiers 24 hours, 7 days a week.”
- “I’m continuing to have nausea, and the doctor is dismissive of the idea that toxic fumes may have anything to do with it”
- “I am convinced that what we’ve been exposed to in the air has physically affected us... We have both had a mass appear on our neck. we were both diagnose with the exact same thyroid disease.”

The area of impact has shrunk significantly, and residents have experienced a positive change, no longer smelling the landfill. However, some residents are still affected by the odor and there is continued concerns about short-term and long-term health effects, and the economic impacts associated with necessary maintenance and monitoring of the landfill. The community is still waiting for the geo-membrane.

Recommendations (by HOPE)

HOPE Recommendation One: Place the geo-membrane on the landfill

HOPE Recommendation Two: More funding for maintenance

Environmental Justice and Mobile Home Communities in the NRV

The following is a summary of the Environmental Justice and Mobile Home Communities in the NRV presentation by Brandy Faulkner, PhD /Virginia Organizing, during the August 21, 2025, meeting of the Virginia Council for Environmental Justice in Roanoke, Virginia.

Discussed the intersection of housing policy and environmental justice as it pertains to the challenges experienced by resident in mobile home communities. NRV communities began to organize around housing issues in 2019, however, due to the COVID pandemic efforts did not take off until 2022 which included housing assessments to determine the root cause of the problem, neighborhood canvassing to hear directly from residents, and listening sessions in the area. Prevalent EJ issues identified includes energy inefficiency, high utility bills, inadequate insulation, broken windows, improper siding, heat pump malfunctions, flood-prone lands, old piping and other materials, lack of landscaping/vegetation, inability to make repairs. From 2023-present the community has been connecting with service providers, policy makers, and meeting with their Board of Supervisors.

Recommendations (by Virginia Organizing)

Virginia Organizing Recommendation One: Receive support from the Montgomery County Board of Supervisors to establish a whole home repair program to grant money to low-income homeowners and also to landlords with low-income renters for needed repairs.

Virginia Organizing Recommendation Two: Transparency [about repairs and housing conditions] from property owners to their tenants.

Environmental Justice: Learning From The History of Water Source Development – Blacksburg

The following is a summary of the Environmental Justice: Learning From The History of Water Source Development presentation by Dr. Tamim Younos/Green Water-Infrastructure Academy during the August 21, 2025, meeting of the Virginia Council for Environmental Justice in Roanoke, Virginia.

The purpose of the presentation was to, through showing the history of water issues in Blacksburg and highlight the interconnected factors (1. Population Growth, 2. Land Use and Development, 3. Water-Water Use and Conservation, Water Pollution, and 4. Energy consumption and Carbon Footprint) which helped shape what we see today. The Blacksburg area is located within the Stroubles Creek Watershed. Stroubles Creek flows through the Town of Blacksburg, Virginia Tech, and empties into the new River. A total of approximately 9.2 miles. Its complete journey consists of Stroubles Creek, New River, Kanawha River, Ohio River and ends in the Mississippi River. Until 1950, three natural springs (Town, Keister-Evans, and Spout), headwaters of the Stroubles were major drinking water sources for Blacksburg residents. 1937 VT constructed the Drillfield and Duck Pond.

The area also experienced an increase in urbanization and 2008 is significantly built out. By 2005, the three natural springs we almost completely underground (built over). First noted water management occurred in 1948, a new sewage treatment plant was built to prevent raw sewage from being discharged directly into the stream. Stormwater runoffs continue to create major sedimentation problems in the Duck Pond and bacteria level is high. After the Clean Water Act was passed, the Virginia Department of Environmental Quality began to monitor Stroubles Creek. By the late 1990s the Creek was classified as benthically impaired. A TMDL implementation plan was completed which provided an implementable plan to repair the stream. Today the intake for drinking water is about 5 miles away from where the water is discharged. Seventy percent of energy use goes to distribution to bring it from New River (consumer) and thirty percent of energy use goes to water treatment (utility).

Recommendations (by Dr. Younous)

Dr. Younous Recommendation One: There are ways of developing a more energy efficient methods such as an Integrated natural and Engineered Water System comprised of a decentralized green water infrastructure and a solar-powered small-scaled advanced water treatment system. Infrastructure improvements will be needed as well such as porous pavement, UV lights, rainfall capturing gutter system, outdoor reuse for landscaping and more.

Virginia Intermont College, Bristol VA: Fire and Aftermath 1014-1025

The following is a summary of the Virginia Intermont College, Bristol, VA: Fire and Aftermath presentation by Mike McGirr during the August 21, 2025, meeting of the Virginia Council for Environmental Justice in Roanoke, Virginia.

The Virginia Intermont College was built in Bristol Virginia in 1892. It is approximately 100,000 square feet, on approximately 37 acres. The property is comprised of over 140 legal unsecured parcels, and over 30 structures, of which, 4 buildings are registered as historic structures. It has changed owners throughout the years and was abandoned by its current owner in 2020. There was a large fire break out overnight in December 2024, destroying the main structure on the campus. A year after the fire, the City sent a formal letter to the owners of the campus to provide a written plan of what they plan to do with the property to bring it back into compliance or properly secure the property from vandalization.

The blighted property poses several challenges for the neighborhood and its residents, including a decrease in property values and stormwater runoff contaminated by the remnants of the building, which still contain asbestos and other hazardous construction materials that were never removed.

Radford Arsenal's Toxic Operations

The following is a summary of the Radford Arsenal's Toxic Operations presentation by Alyssa Carpenter, Citizens for Arsenal Accountability, during the August 21, 2025, meeting of the Virginia Council for Environmental Justice in Roanoke, Virginia.

Open Burn/Detonation

The Radford Army Ammunition Plant conducts open burn/open detonation on site. The organization began with residents noticing increased illnesses and health responses to the activities of the Radford Army Ammunition Plant and concern of harm to the environment and waterways. The RAAP is located within approximately 6 miles of 8 schools, 11 day-care centers, 2 hospitals, and 3 nursing homes. Recent violations noted by the community include RAAP's public notification that containers of dibutyl phthalate were swept away during Hurricane Helene, hazardous materials leaks and permitting activities. Other issues raised by the community include lack of public coordination, transparency, hard to understand permitting process, lack of cumulative Impact Analysis, delays in closing old incinerators.

Recommendations (by Citizens for Arsenal Accountability)

1. End open burning at RAAP
2. Third-party Alternatives Assessment
3. Close the old incinerators
4. Improve transparency and community involvement
5. Improve Compliance
6. Conduct a Cumulative Hazard Assessment and a Community Health Assessment

The Council met in Tappahannock Virginia on November 5, 2025. The following are summaries of presentations given and discussion at that meeting.

Virginia's Small Farmers

The following issue was initially informed by testimony offered by Michael J. Carter of Carter Farms during the November 5, 2025, meeting of the Virginia Council for Environmental Justice in Tappahannock, Virginia.

Small farmers in Virginia, particularly Black farmers, face escalating environmental justice challenges driven by climate instability, soil and water degradation, land conversion, and persistent policy inequities. These are conditions which threaten farm viability, food system resilience, and rural public health across the Commonwealth. The following highlights the Environmental conditions affecting small farmers

Climate, Soil, and Crop Vulnerability

Climate-driven stressors increasingly shape agricultural production conditions in Virginia. Unpredictable growing seasons, extended dry periods alternating with intense rainfall, and shifting pest pressures are reducing yields while increasing production risks, particularly for farms lacking capital reserves or access to formal risk management tools. Federal assessments clearly document heightened agricultural vulnerability under climate change,¹ with small-scale producers being disproportionately affected due to limited financial and technical buffers.

Soil degradation is one primary constraint on agricultural resilience. Globally, an estimated 24 billion tons of topsoil are lost annually, undermining soil structure, water retention, and nutrient cycling.² As soil health declines, farms become more vulnerable to flooding and drought, while production costs increase as natural fertility is replaced with purchased inputs.³ Declining soil health also affects crop nutrient density and food quality, directly linking land degradation to downstream public health outcomes. This is both a local and global issue.

Monoculture and Chemical Dependency

Virginia agriculture remains heavily oriented toward monocultural rotations dominated by several staple crops, including corn, soy, canola, sugar beets, cotton, and wheat. These systems represent a significant share of the Commonwealth's agricultural economy and are closely associated with environmental degradation and related public health challenges. Intensive monocropping and heavy chemical inputs characteristic of traditional large-scale monocultures lead to soil degradation, nutrient runoff, and ecosystem stress, among other issues.⁴ An important accountability gap is the absence of standardized reporting on agrochemical inputs, such as synthetic fertilizers, herbicides, and pesticides applied to crops. Without routine disclosure of what chemicals are applied and in what quantities, regulators, researchers, and vulnerable communities lack the information needed to assess cumulative impacts on water, soil, and air quality or to design effective monitoring and mitigation strategies.

Water quality, biosolids, and environmental exposure

Biosolids and Heavy Metals

The land application of biosolids, treated sewage sludge used as a low-cost nitrogen source, represents an additional exposure pathway of concern. While regulated in certain cases, biosolids frequently contain heavy metals and other persistent contaminants capable of accumulating in soils and leaching into groundwater over time, leading to a number of serious negative health outcomes. Federal guidance emphasizes the need for long-term monitoring to prevent environmental and human health impacts associated with land-applied biosolids.⁵ Environmental justice concerns thus arise from limited access to routine, state-supported soil and water testing for small farmers and rural residents, constraining their ability to independently evaluate and manage potential risks.

Runoff, PFAS, and Irrigation Risks

The Virginia water systems supporting agriculture are also under increasing strain. Agricultural runoff continues to introduce fertilizers, pesticides, and animal waste into surface waters, while aquifer depletion and drought pressure intensify competition for water resources.⁶ These pathways are well documented, particularly in regions reliant on surface water and private wells for irrigation and drinking water.⁶ At the same time, harmful chemical substances, including per- and polyfluoroalkyl substances (PFAS) are increasingly detected in groundwater and surface waters used for drinking and irrigation. The U.S. Environmental Protection Agency has determined that certain PFAS compounds pose health risks at extremely low concentrations and has issued drinking water health advisories and enforceable standards reflecting this risk.⁷ As a result, clean water can no longer be assumed as a guaranteed input for crop production, particularly in rural and marginalized communities reliant on private wells.

Structural Inequities and the Decline of Black farmers

Virginia has experienced a sustained decline in the number of farms and farmers generally, with losses disproportionately affecting Black farmers. Historical census data indicate that Black farmers once numbered in the tens of thousands in the Commonwealth during the early twentieth century. In contrast, recent USDA Census of Agriculture data document continued and significant reductions in total farm numbers and farm operators, reflecting extreme levels of consolidation, land loss, and economic pressure.^{8,9} Within this broader trend, the decline of small farmers and Black farmers has been characterized as approaching an “extinction level event,” driven by intersecting pressures related to climate stress, policy neglect, and accelerating land development. Land development and farmland conversion fragment Virginia’s rural communities, diminish ecological capacity, and eliminate environmental functions such as water infiltration, carbon storage, and local food production.¹⁰

Disparities in Extension Services and Institutional Support

Structural inequities in agricultural support systems compound these challenges further. Virginia’s land-grant system includes both Virginia Tech (an 1862 institution) and Virginia State University (an 1890 institution), yet funding allocations for extension and outreach remain uneven. The Virginia State University Small-Farmer Outreach Training and Technical Assistance Program has received a flat annual

state allocation of \$394,000 since 2000, despite serving tens of thousands of small farmers. This allocation is codified in Virginia's general appropriations legislation.¹¹ Funding constraints limit staffing, outreach capacity, and technical assistance precisely as environmental volatility and economic pressures increase, undermining the resilience of Virginia's agricultural and environmental systems.

Recommendations (by Michael Carter)

Farm Recommendation One: Establish a Dedicated Office of Small Farmers:

Virginia's agricultural support infrastructure is fragmented across agencies and is not structured to address the distinct environmental and economic conditions facing small and specialty crop producers. Establishing a dedicated Office of Small Farmers either as a standalone unit or within an existing agency such as the Department of Agriculture and Consumer Services would improve coordination across technical assistance, conservation programming, and procurement policy, while ensuring that small farmers are systematically incorporated into state decision-making. Similar coordinating offices already exist within Virginia government, suggesting that implementation would primarily involve administrative reorganization and modest staffing rather than the creation of an entirely new regulatory structure, with costs likely small relative to the economic and environmental losses associated with continued farm attrition.¹¹

Farm Recommendation Two: : Require Agrochemical Use Reporting Paired with State-Supported Monitoring

The absence of standardized reporting on agrochemical use limits the Commonwealth's ability to evaluate cumulative environmental and public health impacts of their use that are associated with agricultural production. Implementing basic reporting requirements aligned with existing agricultural reporting frameworks and pairing them with state-supported soil and water monitoring would improve transparency while minimizing administrative burden on producers. Federal environmental guidance emphasizes that monitoring and early detection are central to preventing costly contamination events and protecting drinking water sources, particularly in rural areas reliant on private wells where regulatory oversight is limited.^{4,6,7}

Farm Recommendation Three: Expand and Modernize Small-Farm Extension and Technical Assistance Funding

Small-farm extension and technical assistance capacity has not kept pace with inflation, population change, or the increasing environmental complexity confronting agricultural producers. Increasing investment in the Virginia State University Small-Farmer Outreach Training and Technical Assistance Program through adjustments to annual appropriations already authorized in state budget legislation would strengthen staffing capacity and field-based support without requiring new statutory authority. Federal conservation and climate adaptation frameworks consistently identify preventative technical assistance as more cost-effective than post-disaster response or land restoration following farm failure, supporting the fiscal rationale for proactive investment.^{1-3,11}

Farm Recommendation Four: Prioritize Virginia Farmers in In-State Procurement Policies

State-funded institutions represent a stable but underutilized market opportunity for Virginia farmers, particularly small and specialty crop producers. These include the Virginia Department of Corrections (VADOC) facilities¹² and state behavioral health facilities operated by the Virginia Department of Behavioral Health and Developmental Services (DBHDS).¹³ Additionally, Virginia Farm to School, which connects public schools with Virginia-grown food using school nutrition budgets¹⁴ and other institutions may demonstrate parallel pathways through which public food spending can be aligned with diversified in-state agricultural production.

Prioritizing in-state sourcing where feasible through procurement preferences rather than mandates would align with existing public purchasing authority while supporting farm income stability and reducing transportation-related emissions. Analyses of land use and local food systems indicate that retaining food dollars within regional economies can strengthen economic resilience without significantly increasing administrative costs, particularly when integrated into existing procurement processes.¹⁰

Collectively, these recommendations focus on administrative alignment, information infrastructure, and strategic use of existing public authority, rather than the creation of new regulatory burdens. Each reflects an opportunity to address the urgent environmental justice concerns affecting Virginia's small-scale agricultural producers while reducing longer-term fiscal, environmental, and public health costs to the Commonwealth.

PFAS Impacts on Surface Waterways

The following discussion of this issue was informed by testimony offered by Michael Lightfoot of the Potomac Riverkeeper Network during the November 5, 2025, meeting of the Virginia Council for Environmental Justice in Tappahannock, Virginia.

PFAS Contamination from Biosolids in Virginia

For more than a decade, Per- and Polyfluoroalkyl Substances (PFAS) contained in biosolids from wastewater treatment plants in Virginia and in neighboring states, most notably Maryland, have been applied to agricultural fields across the Middle Peninsula and Northern Neck. These biosolids contain persistent, toxic “forever chemicals” that accumulate in soils, crops, groundwater, livestock feed, local waterways, and ultimately human bodies, to great detriment. The U.S. Environmental Protection Agency has determined that there is effectively no safe level of PFAS in drinking water,¹ yet these materials have continued to be land-applied in rural Virginia communities despite their proximity to wells, tidal tributaries, and working waterfronts.

Exposure to PFAS compounds such as PFOA and PFOS is associated with numerous adverse health effects, including elevated cholesterol and liver enzymes, impaired immune response, including suppression of vaccine antibody production, thyroid dysfunction, kidney, testicular, and other cancers, increased risk of pre-eclampsia, lower birth weight, and developmental harms in children.² PFAS accumulate in the body and environment, remaining in soil and sediment for decades. Even chronic, low-level exposures through drinking water, food, or local environmental contact therefore pose meaningful public health risk.¹ These risks are amplified for Virginia’s rural and coastal populations who rely heavily on private wells, local seafood, and small-scale agriculture. PFAS-contaminated biosolids applied to farm fields can leach into shallow groundwater and surface water or run off directly into creeks, where PFAS bioaccumulate in fish and shellfish.^{3,4}

Interstate Drivers and the Scale of Biosolids Application

A significant portion of the PFAS-containing biosolids applied in this region originate from Maryland. Maryland’s February 2023 policy change restricted land application of biosolids within the state, though 21 Maryland wastewater treatment plants have been identified as producing biosolids with PFAS concentrations too high to be land-applied locally. These include facilities at Patapsco and Back River (Baltimore), Piscataway, Western Branch, Broadneck, Seneca, and the Blue Plains Advanced Wastewater Treatment Plant. Utilities have acknowledged that approximately one-third of their biosolids are exported to Virginia. One utility admitted plainly that “the majority of all of our biosolids come to Virginia.” Once transported across the US-301 corridor, these biosolids are spread in rural counties that often lack protective ordinances, have limited regulatory capacity, and rely solely on DEQ oversight, which does not currently include PFAS testing for biosolids.

The scale of land application in these counties is substantial. A total of 59,659 acres of farmland, across 99 farms, have documented biosolids applications in the Middle Peninsula and Northern Neck. This constitutes roughly 44% of all biosolids-applied acreage in Virginia. A single permit now under review

would add an additional 6,300 acres, including some of the largest contiguous biosolids acreage in the state. Essex County, which has no biosolids ordinance, has among the highest biosolids application densities in Virginia. Surrounding unprotected counties, such as Westmoreland and parts of King George, have also become major biosolids destinations.

Environmental and Agricultural Impacts

Waterway sampling confirms the consequences of these practices. In 2023, DEQ tested 709 surface-water sites statewide, of which 79 showed detectable PFAS levels. In the Tappahannock region, Hoskins Creek contained 21 ppt (parts per trillion), and Piscataway Creek contained 25 ppt of total PFAS. These creeks are bordered exclusively by agricultural land with a long history of biosolids applications and which lack any industrial PFAS source. At the same time, other areas in Virginia show even higher concentrations, such as Cameron Run in Arlington County at 159 ppt. For reference, Maine's state regulatory trigger for PFAS remediation in surface soil is 20 ppt, meaning that certain Virginia waterways already exceed thresholds that would prompt immediate state intervention elsewhere in the country.

Due to the scale of biosolids application in Virginia, agricultural and food-system risks are widespread. PFAS readily migrate from biosolids into soil and have been documented to accumulate in crops, including grains and vegetables. In the Northern Neck, nearly all corn grown on biosolids-amended land enters the poultry feed supply chain for processors such as Tyson and Perdue. Corn stalks are commonly ground for winter cattle feed, providing a direct route of PFAS exposure to beef and dairy herds. Many rural homes rely on private wells as shallow as 60-75 feet, located adjacent to or downgradient from fields that have received thousands of tons of biosolids over multiple years. Households bordering biosolids-applied fields have begun seeking PFAS well testing due to proximity to known contaminated creeks and waterways.

Economic Incentives and Risk Transfer to Farmers

Importantly, Virginia farmers generally receive biosolids for free, without being informed of PFAS concentrations. Wastewater utilities pay haulers to take biosolids away, making out-of-state disposal fiscally attractive. In Maryland, hauling biosolids out of state incurs higher fees for utilities; however, due to Maryland's stricter regulations and limits on land application, it remains cheaper and more feasible for utilities to dispose of biosolids in Virginia. This creates a system where utilities reduce overall disposal constraints while Virginia farmers unknowingly assume long-term risks to soil viability, crop safety, livestock health, and property value and anyone exposed to the PFAS contained within these biosolids unknowingly assumes the serious long-term health risks associated with them.

Lessons from Other States

In the absence of regulation, other states provide examples of predictable outcomes. Maine's organic dairy farms suffered catastrophic PFAS contamination from biosolids, requiring herd euthanasia and forcing the state to enact a full biosolids land-application ban in 2022. In Texas, PFAS-contaminated biosolids killed cattle and caused widespread beef contamination. South Carolina is evaluating a 10,000-acre farm for Superfund designation due to biosolids-related PFAS contamination. Finally, Michigan

imposed a statewide moratorium on new biosolids permits until PFAS testing frameworks were established. These cases demonstrate that failure to regulate PFAS in biosolids leads to irreversible and long-term contamination, food-system instability, and substantial state-level costs.

Environmental Justice and Public Health Context in the Tappahannock Region

All this being the case, the environmental justice concerns are significant across the Middle Peninsula and Northern Neck, which are home to many rural, Black, elderly, and low-income residents who depend on private wells, small-scale fishing and farming, and local seafood economies, yet who are underrepresented compared to other populations. These communities disproportionately bear contamination originating from wealthier metropolitan sources in Maryland, Washington DC, and Virginia.

In the Tappahannock region, the same rural coastal counties that have received large volumes of biosolids already experience comparatively high cancer rates. CDC/NIH State Cancer Profiles data for 2016-2020 show age-adjusted, all-sites cancer incidence rates of approximately 643.8 per 100,000 in Essex County, 607.4 in Lancaster County, 562.7 in Northumberland County, and 519.7 in Westmoreland County, several of the highest county-level rates in Virginia's rural coastal belt.⁵

At the same time, commercial and subsistence watermen, small farmers, and seafood processors are tightly tied to the health of the Rappahannock and Potomac tributaries. State and federal monitoring now confirm that PFAS are present in Virginia's drinking-water and surface-water systems, including tidal rivers and reservoirs fed by urban and industrialized watersheds, prompting DEQ to launch targeted PFAS sampling and several utilities to plan expensive treatment upgrades.⁶ While existing cancer statistics cannot attribute these elevated local cancer rates specifically to PFAS, the geographic overlap between high-incidence rural coastal counties, PFAS-impacted watersheds, and populations whose livelihoods depend on private wells, local seafood, and biosolids-laden small-scale agriculture underscores a clear environmental justice concern and strengthens the case for immediate PFAS monitoring and disclosure in biosolids.

Local watermen have voiced concern that PFAS contamination could eventually require fish or blue crab advisories, threatening livelihoods, food access, and longstanding cultural practices. Limited testing capacity and uneven county protections deepen inequities, leaving some counties heavily exposed while neighboring counties with stronger ordinances experience virtually no biosolids usage.

Regulatory Gaps in Virginia's Biosolids Framework

Regulatory gaps heighten risk further. Virginia Code § 62.1-44.19:3 allows localities to adopt ordinances for the testing and monitoring of the land application of sewage sludge,⁷ but DEQ interprets this authority narrowly, restricting testing to pollutants already included in DEQ-issued permits. PFAS, not yet listed in biosolids regulations, cannot be locally tested for under DEQ's interpretation. Westmoreland County explored PFAS testing partnerships but was explicitly told by DEQ counsel that such testing "is not permitted." While wastewater utilities in Northern Virginia are independently exploring thermal treatment, drying technologies, and PFAS-destructive alternatives to land application, utility lobbyists

have not consistently communicated these pathways to legislators, limiting VA lawmakers' ability to consider safer statewide alternatives.

Counties with strong local protections, such as Lancaster, Northumberland, and Rappahannock, demonstrate the effectiveness of proactive regulation. Their local ordinances prohibit biosolids on slopes over 15 degrees, forbid application within 100-year floodplains or near tidal waters, require liability insurance, and enable county sampling. As a result, biosolids use in these counties is significantly reduced. In contrast, counties lacking ordinances, such as Essex and Westmoreland, continue receiving thousands of tons of biosolids without being able to test for PFAS contamination.

Recommendations (by Michael Lightfoot of the Potomac Riverkeeper Network)

Given the scale and persistence of PFAS contamination described above, two policy changes stand out as both feasible and impactful.

PFAS Contamination Recommendation One: Statewide Permit-Based PFAS Monitoring Through DEQ Regulation

Under this approach, the Virginia Department of Environmental Quality (DEQ), acting through the State Water Control Board, would amend the Commonwealth's biosolids regulations, including 9VAC25-31-540 and related provisions, to explicitly require monitoring of per- and polyfluoroalkyl substances (PFAS) in biosolids prior to land application.⁸

The Board has clear authority under § 62.1-44.15 of the Code of Virginia to establish and revise standards and permit conditions governing discharges and sludge use, making this a regulatory action rather than a new statute.⁹

DEQ already possesses the technical capacity to implement such monitoring. In FY2023, the Virginia General Assembly appropriated \$320,000 for statewide PFAS sampling of surface water and groundwater using the state laboratory (DCLS), and DEQ currently maintains a public PFAS monitoring program.^{10,11} Routine PFAS laboratory analysis typically costs on the order of \$300-\$400 per sample based on publicly posted laboratory fee schedules.¹²

If Virginia were to require PFAS testing for biosolids originating from high-volume wastewater treatment plants and major land-application zones, a program involving several hundred samples annually would likely generate low- to mid-six-figure laboratory costs statewide. These costs would fall primarily on permit holders and biosolids haulers rather than farmers or the Commonwealth. Administrative costs to DEQ would consist largely of staff time for rulemaking, permit revisions, and data management and could be partially offset through existing sludge management and permitting fees authorized under § 62.1-44.19:3(F)-(G).⁷

PFAS Contamination Recommendation Two: County-Level "Farmer's Right to Know" Through DEQ Programmatic Direction

The Governor could direct DEQ to use its existing authority under § 62.1-44.19:3 to revise how biosolids testing, monitoring, and reimbursement are implemented, without the need to add PFAS to statewide permit pollutant lists.⁷

Virginia law already authorizes any county, city, or town to adopt ordinances providing for the testing and monitoring of land-applied sewage sludge, and it establishes the Sludge Management Fund, financed by permit fees and per-ton biosolids charges, to reimburse localities for testing and monitoring activities under § 62.1-44.19:3(I) and (G).⁷

DEQ has historically interpreted this authority narrowly, limiting local testing to pollutants already included in permit conditions, thereby excluding PFAS. However, this constraint arises from regulatory implementation and program guidance, not from the statutory language itself. The statute does not restrict testing solely to pollutants listed in permits; rather, it conditions testing authority on ensuring compliance with applicable laws and regulations.

Under this pathway, DEQ could revise its programmatic rules to explicitly authorize counties with biosolids ordinances to test for PFAS and other emerging contaminants of concern at land-application sites and to receive reimbursement for reasonable PFAS laboratory costs from the Sludge Management Fund. This approach would not mandate statewide PFAS limits or prohibit biosolids use but would require that PFAS test results to be made available to farmers prior to land application.

Estimated costs would be modest: PFAS testing at several dozen to a few hundred field sites annually would likely total tens to low hundreds of thousands of dollars statewide, and these costs should be fully eligible for reimbursement through existing fee-supported funds (§ 62.1-44.19:3-G)⁷ rather than the general fund.

Indigenous Conservation Council of the Chesapeake Bay

The following discussion of this issue was informed by testimony offered by Desiree Shelley and Hannah Goins of the Indigenous Conservation Council during the November 5, 2025, meeting of the Virginia Council for Environmental Justice in Tappahannock, Virginia.

The purpose of the Indigenous Conservation Council of the Chesapeake Bay (ICC) is based on a commitment with a purpose to serve. Established in 2022, the ICC serves as the organizing body through which tribal nations share resources to return to and reconnect with their ancestral landscapes and to help to lead rematriation efforts of ancestral landscapes in ways that support the care, repair and Indigenous connections needed to protect cultural heritage for future generations. Member Tribal Nations include Chickahominy Indian Tribe (federally-recognized), Chickahominy Indian Tribe – Eastern Division (federally-recognized), Monacan Indian Nations (federally-recognized), Nansemond Indian Nation (federally-recognized), Pamunkey Indian Tribe (federally-recognized), Rappahannock Tribe (federally-recognized), and the Upper Mattaponi Indian Tribe (federally-recognized).

Sovereignty 101

Federally recognized tribes are not stakeholders or the general public. These Nations are governments, not interest groups or simply stakeholders, their rights precede the United States. They are Sovereign Nations. “ “As the U.S. Supreme Court has affirmed, Indian Tribes are a unique political class, not a racial one, and their sovereignty and trust relationship with the federal government must be upheld.” -Senator Lisa Murkowski (R-AK), February 5, 2025.

Recommendations (from ICC)

ICC Recommendation One: Support the best practices for consultation with Tribes

ICC Recommendation Two: Commit to engaging with Tribes in the Chesapeake Bay Program and support their sovereignty in the Bay Agreement.

ICC Recommendation Three: Create a seat at the table: Agreement [for Tribes] to be equal decisionmakers (signatories), in the Partnership; drafting a new Executive Charge to accomplish this (November 6th)

ICC Recommendation Four: Respect for Indigenous Knowledge: Treat Indigenous knowledge as equal to western science; fund Indigenous Guardians regional programs and capacity building for tribes.

ICC Recommendation Five: Tribal Lands – Create and Execute legal agreements for tenure and funding Indigenous Guardians Program. We want legal agreements to enhance long-term connections, care, and treaty rights but also partnerships to heal lands through jurisdictional funding.

CHAPTER 3 – EDUCATION AND COLLABORATION ON ENVIRONMENTAL ISSUES

This Chapter focuses on the advancement of environmental justice through education and collaboration on environmental justice issues.

Education

Understanding Basic Environmental Requirements

Environmental education is essential for understanding the basic protections already in place by federal and state environmental laws and regulations (environmental requirements). These basic environmental requirements form the baseline. Congress intended to protect all human health and the environment through federal environmental laws, such as the Clean Air Act (air protections), Clean Water Act (water protections), and Resource Conservation and Recovery Act (RCRA) (waste protections). Virginia has its own environmental requirements, which may be more stringent than the federal environmental requirements. For instance, the Virginia state minor source air permitting program places more stringent requirements on smaller sources than is federally required. In other instances, Virginia – like many states – has incorporated by reference the vast net of environmental regulations put in place by EPA beginning in 1970.

Understanding the environmental regulatory baseline is crucial for several reasons. First, the environmental requirements are the law. These requirements are already in place for compliance by facilities throughout the Commonwealth. Facility permits require compliance. Second, an environmental law may already be designed to address community impacts. Third, understanding the baseline is important to determine if no law is placed to provide these protections. Fourth, if no law is in place, then the Council can identify a potential advocacy opportunity for a new law, regulation, or guidance. Finally, if a law is in place, but is not being enforced, an advocacy opportunity is also available. Therefore, education is the foundation for identifying an environmental injustice and taking the suitable steps to address it.

The Council

For the Council to effectively advocate for communities, it must be educated on the environmental requirements. The Council can act as a sounding board for communities to describe injustices and tribulations that the communities are experiencing. However, the Council can elevate its role if members are able to respond to community members with helpful feedback and make appropriate and informed recommendations regarding those communities to the Governor. For example, if a community member complains about a new industrial project to be built, it would be advantageous for the Council to be aware of the requirements the permittee must meet to obtain a permit. It is possible that the community member may feel less damaged with the understanding that the new facility had to undergo extensive air quality modeling to prove it would not have any air impacts on the community. In the alternative, the Council may identify concerns that are not been addressed by existing requirements or permits. In summary, proper evaluation of environmental justice harms and how to address them requires foundational knowledge of the legal baseline.

The Community

Knowledge can arm a community with the proper tools to identify a disproportionate impact and place the community on a more level playing field. The community would benefit from learning about potential environmental harms and how they may be impacted. The community would be better able to spot true inequities and discard perceived harms that are causally unrelated to an injustice. Education would help to instill confidence in the current regulatory process and help the community to identify the actual biases that need to be addressed.

Recommendation

The Council and environmental justice communities would benefit from education about the current environmental requirements. We recommend educational sessions to focus on basic air, water, and waste regulations for both audiences. A session may address the regulations in reference to a new or existing permitted facility, as an example.

Stakeholder Collaboration on Environmental Concerns

The Environmental Justice Collaborative Problem-Solving Model

Collaboration between environmental justice communities and stakeholders can achieve an effective and durable solution to an identified problem. The Council has the potential to serve as a catalyst for these conversations. EPA previously identified collaboration as a tool. EPA more fully developed this concept and called it the “Environmental Justice Collaborative Problem-Solving Model” (the Model). EPA defined the Model as an effort to bring together groups and resources (e.g., information, labor, money) to solve a set of problems that any single entity cannot solve individually. The collaboration builds upon existing community understanding to establish and maintain partnerships capable of producing meaningful environmental and/or public health results. The goals of the Model are positive and productive -- to assist vulnerable and underserved communities in developing proactive, strategic, and visionary approaches to address environmental justice issues and achieve community health and sustainability.

The Model is designed to operate at the local level to address environmental and public health issues and sustain partnerships between stakeholder participants.

The Model has seven elements, as summarized:

1. Issue Identification, Visioning, and Strategic Goal-Setting;
2. Community Capacity-Building and Leadership Development;
3. Development of Multi-Stakeholder Partnerships and Leveraging of Resources;
4. Consensus Building and Dispute Resolution;
5. Constructive Engagement with Other Stakeholders;
6. Sound Management and Implementation; and
7. Evaluation

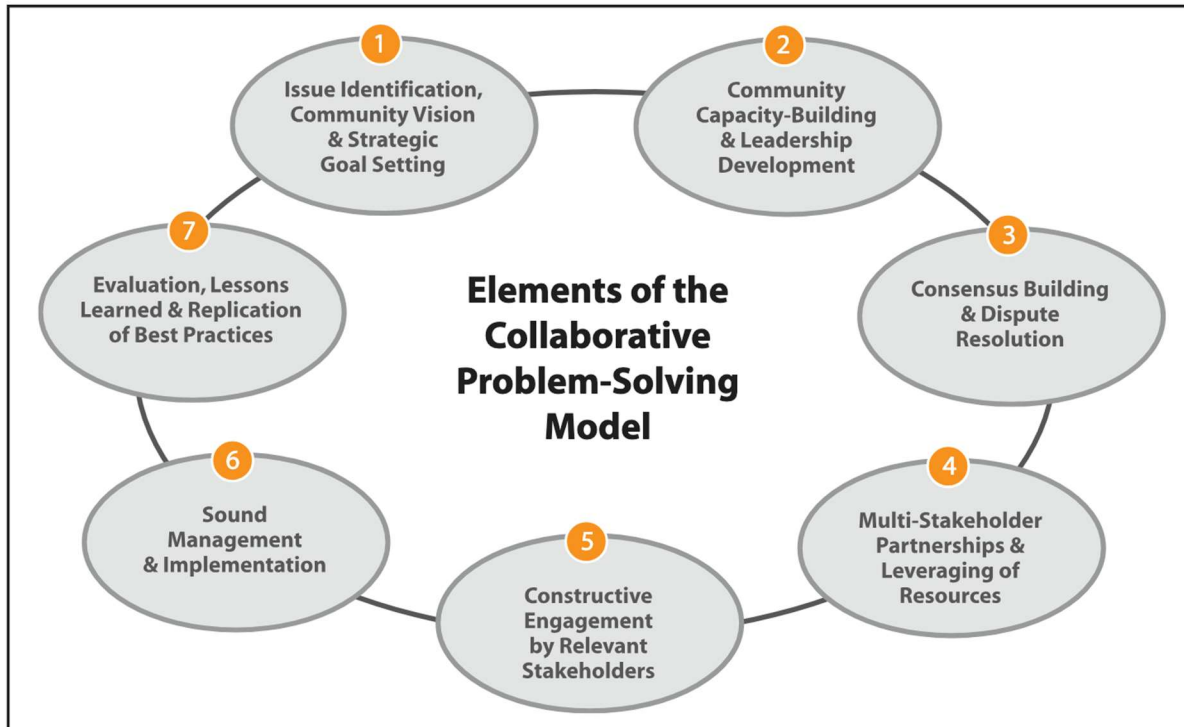


Figure 3 - Source: EPA, *Environmental Justice Collaborative Problem-Solving Model*, EPA-300-R-06-002 (June 2008), <https://www.epa.gov/sites/default/files/2016-06/documents/cps-manual-12-27-06.pdf> (visited Aug. 13, 2025).

Recommendation

The Council can facilitate engagement between environmental justice communities and stakeholders through the Council meetings Public Comment period, written comments, and regularly scheduled meetings. By receiving feedback from communities, the Council can assist in identifying a community in need of a solution and help to define the problem. Armed with enhanced environmental education, the Council can endeavor to bring together the appropriate stakeholders to achieve an eventual solution. With the correct stakeholders in place, the parties can work through the Model steps together. The Council can serve in an accountability role as the “glue” to ensure the process continues until a solution is achieved. Stakeholders might include affected community members, DEQ, local grassroots organizations, and industry members operating in the community. DEQ environmental justice coordinators would be excellent facilitators of stakeholder discussions. The Council can report on the success of these collaborative opportunities across the Commonwealth in its Annual Report.

Appendix

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Chapter 2 – Health of a Community | Virginia’s Small Farmers

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13. [Biosolids Application Areas in Virginia](#) - This one show biosolids applications. Click each brown polygon and you get what it would look like when biosolids are applied. If there were some, then clock the popop further to see who, tops applied, and where biosolids came from
14. [Surface Water | Statewide PFAS Sampling Dashboard](#) - This is the result of DEQ's water sampling for PFAS in 2023, based on a tasking and grant from the General Assembly \$320k. DEQ sampled 709 locations. DEQ says the decisions on where to sample was science based., NFI on that.
 - VDH has a 30 PPT threshold for issuing a health advisory (I am told but cannot confirm from any regulation). Only advisory is upper
 - Chickahominy PFAS was 39. Richmond Airport is there
 - Maine has a 20 PPT PFAS threshold for surface water, at which time some health warnings or closures start

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Chapter 3 – Education and Collaboration on Environmental Issues

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