

Virginia Council on Environmental Justice
Tuesday, August 8th, 2023
10:30am – 3:30pm

Location:

Department of Forestry, 900 Natural Resources Drive, Suite 800 Charlottesville, Virginia, 22903

Attendees

- **Present In-Person Council Members:**
 - Dr. Theresa L. Burriss, Emory and Henry, Assistant VP of Community Engagement
 - Kendyl Crawford, VA Interfaith Power & Light and Virginia Conservation Network
 - Aliya Farooq, VA Interfaith Power & Light
 - Rev. Dr. Faith Harris, VA Interfaith Power & Light
 - Lydia Lawrence, Conservation Director Nature Forward
 - Andres Alvarez, Acadia Services (left early)
 - Dr. Janet Phoenix, George Washington University
 - Tom Benevento, New Community Project
- *Did not achieve quorum of 10***
- **Staff In-Person:**
 - Danielle Simms, DEQ
 - Gwendolin McCrea, DEQ
 - Kate Miller, DEQ
 - **Staff Virtually:**
 - Grace Holmes, DEQ
 - **Excused Absences Council Members:**
 - Taysha DeVaughan, Southern Appalachian Mountain Stewards (family emergency, point of contact Taysha DeVaughan)
 - Clarence Tong, Arrival - unable to attend due to work, attended virtually (work obligations, point of contact Taysha DeVaughan)
 - Harrison Wallace, Climate and Clean Energy Equity Fund (work obligations, point of contact Janet Phoenix)
 - Karen Campblin, ktcPLAN (work obligations, point of contact Janet Phoenix)
 - **Unexcused Absences Council Members:**
 - Meryem Karad, Evergreen Action
 - John Boyd, Jr., National Black Farmers Association
 - Fernando Mercado Violand
 - Ronald Howell, Jr., Virginia State University
 - Lillian “Ebonie” Alexander, Black Family Land Trust

Notes

10:30am **Welcome, Vice Chair Dr. Janet Phoenix**

- Did not achieve quorum

10:45 am **Introduction to Gold Mining Presentation, Katie Whitehead**

- Pittsylvania did exploration there and found copper zinc, lead and potential for silver
- Aston Bay Canadian gold mining company attracted to Buckingham, County because of rising gold prices
- Buckingham County
 - Officials initially unaware that exploration for gold was happening, people voiced their concerns
 - HB 2013 passed, directed SNR and SHHR and SCT to establish a work group to study the impact of gold on the Commonwealth in consultation with the EJ Council and appropriate stakeholders
 - The DOE convened a committee of technical experts and it released a report on Nov 1 2022
 - Second group convened with stakeholders and submitted a combined report submitted to the General Assembly in 2022
- Whitehead did not see involvement of the council and suggested that the council may want to learn more
- The study concluded that VA's current laws are not protective of environment or health
 - The report detailed that there was no systematic process to incorporate meaningful involvement and no clear guidance to see if pollution under permit will cause disproportionate impact
 - Current public engagement is inadequate
- Whitehead is pleased that council organized the presentation today
- Community concerns regarding gold mining include:
 - Concerns about water, that it could mobilize legacy mercury, and expose people and wildlife to toxic chemicals
 - Residents concerned about catastrophic events – like dam failures
 - Disproportionate impacts on the county (impacts on low income people already in economic stress)
 - Concerned that NAS recommendations have not been heeded- laws for mining not updated
 - Urgency to improve regulations
 - Env regulations fail to meet current regulations not just for gold mining but across the spectrum
 - Committee recommendations true for all types of mining
- The community concerned about regulatory inadequacies
 - Notification of communities
 - Robust analysis of potential impacts
 - Regulation of all metal processing facilities
 - Accurate estimation of costs and bonding processes in cases of bankruptcy or abandonment

- Enforcement capacity to impose fines needed
- Need for public participation and notification
- Buckingham residents are concerned by county inaction
 - The county has authority to restrict mining activities, it should exercise local authority to protect the community

11:00 am **Committee Chairperson, National Academies of Science (NAS) (PowerPoint presentation), *William Hopkins***

- Professor William Hopkins – served as Chair of NAS Study Committee
 - Bio: VA Tech Professor of Fish and Wildlife Conservation, his research focuses on habitat loss, human-induced changes and impacts on wildlife, Fralin Life Sciences Institute and Global Change Center at Tech
- The study was mandated by HB2213, sponsored by VA Energy and NAS Arthur L Day Fund
- Report available at: <https://www.nap.edu/catalog/26643>
- The study looked at:
 - Characteristics of gold
 - Impacts of gold on health, safety and welfare
 - Summarized the existing regulatory framework
- NAS Committee
 - Composed of 13 people
 - Was not the only committee tasked with addressing gold mining
 - The state agency committee worked independently of the NAS committee
 - Also sought town hall meetings and public comments
- History
 - VA was one of the peak gold states – last era of commercial gold mining happened in the 1940s, peaked in early mid 1800s.
- Geology/Excavation
 - Sulfide bodies can be disturbed during gold mining and can release toxic chemicals
 - Known gold deposits are smaller than other states and regions (the western US, SC), the probability of discovery of big deposits in VA is low
 - Shallow open pit mining is possible, and in deeper deposits – deeper mining possible
- Impacts
 - Remobilization of legacy mercury
 - Mercury widely used in 1800s and large quantities lost, contaminated then and those are persistent in environment
 - If new site is established over an old one, legacy mercury could be released
 - Legacy mercury could cause neurologic and neurodevelopmental impacts
 - Water quality
 - Some metal mining deposits located near drainage water

- Acid rock drainage (ARD) is toxic due to acidity, specific conductance and metals, ARD causes impacts on the environment and plant, animals and drinking water
 - Can cause eutrophication, which reduces oxygen for aquatic life
 - Cyanide poses acute toxicity
 - Catastrophic events
 - Failures of dams and containment structures for waste (low likelihood but could happen with high consequences)
 - Tailings dam failures
 - Air quality
 - Fugitive dust, release of toxic fine particles and gaseous pollutants
 - Impacts limited because of small scale, which would not significantly degrade air quality with controls
 - Water quantity
 - Could lead to drawdown of water table but magnitude depends
 - Could impact households dependent on well water
 - Need to do modeling to know more
 - Cumulative risk
 - Different hazard types, health outcomes, impacts on poor and minority communities, exacerbates low access to health care
 - The impacts would most likely occur in already vulnerable communities
- Recommendations
 - Only robust and project specific analyses should be taken before permitting
 - There is a lack of metal mining activities, the mining regulations on the books focus more on sand and gravel mining, not for metals
 - Current framework of regs is not adequate for gold mining
 - Review of impacts – VA does not have a NEPA-like review of environmental impacts for private lands
 - Other states like CO have more guidance and data collection and analysis
 - Exemptions – not suitable for gold mining
 - Exemption of off-site gold processing facilities (lack of oversight from mineral mine program)
 - Montana requires off site and on-site
 - Financial assurance
 - Bonding rates are insufficient for long-term stewardship in cases of abandonment
 - Minerals Reclamation Fund could be greatly depleted or exhausted
 - Model needs to be used to determine bonding rate for VA
 - Standards and enforcement
 - Lack of experience in VA regulatory entities in metal mining
 - Key gaps in enforcement
 - Public engagement
 - Scarcity of details in permit notifications
 - Limited number of notifications required (tribal communities not specified)

- Other gold producing states mandate tribal participation at earliest point (Montana)
- No public notice requirements for exploratory drilling or expansion
- Environmental Justice (EJ)
 - Meet EJ Act- current mining regulations need to be amended
 - Recognize existing env injustice
 - Aim to reduce existing disparities and prevent future disparate impacts
 - Ensure timely notification

11:38pm **Council Discussion of Mining in VA (w/ Margo and Bill)**

- What happens to the carbon or resin?
 - It is recycled or disposed of
 - NAS Committee not concerned about that
- Reception from the General Asssembly (GA)?
 - Did a briefing with DOE and DEQ, together with report they gave to GA
 - Did not brief GA directly
 - Katie Whitehead:
 - There was a bill to ban the use of cyanide in processing which had bipartisan support and expected to pass until the day before the vote, failed on party lines because of a misunderstanding (unintended consequences)
 - Larry Corgy (DOE):
 - Bill in this General Assembly- originally also included sulfuric acid,
 - Did not hear why it was pulled in the end (was pulled by committee chair)
 - Stephanie Renaldy:
 - Made it through committee almost unanimously
 - When came up for 2nd reading, something happened in caucus that shut it down
 - The bill had a Republican co-sponsor
 - Was amended to remove sulfuric acid, then passed out of committee
- Reception from State Agencies?
 - Appreciative of information comparisons to other gold-producing states
 - Unsure if and when VA will advance expansion into mining
 - Agencies do not see as urgent as the members of communities do
 - Briefing went well with the agencies
- Examples of NEPA-like Legislation
 - Best examples from western states who have been at this for a long time and have large mines in arid setting
 - Some have statewide NEPA process – Montana (MEPA) and CA
 - Had experts from both hose states on committee.
 - Chapter 5 of report spells out some examples
 - Colorado and Nevada have regulations similar to NEPA
 - VA is mostly private land vs in the west coast, mining often happens on public lands
- Have there been any unfortunate consequences that serve as cautionary tales?
 - Available in chapter 4 of report

- Important that they are examined in context of VA's geology (VA has smaller and more isolated deposits) and the environmental context in VA (more prone to higher precipitation events, different plants and animals)
- Hard to find a direct comparison, even in SC (those sites have different geological settings and there are larger deposits)
- Economics
 - Did not look at economic concerns- cost benefits analysis was beyond scope of their work
 - Study legislated to be statewide, would need to be site specific analysis to answer that question about economics
- Uranium
 - Another academy report examined uranium
- Prospecting
 - Aston Bay continuing to do drilling and exploration in 2023
- What do we do next?
 - How do we get ourselves out of a culture of domination?
 - Importance of updating regulations
 - This is an opportune moment for the council to weigh in as we are in an exploratory phase
 - The council hopes to come back to the next meeting with next steps as to what to do perhaps a letter focusing on this issue
 - The council could add to their report, a letter would also be helpful
 - What is in the council's capacity beyond a letter?
 - A site visit could be possible
 - Potential ad-hoc council group to draft the letter (the council could do it as undersigned individuals)

12:12pm **Working Lunch and Public Comment Period and Discussion**

Katie Whitehead

- Gold Mining
- Suggests council keep in mind the focus on public engagement and participation, one simple step being requiring a permit for exploratory drilling – so people would know where and what
- Studies were strictly limited to gold yet many inadequacies were discovered related to other mining
- Important to think comprehensively, broader than gold and some recommendations are relevant
- There is no requirement to inform the community for exploratory drilling and when there is notification, not many people know, very limited and notification requirements should be expanded

Heidi Dhivya Berthoud, Buckingham County (Friends of Buckingham and Community Rights Network)

- Both organizations are working to get gold mining protections
- VA is vulnerable to gold mining, all metal mining has consequences

- After receiving state report in 2022, the Buckingham Board of Supervisors asked planning commission to define and prohibit metallic mining
 - Planners seemed to be misinformed and confused about their power
 - Organizations asked for local prohibition of metallic mining
 - Now there is a hold up seemingly because local communities are scared of lawsuits
- Three years ago the organization created a community bill of rights
- They also created a petition to gather support – got 1,000 petitions signed out of a population of 15,000
 - Folks were quick to sign up
 - Folks tired of getting dumped on
 - There could be cancer alleys along where gold waste and toxins run
- Buckingham County can't clean up mess we have now, why would we add more?
- The county is an environmental justice community – low-income and there are direct impacts on the lives of vulnerable people
- Urgency to address climate change and the environmental emergency

Jane Brown, Wise County

- Southwest (SW) VA has gotten its power from Kentucky yet been targeted for energy project by the state of VA
- Mountaintop removal activist
- Fought against Hybrid power plant located in the SW but that powers NOVA
- State of VA wants to spend millions of dollars on a nuclear project even though SW told that it is the last for economic infrastructure
- Right now SW VA is booming (tourism, restaurants, folks moving in)
 - Winning tourism awards
- Governor wants to put Small Modular Nuclear Reactors (SMRs) there, which is not clean energy
- There is no plan for SMR waste, community members don't know and have been provided very little information and very little opportunity for people to voice their concerns
 - Public hearings should be held
- Would like the governor and current administration to stop making SW VA their sacrificial zone, put it in his backyard not ours

Dr. Laura Miller, Wise County, Southern Appalachian Mountain Stewards (SAMS)

- UVA Wise faculty and landowner
- 2007 became aware of SAMS, been working with them since then (been fighting mountaintop removal and fighting degrading pollution and practices damaging communities)
- Quote from a friend “per the VCEA there are specific stakeholders that are required to be consulted “, but she sees that the state is already going against the law by not consulting folks that need to have a voice at the table
- Cumulative risks- SW has many (pollution, destruction, degradation)
- We are working together; we are all on the same side

- Thanked for the opportunity to present their perspective
- Health concerns are very important to her as SW VA she feels has been a sacrifice zone
- Previously lived in New Orleans, during Hurricane Katrina, and moved back to SW thinking it would be safe but mountaintop removal, earthquake fault lines are located in Lee County, Scott, and Wise County (Eastern Tennessee seismic zone) – Why would you put a nuclear power plant near a fault line?

Akwe Starnes, Big Stone Gap SW VA

- Lives in Big Stone Gap VA and would be impacted by the SMRs
- In 2018, she saw the mutilated land from mountaintop removal, left a mark on her, you can see the damage done to env and human life
- Involved with SAMS, there are a lot of people in SW VA ready to speak up
- The community was not invited to the table at all, had to learn about the SMR plans on the news
- She wants to be invited to the discussion of what happens to her and the town

Marine Albricht, Big Stone Gap

- Moved to the area 5 years ago
- Wants to emphasize perspective of people who live in coalfields
- Folks struggling with black lung, tired of being exploited, but excited about potential financial impact
- See folks struggling from the opioid crises
- SMRs are complex- the experts pushing it don't seem to be very knowledgeable about what they were talking about
- Researchers say very few studies analyze waste streams (drill holes for waste)
 - Have they researched in karst topography?
- The proposed SMRs would be located on an earthquake faultline
- Don't want Appalachia to be a sacrifice zone, want to keep going with solar which is making progress and is renewable energy

Pamela Brandy, (also speaking for Carolyn White), Kingsville Community (Chesapeake and Suffolk)

- Carolyn White Statement:
 - Need city to work on its drainage
 - President is pushing EVs but there is nowhere to get repairs done
 - FEMA increasing flood insurance, insurance companies have no payout for areas with no drainage
 - Hampton Roads is surrounded by water
 - African American community is being slighted
 - If infrastructure funding has been given to Suffolk and Chesapeake, why aren't the localities looking into the issue?
 - Should African Americans just sit back with interest gaining on funds but nothing visibly happening from the locality on the issue?

- The community applying for grants and funds on their own has brought them to a halt – the city has the neighborhood listed as not a disadvantaged community (nice homes from developer)
- They have both a flooding and drainage problem
- The city is allowing builders to build to the detriment of previous residents
- Even when just a little rain they are flooded in their neighborhood
- How long will it take for the city to help?
- The Chesapeake side of Pughsville – getting dumped on from the road and other areas
 - Some people cannot get out of their own homes when it rains because of the flooding
- Builders are exacerbating the problem and causing more flooding
- Residents are asking for help and assistance

Lyndsey Dietrich, Franklin County

- Facing proposal of a nuclear reactor in the community
- Want to bring attention to cumulative impacts of a project like that
- Nuclear power is not a climate solution, it contaminates the environment and endangers life and wellbeing
- Uranium is polluting for both groundwater and the environment
- Power plants have a long history of leaks and glitches, with disproportionate impacts on communities of color and indigenous communities
- Transportation of uranium and waste is a concern
- Health and safety should take precedence – it doesn't seem like there has been adequate consideration of flooding or sinkholes especially when developing on abandoned mine lands, which increases the risk of disaster
- Need to look at whole timeline of impacts- cradle to grave
- Currently a moratorium on uranium mining, wants to urge us to watch forces trying to lift the ban and the courts as well
- The advance act (federal) is also an effort
 - Some so-called EJ champions in Congress are co-signed which is bad
- The nuclear reactor would block renewables
- Hoodwinked in the hot house is a good resource
- Happy to follow up with written comments

Stephanie Renaldy, Buckingham County

- She was a member of the state gold mining study, which could have included an economist as economic impacts do impact welfare
- Supports the aforementioned concerns on nuclear
- It does not seem like the requirement to engage the EJ Council on the gold mining issue was met
- Unfortunately, best practices often result in dangers to the community too
- Don't consider climate impacts, need to think about impacts of clean well water
- Effects of mining would expand to include communities downstream on the James River

- Recommends that the council recommend increasing public knowledge and participation on the issue such as writing a letter to DOE or DEQ or GA or writing a report on the impacts of gold mining
- Happy to discuss further and will email comments to Grace

Robert, Kell Appalachian Voices

- The organization is working on just transition
- Concerned that SMR will distract from the solar promise
- Not good for long-term environment and economic health
- Do not believe they should deploy SMR in coal mining sites, subsidence and slope instability – very risky because of the increase in landslides
- SMRs are expected to have advantages over traditional ones, the waste issue still remains
- Lots of waste and no clear prospects for long-term storage solutions
 - Have to assume sites are long-term storage sites for all proposed nuclear sites, which raises the safety standards and is very dependent on geological risk factors
- The community engagement undertaken in the study falls short – the survey was distributed with short notice
- There are expected deep impacts of SMRs on community
- Storage of waste requires extensive community education and outreach
- Appalachian Voices looks forward to engaging with planning districts
- Invites council to hold the county accountable
- They are also working with SAMS and the Clinch Coalition

Chad Oba, Buckingham County, Friends of Buckingham

- Emphasizes that this is the same neighborhood that has to already redig a well because of the exploratory drilling that has already taken place
- Lives down the road from where they want to explore, lives in Buckingham County (recently fought compressor station for the Atlantic Coast Pipeline)
- This is another impact to this neighborhood – largely African American
- Insufficient requirements for notifying citizens
- County granted by right use for the Canadian mining company
- The gold mining is very concerning and could proliferate very quickly
- Exploration needs to be part of the mining process – even if they do offsite processes and should require permitting and community outreach
- One of the big impacts is damage to water quality as the reopening of old mine sites would release mercury
- Recommends that public awareness should be raised about the serious impacts on water
- Invites the council to visit

Kelly Hengler, Suffolk

- Lives on Nansemond River and Chuckatuck Creek
- Has a concentration of EJ communities
- Concerned because of a number of issues facing lower James River
- What does it look like to be an EJ community?

- Fishery impacted in the 70s- shut down (kepone spill was never addressed, settled into the sediment and created food scarcity)
 - Annihilated watermen's careers
 - Kepone is a carcinogen
- Need to address water quality issues
- Need to take strong look at industrial society and see where the impacts are as they are often on people who don't have power (ignored)
- A lot of government sidestepping has been happening – Nansemond River was not included in any waterway implementation plan
- Coal trains also coming through Suffolk as well
 - Carcinogens in community have left long-standing food scarcity that never existed previously
- Massive sewage spill that happened in James – officials are not concerned because they think it is only used for recreation, but the entirety of their heritage is based off of subsistence fishing
 - People been consuming the fish (don't know about the advisory)
 - People who have been pushed out of other areas (gentrification) and don't know
- Also considered about the Virginia Reliability Project pipeline as the kepone should not be dug up and dredged up from the sediment as it is a toxic chemical
 - There is also a lack of meaningful public participation – officials don't discuss water testing, residents can't get meetings with state programs, want a framework and opportunity to address prior impacts
- Communities know the impacts and care for each other
- Need resources – need consensus wants to follow Jemez principles
 - Another burden on the community
- After all these years the pollution concerns are still have massive impact (a commerce issue)

Kenda Hanuman, Buckingham County

- Requests copy of the presentation that Professor Hopkins gave
- Mining is a very urgent issue, wants the community to be out ahead of the issue
- Previous speakers covered the gold issue very well
- The study was given half million dollars and to just ignore it is a waste
- Companies are not going to stop at gold mining
- Nearby communities are low income and vulnerable, right next to Union Hill
- Council came to visit during Atlantic Coast Pipeline fight and hoping that council can do something to get the General Assembly to do something at this point

1:46 pm **Nuclear Reactors, Clinch Coalition Presentation, Sharon Fisher (President)**
(powerpoint)

- Mostly had been dealing with mountaintop removal and logging then 10 months ago in Oct 2022 found out they had to learn about nuclear power with the announcement of the SMRs
- Working with Alliance for Appalachia, Appalachian Peace Education Center, Southern AMS, Clinch Coalition and Virginia Organizing

- Governor visited Norton last October unannounced (public not invited and at undisclosed site)
 - Community expressed concerns to the SMR announcement
 - Youngkin looking for funding for site development, seems like a web of public and private entanglements, lots of interconnections
- Claims vs. Reality
 - Sites near neighborhoods and churches
 - Stressful work
 - Unproved tech (no SMR in operation in USA, there's some in Russia, China, India)
 - Don't know what type of jobs, how many?
- SMRs
 - All conventional reactors have been over cost and overtime
 - Small Modular Reactors
 - Up to 40 acres
 - Company called New Scale – only company permitted to design this type, the cost of design and building the first one is \$5-9 billion (which costs more than utility-scale solar or wind)
 - It will be 10 years before it is commercially available
 - Produces radioactive waste – SMRs may produce even more than a conventional plant
- Legislation
 - Passed
 - HB1781 – support energy development projects advanced reactors and nuclear
 - HB1779 – creates nuclear education grant fund
 - Defeated
 - HB1780 – revenue sharing
 - HB2333 – SCC to establish a SMR pilot
 - HB2197 – consider advanced nuclear SMR as renewable energy
- Potential sites identified
 - Lenowisco Planning district released the SMR site feasibility study
 - Near schools- 800 ft away from a Christian school
 - Norton and Wise
 - One of the sites is in a densely populated area and the other is close to a local vineyard
- Petition against the SMRs is available online on the Clinch Coalition website
- Follow the money
 - Billions of dollars flowing and funneled into this from infrastructure act
 - The Delta Lab just set up last fall and got a \$975k grant from federal abandoned mine – will bring companies in to test technology, received money for a feasibility study, infrastructure study money
 - Youngkin wants \$10 million in state funds for energy innovation (half towards SMR)
- Indigenous people
 - Lived here as many as 15k years ago

- Now we have stripped our land
- Legacy of coalmining
 - Native west Virginia
 - Raised in coal camp
 - Coal devastated community and left them with economic deprivation, disease and opioid epidemic
 - First area targeted by pharmaceutical companies with opioids because coal miners had chronic pain
- Horizon
 - Uranium mining has been banned since 80s, but industry wants to overturn the ban
 - SMRs need uranium
 - Transportation of nuclear wastes along VA mountain roads or railroads increases risk of contamination and accidents
- Alternative Vision
 - Expand solar, housing, childcare
 - Reenergize Southwest 2021 recommendations (no mention of nuclear) – recommendations were released 10 months from VA Energy before the current administration
- Summary
 - SMRs are not reliable, affordable or clean
 - SMRs are not renewable energy
 - Would prefer that this money be invested in what we know – solar and wind and energy battery storage
 - Stop diverting funds to “moonshot” and special interests, instead the commonwealth should truly invest in region’s needs
 - Establish local EJ councils with representation of local people (residents’ voices being left out)
- Go to clinchcoalition.org to sign the petition and for more info

2:22 pm **Council Discussion**

- Why is there a push for nuclear energy?
 - Nuclear industry is powerful and has been successful in marshalling political support including Democrats in Congress.
- Will Georgia be the last large nuclear reactor to be built?
 - Yes, it seems like it. There were cost overruns and it took years longer to build than estimated.
- If you increase Lake Anna’s capacitor with another reactor in site?
 - Unknown
- Is there research on SMRs in other places?
 - We heard there was only one in Russia; then we heard India and China may have one. Russia’s may be floating plant outside Siberia. Greenpeace referred to this as a floating Chernobyl. All radioactive waste is to be stored onsite as far as they know. They store in water for a number of years and then bury in barrels. Regular

citizens get very little info, but a lot is unknown. One of the things they will not talk about is the waste.

- Are there other scientists to provide more information to substantiate?
 - VA Tech retired professor is brainchild behind the whole thing – gotten businesses and utilities involved
 - On one recent webinar, talked about breakthrough in fusion
- Efforts to set up solar?
 - Appalachian Voices is leading on solar work, local schools have systems now,
 - App Voices trying to move panel manufacturing to SW
- Concerns around waste management?
 - A lot of the waste generated by existing nuclear facilities is being stored in place because of backlog issues
 - We need to stop producing waste
 - We should store energy (wind and solar once it is created)
- The time that it takes to construct the facility is too long (even if there was not an issue with waste) it doesn't make sense to invest money in those projects. Is the Clinch Coalition asking for renewables and investment for renewables?
 - Yes, the administration is on a fast-track (our issue is that they are diverting funds away from renewables and true community revitalization). The Clinch Coalition is going to be canvassing, doing publicity campaign, civic engagement – going to be boots on the ground. Clinch Coalition, App Voices and SAMS have been doing listening sessions to see what people were concerned about and wanting nuclear was not a concern raised – so many other issues of concern
- Nuclear right now is not profitable
 - SMRs raise liability and cost concerns during negotiations with utility companies
 - Need to limit costs for consumers or to do cost shares

2:45 pm **Discussion of Outstanding Issues**

- Proposed Resolutions
 - Janet spent good chunk of weekend working on this
 - The remote participation policy needs to be voted on first before the virtual policy (need in person quorum)
 - The remote participation policy is good but still requires that there is a quorum in person at the meetings to be able to participate remotely (need both policies in place) and can at the most have two virtual meetings
 - Want to have a couple of meetings a year to be able to vote on items, have not been able to do that for more than a year
 - Got some recent resignation letters due to lack of participation
 - There are good reasons why people aren't here – very challenging with work commitments
 - Quorum is now 10 down from 12
 - Perhaps reduce time commitment of meetings? Perhaps have fewer meetings?
 - We need a couple of meetings a year where we can vote
 - Less staff capacity than before from DEQ, unable to have subcommittee meetings
 - Hopeful that we can have quorum for October

- Attorney General’s office contact for council is Katherine Kulbok –
kkulbok@oag.state.va.us
 - Janet spoke to her yesterday
- Tom thought his time had run out so stopped coming, but did not officially submit resignation, but can resign if necessary
 - Tom will not be able to make it in person for October
- EJ Office is still hiring and down staff
 - 4 people now in EJ Office and 5 is fully staffed
- Final Report Planning
 - Janet suggests slim report – basically just public comments and council response to them
 - Add council letters drafted as an attachment
 - Want to make the report more like a letter
 - Had a committee of folks for writing report
 - Want to include an introductory letter/portion to emphasize council infrastructure concerns (staffing, etc) and “flashbacks” to past work and highlights
 - Aliya mentioned lack of council involvement in nuclear (Meryem was involved) and VCEA, suggested we cover those topics
 - Janet will send out letter for review prior to October meeting
 - Include SMR issue how they would manage the waste the mining process and potential independent study
- Election planning
 - Karen willing to run for Chair this upcoming year
 - We do have folks that are not here- need some fresh folks to pick up the reins
 - Janet willing to continue as Vice if no one else wants to throw hat in the ring and Janet working with Mid-Atlantic EJ coalition been in touch about applying for MATCH grants and through University of Maryland coalition for regrating EJ funds
 - Council has helped to hear from folks, would transition to do more TA and capacity building
 - Has been building nonprofit organization and would like to do work in DC and VA
 - Would vote in October on offices

3:39 pm **Close/adjourn, Vice Chair Janet Phoenix**

Next Steps:

- Theresa, Lydia and Janet working on a letter to address mining issue, will bring back to the full council and send out to a dissemination list
- Council’s next meetings should be in Chesapeake in late 2023 or early 2024
- Faith and Janet willing to schedule a site visit and prepare for a meeting in Hampton Roads (Chesapeake and Suffolk)

- Council will have a December meeting, at this point will need to have the meeting to work on this years' report
- Janet will email people immediately to get upcoming meeting dates on council members' calendars
- Janet will make sure can enact policies at Richmond October 17 meeting and will vote on leadership in October
- Janet will ask the Attorney General if a council member is unresponsive, unreachable, and unable to make a meeting what is the process to remove them ourselves
- Janet will send out letter for review prior to October meeting