

March 21, 2014

Arkansas Department of Environmental Quality  
Director Teresa Marks  
5301 Northshore Drive  
North Little Rock, AR 72118

Dear Director Marks,

Thank you for the opportunity to comment on the proposed to change in manure application techniques under permit number ARG590001 (C& H Hog CAFO, Newton County, AR). Below are a list of comments and recommendations.

1. There is should be NO change to the permit at this time.
2. The most recent permit did not calculate a Phosphorous Index as required by law for fields 5, 6, 7, and 9. Without this information, these fields should not be considered for any manure application, regardless of the application technique. These fields are adjacent to Big Creek and have the highest probability of flooding. It calls into question why the flooding frequency was not calculated for these fields in the Nutrient Management Plan. These fields already contain high levels of phosphorous (above optimum) and it is likely including the flooding frequency (which is yearly from observations by neighbors), that the Phosphorous Index would have been calculated to be VERY HIGH and therefore completely unavailable for any manure application by C&H/Cargill.
3. Until accurate information on the flooding frequency has been provided and an accurate Phosphorous Index has been calculated, NO MANURE APPLICATION SHOULD BE ALLOWED ON THESE FIELDS 5,6,7 AND 9.
4. Any slurry or manure from Waste Pond #1 should NOT BE ALLOWED TO BE APPLIED TO ANY FIELD. The slurry and manure from waste pond #1 contains considerably more phosphorous than waste pond #2. Waste pond #1 is primarily a settling pond and should be used as such.
5. There are many irregularities and omissions in the original and most recent Nutrient Management Plan. Some of these problems are noted above, but there are many others such as the lack of Phosphorous Index calculations for applying manure in cold weather. The only calculations submitted were for application times from March-June. However manure was applied starting December 30, 2013 when the crops cannot utilize any nutrients. Another omission and irregularity is that misinformation on the location submitted regarding Field 5. You have stated many times that if any false information

was submitted that it was serious and you could revoke the permit. Why have you not taken action to revoke the permit when clearly misinformation continues to be submitted by C&H/Cargill Inc.?

6. For these reasons above, the ENTIRE PERMIT SHOULD BE REOPENED and MANURE APPLICATION SUSPENDED until the irregularities and omissions are corrected.

The citizens of Arkansas, who you serve, deserve and you and your agency are legally required to, provide accurate and transparent information that complies with the law. The lack of action by ADEQ in opening the entire permit for review violates federal regulations under the 40 CFR 122 and 412.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa A. Turk". The signature is fluid and cursive, with the first name "Teresa" being the most prominent.

Teresa A. Turk  
1408 W. Cleveland St.  
Fayetteville, AR 72701