

## BRWA Position Paper on Cargill decision letter

On two occasions over recent months the Buffalo River Watershed Alliance and its coalition partners have met with Cargill Pork representatives Mike Luker, President, and Jeff Worstell, head of Livestock Production. We discussed in detail our concerns about the location of the C&H hog operation and the risk it poses to the Buffalo National River and the community of Mt Judea. At our initial meeting Cargill admitted it had made a poor choice of site selection for the C&H facility and committed to do its part to correct that error. Unfortunately, at the subsequent meeting Cargill reversed this position and has now decided to support the facility in its current location, as stated in the letter from Mr Luker below.

We have made it clear, as have our coalition partners and many other stakeholders across Arkansas, that this facility is sited in the worst possible location - atop karst geology, immediately adjacent to the school and town of Mt Judea, and just a few miles upstream on the banks of a major tributary of the Buffalo National River. Our position has been, and remains, that the only acceptable solution to this error of judgement is the closure or relocation of the facility. We are therefore extremely disappointed that Cargill has chosen instead to continue operation of the facility in its current location. While we recognize that the mitigative measures proposed in the letter below appear to be an attempt to respond to the many concerns expressed by citizens regarding pond leakage, compromised air quality, nutrient runoff, bacterial contamination and other negative impacts on Mt Judea and the Buffalo, we find these measures to be inappropriate, inadequate and unacceptable for the following reasons:

1) The "new, leading edge technology for nutrient management", specifically the Plasma Pyrolysis process proposed by the Plasma Energy Group, is a pilot program and is an untested and unproven technology for handling liquid swine waste. Data provided by the company is of questionable accuracy and the composition of the byproducts of the process, both airborne discharges and possible volatile gases as well as any liquid or solid waste, are unknown. Essentially, C&H, Mt Judea and the Buffalo National River will become a research laboratory for a private company to test a new application for a process heretofore used for medical waste and other solid material disposal. While this technology could have potential for swine waste disposal, the Buffalo River watershed is not the place to carry out such risky experiments, nor should it be a testing ground "to improve how the entire industry manages and disposes of animal waste", as stated in the letter to Stakeholders below. A location well away from human habitation and without risk to a National treasure should be found. Perhaps Cargill could carry out these experiments on its own Dalhart, TX pork facility.

2) While synthetic membrane pond liners should provide added protection against waste leakage, some experts contend that they actually can be more prone to leakage than properly constructed clay liners and the leaks more difficult to detect and repair. The fact remains that millions of gallons [need exact capacity of both ponds] of swine feces and urine will be sitting atop karst geology and still poses a risk to both surface and underground water.

3) Covering of the "settling pond" (WSP #1) is intended to contain some of the odor and airborne toxins emanating from the pond. The accumulating gas will be "flared" off into the atmosphere. It is unclear what the components of this combusted material will be and what threat it may pose to the health of nearby residents and the town and school of Mt Judea. Will the byproducts have a possible impact on surrounding soils or Big Creek? It is unclear at this time whether ADEQ will require an air permit for the flare and/or the airborne discharge of the Plasma Pyrolysis process. If not, who will monitor the possible impact on air quality?

Why is WSP #2 not also covered?

4) We applaud Cargill's proposed agreement on a permanent moratorium of any new swine facilities or expansion of existing ones within the BNR watershed and encourage the company to immediately express this commitment and support for the rule making ban to the legislative committees and APC&E Commission currently considering the proposed rule change.

5) We welcome open and transparent communication but we are not willing to be used as part of a "greenwashing" effort to legitimize an effort aimed at avoiding closure of the C&H facility. As stated, we feel it is inappropriate and unacceptable to use the BNR watershed and Mt Judea community as a proving ground for untested and risky technologies. Our position remains that the only acceptable alternative is full and prompt closure of C&H.

Some permit questions raised by the decision to implement this new waste management plan are:

- Will installation of the pond liners and cover/flare constitute

a major change in the current permit requiring public comment?

- Will implementation of the Plasma Pyrolysis technology constitute a major change in the current permit requiring public comment?
- Will ADEQ require any permit at all if this plan is fully implemented? If not, what agency will provide oversight?

BRWA is committed to continue its efforts to monitor the impacts of C&H on Big Creek, Mt Judea and the Buffalo River. This includes nutrient and bacteriological monitoring as well as tracking of odor complaints. We will also continue to educate the public about the unacceptable risks posed by the inappropriate location of this swine CAFO and we will encourage Cargill as well as state agencies and governmental bodies to recognize the true costs of allowing this risk to continue. We support nothing short of closure.