

Submitting Comments to ADEQ

Re: C & H Hog Farms Request for Permit Modification

Written comments must be received by 4:30 pm, March 24 and may be submitted to ADEQ by e-mail to: Water-Draft-Permit-Comment@adeq.state.ar.us and/or by mail to:

Ms. Teresa Marks
Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

Oral comments, accompanied by a written copy, may be presented at the public meeting at the Jasper School beginning at 6 pm on March 24th.

Please Note:

This is a modified draft permit and only the modified portion of the permit is open for comment. The modified portion includes:

- **Allowing land application via Vac Tanker method on Fields 7-9.**

Comments to be considered by ADEQ must specifically address the modified portion above. All other comments will be irrelevant to this modification and will not be considered. In order to have standing to appeal a decision by ADEQ your comments must be considered relevant.

All comments should reference C&H Hog Farms, Inc., Nutrient Management Plan Modification; ARG59001 AFIN 51-00164 C & H Farm

Comments on the contents of the NPDES General Permit ARG590000 will **not** be considered during the public comment period.

Below are some examples of comments to ADEQ. Note: *These are examples only and there is no assurance these comments will be considered by ADEQ.*

Example 1

I oppose ADEQ's decision to consider a modification of the C&H Hog Farms, Inc. CAFO permit without reopening the permit in its entirety.

It is common knowledge that this hog CAFO permit was granted without any public comment because of serious flaws in ADEQ's public notice process. As a result, ADEQ permitted a CAFO that is allowed to spread over 2 million gallons of odoriferous wastewater a year on lands directly abutting a major tributary of the Buffalo River and within hailing distance of a public school. It did so without any consideration of this area's well-known karst geology which has a serious potential for allowing rapid underground flow of the polluted water into the Buffalo River. ADEQ now has in its possession the underground studies performed by the University of Arkansas. Those studies demonstrate the existence of underground features that would allow rapid underground flow in the floodplain of Big Creek where C&H wants to spread its waste.

Allowing C&H operations to move forward without a thorough and

complete review of the permit in its entirety is counter to the spirit and intent of Arkansas statutes and the federal Clean Water Act. The operations of this CAFO pose threats to the Buffalo River Watershed and to the health and livelihood of the people who live in the surrounding area. ADEQ should immediately require a reopening of the C&H permit in its entirety.

Example 2

I oppose ADEQ's decision to consider a modification of the C&H Hog Farms, Inc. CAFO permit due to the following:

One of the requirements of the General Permit (ARG590000) is that the NMP be developed in accordance with the Arkansas NRCS Conservation Practice Standard Code 590 (Nutrient Management). Code 590 states that "To address air quality concerns caused by odor, nitrogen, sulfur and/or particulate emissions, the source, timing, amount, and placement of nutrients must be adjusted to minimize the negative impact of these emissions on the environment and human health.

Due to the close proximity of field 7 to the Mt Judea school and community and due to the known health risks of chronic exposure to swine waste (ammonia, hydrogen sulfide, airborne particulates and other components of swine waste known to be hazardous to human health) particularly among children and the elderly, ADEQ must consider the effects to the public health and impacts on the local community.

- Field 7 is within 250 feet of the school grounds and within 1100 feet of the school buildings;

- Field 7 is within 300-400 feet of at least two residences and a cemetery

- It is west of all of these occupied buildings, the direction from which the prevailing wind comes.

I respectfully request that ADEQ deny the requested permit modification.

Example 3

I oppose ADEQ's decision to consider a modification of the C&H Hog Farms, Inc. CAFO permit due to the following:

The C & H request for permit modification included the submission of a revised NOI. With the exception of a couple of pages, the revised NOI is identical to the original NOI. Both the original and revised NOI contain information known to be inaccurate including misidentification of the spray fields and misinformation in the spray field leases. Prior to the submission of the revised NOI, C & H owners were made aware of these inaccuracies (see Inspection Reports 1 and 2) yet they knowingly submitted a substantially unchanged, and still inaccurate, revised NOI.

I respectfully request that ADEQ deny the requested permit modification until a correct and complete revised NOI has been submitted for public review and comment.

Example 4

I oppose ADEQ's decision to consider a modification of the C&H Hog Farms, Inc. CAFO permit due to the following:

Field 7 should be required to be included in the Big Creek Research Study as a condition of the requested modification.

Field 7 is a high use and representative field which is adjacent to Big Creek and in close proximity to the Mt Judea K-12 School. However, according to public records, certain fields, including Field 7, are "off-limits" to the research team. Because of the proximity of Field 7 to the Mt Judea school and to Big Creek it should be included in the study. According to the Memorandum of Agreement ADEQ has the responsibility to "Assist the University with obtaining access to conduct the study..." (see attachment 3) Therefore ADEQ should facilitate the inclusion of Field 7 in the Big Creek study. Studies should include pre-application ground-penetrating-radar study, groundwater monitoring, surface water testing in adjacent Big Creek, and air quality monitoring at the Mt Judea school.

I respectfully request that ADEQ deny the requested permit modification until these conditions have been met.

Example 5

I oppose ADEQ's decision to consider a modification of the C&H Hog Farms, Inc. CAFO permit due to the following:

A comprehensive air quality monitoring station should be installed at the Mt Judea school as a condition of the requested permit modification.

Due to the close proximity of Field 7 to the Mt Judea school and community (within 250 feet of the school grounds and within 1100 feet of the school buildings and within 300 to 400 feet of at least two residences), and due to the known health risks of chronic exposure to swine waste particularly among children and the elderly, ADEQ should require that a comprehensive air quality monitoring station be permanently installed at the Mt Judea school. This station should monitor for ammonia, hydrogen sulfide, airborne particulates and other components of swine waste known to be hazardous to human health. Results of air monitoring

should be made regularly available to the public.

The Mt Judea school principal should be notified in advance of any field applications so that appropriate measures can be taken to minimize exposure of students and staff.

I respectfully request that ADEQ deny the requested permit modification until these conditions have been met.

Attachments

Attachment 1: Inspection Report 1

<http://www.adeg.state.ar.us/ftp/root/Pub/WebDatabases/InspectionOnline/073447-INSP.pdf>

Attachment 2: Inspection Report 2

<http://www.adeg.state.ar.us/ftp/root/Pub/WebDatabases/InspectionOnline/075752-insp.pdf>

Attachment 3: Memorandum of Agreement

http://www.arktimes.com/media/pdf/moa_adeg_div_of_ag_-_buffalo_watershed_water_testing_9-5-13.pdf