

PRESS RELEASE

FOR IMMEDIATE RELEASE

January 16, 2018

Buffalo River Watershed Alliance

RE: ADEQ Denial of C&H Hog Farms Permit

On January 10, 2018, the Arkansas Department of Environmental Quality issued its long-awaited decision denying the C&H Hog Farms application for a new Regulation 5 No-Discharge permit. For 5 years, BRWA has claimed that C&H did not meet the specific requirements for a permit, particularly as regards its sensitive location on karst terrain near the Buffalo National River, and we commend ADEQ for reaching the same conclusion.

State regulations for confined animal feeding operations require that the applicant comply with specific guidance documents which specify that geological, geotechnical, groundwater, soils, structural, and other testing be conducted to assure that the site is appropriate and protective of natural resources, including waters of the state. If not, the regulations require that alternate sites be considered. BRWA has long contended that the required testing was never conducted, the C&H site was inappropriate, and a permit should never have been issued in this location. We are pleased that ADEQ now agrees.

C&H has announced that they will appeal the decision and have filed a motion with the Arkansas Department of Pollution Control and Ecology for a Stay of ADEQ's decision, which would allow the swine facility to continue operations throughout the appeal process, which could last months or even years. BRWA has filed an opposition to this Stay and asks that C&H be required to begin phasing out operations now. C&H has been operating with an expired permit for over a year and, following the recent comment period, was granted 100 days to provide ADEQ with additional information necessary to complete their technical review. C&H failed to do so. More than enough time has passed and C&H should not be allowed to continue spreading raw waste in the Buffalo River watershed. If a stay is granted we ask that C&H be required to post a substantial bond, sufficient to mitigate any damage that might occur during the appeals process and to assure that

C&H has the financial resources to close operations promptly when appeals are exhausted.

BRWA fully supports private property rights and appropriate scale farming. Industrial scale operations such as C&H are inappropriate in sensitive karst regions near Extraordinary Resource Waters like the Buffalo National River. Property rights end at the fencerow and C&H's rights do not outweigh those of neighbors dependent on clean groundwater or those of hundreds of small family-owned businesses dependent upon a clean Buffalo National River for their livelihoods.

In addition, BRWA urges the ADEQ Director to take immediate steps to implement a *permanent* moratorium on any new permits for swine CAFOs in the Buffalo National River watershed. C&H claims to be the most closely monitored CAFO in the state, if not the nation. If so, and this operation does not qualify for a permit, none will. So why continue a temporary moratorium? The time is now, to provide the Buffalo National River with the permanent protection it deserves.

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