

March 6, 2017

Ms. Becky Keogh
Director
Arkansas Department of Environmental
Quality
5301 Northshore Drive
Little Rock, AR 72118-5317
Email: keogh@adeq.state.ar.us

VIA U.S. MAIL AND EMAIL

Re: C & H Hog Farms, Inc. Regulation 5 Draft Permit - Number 5264-W

Dear Director Keogh:

The following is a supplement to my comments as submitted on February 23, 2017.

Regulation 5.901 (C) states:

Reg. 5.901(B) does not prohibit the Director from:

- (1) Issuing a permit renewal or modification for a Confined Animal Operation in the Buffalo National River Watershed with an active permit as of the effective date of this regulation; or
- (2) Issuing a new Regulation No. 5 permit for a facility which holds an active Regulation No. 6 permit or coverage as of the effective date of this regulation.

C & H's National Pollution Discharge and Elimination System (NPDES) active permit (#ARG590001) is based on flaws and misrepresentations. Records indicate that these flaws and misrepresentations were addressed in multiple letters to the Director as well as in comments with regard to modifications to the permit.

Since C & H's Regulation 5 application and the Department's Draft Permit are based almost entirely on the information contained in C & H's original permit, including the Notice of Intent and the Nutrient Management Plan, I respectfully urge the Department to reexamine the basis of its original permitting decision for ARG590001 and review ALL design, specs and calculations in the context of C & H's application for a No Discharge permit.

It is imperative that the Department consider not only the public's voice and opinions about the permit under consideration, but the permit on which the Regulation 5 application is based.

This is crucial as the Public had no chance to weigh in on the original NPDES permit issued in 2012.

Thank you for the opportunity to comment on the Draft Permit #5264-W.

Regards,
Dane Schumacher

Cc:
Kelly Robinson
Katherine McWilliams