



April 7, 2016

To: Arkansas Department of Environmental Quality
Attn: Permits Branch
5301 Northshore Drive
North Little Rock, AR 72118

From: Arkansas Farm Bureau Federation
Mr. Evan A. Teague, P.E.
Vice President, Commodity & Regulatory Affairs
P.O. Box 31
Little Rock, AR 72203

Re: EC Farms Regulation 5 Permit Modification

To whom it may concern:

The Arkansas Farm Bureau Federation welcomes the opportunity to comment on EC Farms request to modify their Regulation 5 permit from a generating, storage and land application permit to a land application only permit and allowing them to accept manure from C&H Hog Farms.

While the following not specifically a part of the EC Farms permit it is integral to the justification for the requested modification. This justification has near-term and long-term significance. As it relates to the near term significance, two years ago there were a series of meetings between Cargill and C&H's opponents during which they requested synthetic liners be installed over the already over-designed 18" compacted clay liners. C&H agreed to work with Cargill to accommodate this request and initiated the permit modification process for their CAFO General Permit. C&H recently received final approval to make these improvements. Accomplishing this in a timely manner will be dependent on weather conditions. Allowing EC Farms to accept liquid manure from C&H thus making available extra land application acreage will allow C&H to more rapidly dewater, clean and inspect their existing manure holding ponds in preparation for the new liner installation.

Longer term, manure volume generated by C&H is remaining unchanged. Applying the same amount of manure over more acres will result in lower application rates than those already being used by C&H. For example, according to C&H's most recent CAFO general permit annual report, C&H generated 2,529,000 gallons (337,875 cubic feet) of liquid manure. C&H currently has 607 acres on which to land apply liquid manure or 26,440,920 square feet. While each field has its own site specific application rate based on the Arkansas Phosphorus Index, this equates to an overall average application rate of 0.0128 feet or 0.153 inches. This is only slightly more than 1/8 inch of liquid manure per year per acre. For comparison, a normal rainfall event of this magnitude does not generate runoff.

Arkansas Farm Bureau • P.O. Box 31 • Little Rock, AR 72203-0031 • 501-224-4400

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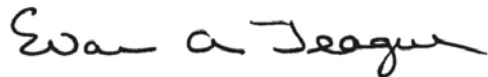
This rate assumes that all manure is applied simultaneously on every available acre which, in fact, is not how manure is managed on any farm. Manure is applied in multiple applications throughout the year according to a farm's nutrient management plan. This means the actual application rate per application event is one-half or one-third of the above calculated rate. These types of application rates barely wet the ground's surface much less cause runoff or reach groundwater. Allowing EC Farms to accept manure from C&H will make available an additional 597 acres bringing the total available application area to more than 1,200 acres. This is roughly double the land application acreage currently available to C&H. Doubling the acres available while the volume of manure the same reduces the overall average application rate to less than 1/16 inch per acre per year. Lowering application rates is more protective of water quality and the environment.

Allowing EC Farms to accept manure from C&H addresses another concern, albeit unsubstantiated, of C&H's opponents. The proximity of C&H's current land application fields have been an issue for some of C&H's opponents. All of EC Farms' fields are farther away from the Buffalo River than C&H's current land application fields. The majority of EC Farms' fields are more than 10 and up to 22 miles away from the Buffalo River. However, C&H's opponents and now by association, EC Farms' opponents, are raising concerns regarding the transportation of manure to these fields. What they refuse to acknowledge is manure has been transported to many of these fields under the previous C&C Hog Farm permit. The owners of C&C maintained an excellent compliance record with no violations . . . much as they are now with C&H.

Furthermore, most of the EC Farms land application fields have been permitted under the C&C nutrient management plan for the past 15+ years by the previous permit holders. Prior to this the permit history goes back to 1987, i.e. land application of manure on these fields has been a permitted activity for nearly 30 years. All fields have undergone recent soil testing and a new nutrient management plan has been prepared according to the Arkansas Phosphorus Index. All fields proposed to receive manure applications fall into the low to medium risk category. Even so, only now that EC Farms proposes to accept liquid manure from C&H do the National Park Service and the environmental community raise concerns about manure application to these fields.

This type of permit modification is common. If it involved any other hog farm in Arkansas besides C&H this request for modification would not be an issue. These farm families, EC Farms and C&H Hog Farms, continue to go above and beyond to address the concerns of the National Park Service and the environmental community. We encourage the Department to approve the requested modifications and allow these farm families to get on with managing their farms and living their lives.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Evan A. Teague". The signature is fluid and cursive, with a long horizontal stroke at the end.

Evan A. Teague, P.E.
Vice President, Commodity & Regulatory Affairs

From: Evan.Teague@arfb.com
To: [Water Draft Permit Comments](#)
Subject: Arkansas Farm Bureau Federation's Comments on EC Farms Permit Modification Request
Date: Thursday, April 07, 2016 3:22:39 PM
Attachments: [ARFB - Comments on Permit Modification 04-07-16.pdf](#)

Please find attached the Arkansas Farm Bureau Federation's Comments on EC Farms Permit Modification Request.

Thank you,

Evan A. Teague, P.E.
Vice President, Commodity & Regulatory Affairs

Arkansas Farm Bureau Federation
P.O. Box 31
Little Rock, AR 72203
office: (501) 228-1335
mobile: (501) 519-3033
fax: (501) 228-1846
email: evan.teague@arfb.com