

102
ADEQ

5301 Northshore Drive

North Little Rock, AR 72118-5317

VIA hand delivery at public hearing:

April 8, 2016

Dear Director Keogh and Ms. McWilliams,

Follow me, if you will, down memory lane for the 6,500 hog factory farm saga in the Buffalo River watershed.

1. 2012 C&H : Nutrient Management Plan good to go for the acreage of C&H. Public is told that the spraying fields of C&H can handle the 2 million plus gallons of wastes applied there as fertilizer, that there will be no contamination to the Buffalo River watershed.
2. 2013: In response to public outcry and concerns about potential contamination of Big Creek and Buffalo River, then Arkansas Governor sets up tax payer funded study, The Big Creek Research Extension, to monitor the effects of the swine feeding operation on the Buffalo River.
3. 2014 : Elevated E.coli found in Big Creek by BCRET. Elevated E. coli and low levels of dissolved oxygen found by National Park Service suggest impairment of Big Creek.
4. 2015 and early 2016: National Park Service and Arkansas Fish and Game request Big Creek be placed on 303d list of impaired streams. ADEQ declines, despite robust data from credible sources, to do so.
5. According to recent soil tests, in less than 3 years most of the C&H fields along Big Creek are now at "above optimum" levels of phosphorus. Big Creek is now showing signs of impairment due to low dissolved oxygen and high E. coli and is impacting the Buffalo. How long before we can expect the same for the Little Buffalo?
6. 2015 and now: EC farm application to Arkansas Department of Environmental Quality to receive up to 6 million gallons of swine waste from C&H to be applied to more fields in the Buffalo River Watershed. C&H only produces 2.1 million gallons

So now follow me back around to 2012, why is ADEQ even considering allowing C&H to truck waste to these new fields. I would contend because the so called non- polluting facility we were told C&H was "ain't a working." Such a facility should never have been permitted in this sensitive and unpredictable karst terrain. Spreading the waste on more fields in karst is a stop gap measure at best. It exchanges one set of problems for another. Such a facility has no place in the karst terrain of this region. You have a responsibility to the people of Arkansas and I would say to Mr. Henson and now I would venture Ellis Campbell who I believe has been poorly advised by your agency and other agencies as to the efficacy of this type of operation in karst terrain. Advise them correctly. Remove C&H and donot allow the expansion or proliferation of any other such facilities.

Ginny Masullo

1837 Ruppel Road, Fayetteville Ar 72704



F) One of the EC fields is within three miles of Hurricane Creek, an Extraordinary Resource Water (ERW). This ERW is also listed on the 303(d) list for bacterial contamination. ADEQ is clearly not acting in the interest of the State of Arkansas' ERW resources by allowing this additional impact on Hurricane Creek.

ADEQ must use scientific evidence to avoid further pollution of the Left Fork, Big Creek and Hurricane Creek and must adhere to their stated purpose of protecting Arkansas' most precious natural resources.

G) Heavy tanker trucks, known as honeywagons, will have to travel considerable distances from C&H to the 36 EC fields and must regularly negotiate steep winding gravel roads, as well as state highways, increasing the potential for accidents and spills and discharge to waters of the state.

H) Big Creek Research and Extension Team is already 3 years into a 5 year study of 2 C&H application fields. How will this expansion of fields affect the BCRET study? Will the current study remain valid? Will the Governor designate additional hundreds of thousands of dollars and expand the study to now monitor these additional fields?

I) ADEQ is required by EPA to implement a statewide anti-degradation policy. We strongly recommend that ADEQ implement these procedures immediately. The anti-degradation review should in all cases be done PRIOR to approval of any discharge permit, including 3540-WR-7.

Based on these concerns, the Buffalo River Coalition respectfully asks that ADEQ deny this modification of Permit 3540-WR-7, and we further request that its precursor, Permit 3540-WR-6, and all land use contracts associated with it be voided.

Submitted on behalf of the Buffalo River Coalition at April 8 Public Hearing

Lenny Masullo
1837 Ruffe Rd.
Fay AR 72704

Giny Masullo
1837 Ruppel Road
Ray AR 72704

ADEQ

APRIL 8

3540-WR-7