

ADEQ

ARKANSAS
Department of Environmental Quality

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (91 7199 9991 7035 3535 0625)

MAR 07 2016

Hank Bates
Carney Bates & Pulliam, PLLC
11311 Arcade Drive
Suite 200
Little Rock, AR 72212

Re: Notice of Draft Permit for Modification
Permit No.: 3540-WR-7; AFIN 51-00020

Dear Mr. Bates:

This letter is to give notice that the Office of Water Quality of the Arkansas Department of Environmental Quality (ADEQ) has issued a draft permit decision for permit number 3540-WR-7 to land apply swine waste only from C&H Hog Farms in accordance with APC&EC Regulation 5.

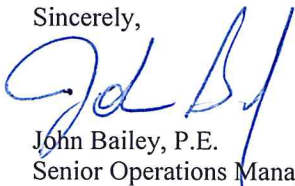
Ellis Campbell
EC Farms
P.O. Box 52
Vendor, AR 72683

The enclosed public notice will be published on March 9, 2016 in the Newton County Times. A public hearing and meeting will be held on April 11, 2016. The attached public notice provides all necessary information as it relates to the application.

EC Farms has requested a modification which will convert their existing permit for a swine operation into a land application site only permit, in accordance with APC&EC Regulation 5.601. The proposed modification prohibits EC Farms from accepting waste from any source other than C&H Hog Farm (C&H). This will make an additional 557.8 acres available for land application by C&H. The proposed modification would not increase the total volume of waste permitted to be land applied under the existing EC Farms permit. ADEQ has determined the requested permit modification is consistent with the existing moratorium for swine operations in the Buffalo River Watershed because it will not result in an increase in the number of swine and the underlying EC Farms permit was an active permit on the effective date of the moratorium. A copy of the proposed draft permit may be found on the ADEQ's website at www.adeq.state.ar.us.

If after review of the attached public notice there are any questions concerning this submittal, please contact Katherine McWilliams of my staff at (501) 682-0651 or by email at mcwilliamsk@adeq.state.ar.us.

Sincerely,



John Bailey, P.E.
Senior Operations Manager
Office of Water Quality

Enclosure

PUBLIC NOTICE OF DRAFT MODIFICATION NO-DISCHARGE PERMIT
PERMIT NUMBER 3540-WR-7
AFIN 51-00020

This is to give notice that the Arkansas Department of Environmental Quality (ADEQ) Office of Water Quality, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317 at telephone number (501) 682-0648, proposes a draft modification of the permit for which an application was received on August 5, 2015, with additional information received August 17, 2015, September 16, 2015, and December 10, 2015 for the following applicant under the Arkansas Water and Air Pollution Control Act.

Applicant: Ellis Campbell, P.O. Box 52, Vendor, AR 72683. The land application sites are on numerous farm fields in Newton County. For a more detailed description of the locations for each land application site, refer to Part II of the draft permit or the site management plan. These documents may be accessed by searching the permit number listed above at the following website:

<http://www.adeq.state.ar.us/home/pdssql/pds.aspx>

The permit is being modified to convert from storage and land application of swine waste from EC Farms to only land application of swine waste from C&H Hog Farms, Inc. in accordance with APC&EC Reg. 5.601.

ADEQ's contact person for submitting written comments, requesting information regarding the draft permit, or obtaining a copy of the permit and the Statement of Basis is Katherine McWilliams, at the above address and telephone number, or at Water-Draft-Permit-Comment@adeq.state.ar.us. For those with internet access, a copy of the proposed draft permit may be found on the ADEQ's website at www.adeq.state.ar.us.

Public Meeting and Hearing

A public meeting and hearing will be held April 11, 2016 beginning at 6:00 p.m. Central Time at the Jasper School District Cafetorium, 600 School Street, in Jasper, AR in Newton County to accept comments on the draft permit. Written and oral statements may be submitted regarding the draft permit to the Hearing Officer for consideration at the Public Hearing. No additional public comments will be accepted upon adjourning the Public Hearing. Enter the school building at the clock tower. In the event of inclement weather or other unforeseen circumstances, a decision may be made to postpone the hearing. If the hearing is postponed and rescheduled, a new legal notice will be published to announce the details of the new hearing date and comment period.

The deadline for submitting written comments on the proposal prior to the April 11, 2016, public hearing is 4:30 p.m. (Central Time) April 8, 2016. The comment period will be re-opened at the hearing for oral and written comments, but will close when the hearing adjourns.

Comments and public hearing procedures may be found at Regulation No. 8 (Administrative Procedures). All persons, including the permittee, who wish to comment on ADEQ's draft decision to modify the permit must submit written comments to ADEQ, along with their name and mailing address. After the public comment period and public hearing, ADEQ will issue a final permitting decision. ADEQ will notify the applicant and each person who has submitted written comments or requested notice of the final permitting decision. Any interested person who has submitted comments may appeal a final decision by ADEQ in accordance with the Regulation No. 8.