

Jason Henson
C & H Hog Farms, Inc.
HC 72 Box 10
Mount Judea, AR 72655

May 7, 2015

**Re: Major Modification Request – Waste Storage Pond Liners and Cover
AFIN: 51-00164, Permit No.: ARG590001**

Mr. John Bailey
Permit Branch Manager
Water Division
Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Dear Mr. Bailey:

C & H Hog Farms, Inc. is seeking the Department's approval of a major modification request to install pond liners in Waste Storage Ponds 1 and 2. A methane flare system and cover will be installed over Waste Storage Pond 1. This is the only revision we are seeking at this time.

Enclosed are the Notice of Intent (NOI), ADEQ Form 1, Disclosure Statement, and Design plans.

Please do not hesitate to contact me if you have any questions or concerns regarding this request.

Respectfully,

Jason Henson
Jason Henson
C & H Hog Farms, Inc.

Enclosures

Arkansas Department of Environmental Quality
NPDES PERMIT APPLICATION
FORM 1

INSTRUCTIONS:

1. This form should be **typed or printed in ink**. If insufficient space is available to address any item please continue on an attached sheet of paper.
2. Please complete the following Section(s). If a Section is not required, please check the Not Applicable (N/A) box at the top of the Section.

| Sections | A | B | C | D | E | F | G | H | I |
|--------------------------|---|---|---|---|---|---|---|---|---|
| POTW | X | X | X | X | | | | | X |
| Industrial User | X | X | X | X | X | X | X | | X |
| Construction Permit Only | X | X | * | X | | | | X | X |
| Modification | X | X | X | X | X | * | * | X | X |
| All Other Applicants | X | X | X | X | X | | | | X |

* As necessary

3. If you need help on SIC or NAICS go to www.osha.gov/oshstats/sicser.html
4. If you have any questions about this form you may call NPDES Section at 501-682-0622 or go to www.adeq.state.ar.us/water. You may also contact :

| | | |
|-------------------------------|--------------------------|--------------|
| Department | Information in Regard to | Telephone # |
| Arkansas Department of Health | Water Supply | 501-661-2623 |

5. The following EPA Forms in addition to Form 1 is required for processing your application:
 - Form 2A** - Municipal Dischargers
 - Form 2B** - Concentrated Animal Feeding Operations
 - Form 2C** - Existing Manufacturing, Commercial, Mining, and Silvicultural Operations
 - Form 2D** - New Sources and New Dischargers Application for Permit to Discharge Process Wastewater
 - Form 2E** - Facilities Which Do Not Discharge Process Wastewater (i.e. Domestic, Non contact cooling water)
 - Form 2F** - Application for Permit to Discharge Storm Water Discharges Associated With Industrial Activity

6. Where to Submit

Return the completed form by mail to:

Arkansas Department of Environmental Quality
 Permits Branch, Water Division
 5301 Northshore Drive
 North Little Rock, AR 72118

Or by email to:

Water.Permit.Application@adeq.state.ar.us

SECTION I: SIGNATORY REQUIREMENTS

Cognizant Official (Duly Authorized Representative)

40 CFR 122.22(b) states that all reports required by the permit, or other information requested by the Director, shall be signed by the applicant (or person authorized by the applicant) or by a duly authorized representative of that person. A person is duly authorized representative only if:

- (1) the authorization is made in writing by the applicant (or person authorized by the applicant);
- (2) the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity responsibility, or an individual or position having overall responsibility for environmental matters for the company.

The applicant hereby designates the following person as a Cognizant Official, or duly authorized representative, for signing reports, etc., including Discharge Monitoring Reports (DMR) required by the permit, and other information requested by the Director:

Signature of Cognizant Official: Philip Campbell Date: 5/7/15
Printed name of Cognizant Official: Philip Campbell
Official title of Cognizant Official: Secretary Telephone Number: 870-715-0754

Responsible Official

The information contained in this form must be certified by a responsible official as defined in the "signatory requirements for permit applications" (40 CFR 122.22).

Responsible official is defined as follows:

Corporation, a principal officer of at least the level of vice president

Partnership, a general partner

Sole proprietorship: the proprietor

Municipal, state, federal, or other public facility: principal executive officer, or ranking elected official.

JH (Initial) "I certify that the cognizant official designated above is qualified to act as a duly authorized representative under the provisions of 40 CFR 122.22(b)." NOTE: If no duly authorized representative is designated in this section, the Department considers the applicant to be the responsible official for the facility and only reports, etc., signed by the applicant will be accepted by the Department.

JH (Initial) "I certify that, if this facility is a corporation, it is registered with the Secretary of State in Arkansas. Please provide the full name of the corporation if different than that listed in Section A above."

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. I further certify under penalty of law that all analyses reported as less than detectable in this application or attachments thereto were performed using the EPA approved test method having the lowest detection limit for the substance tested."

Signature of Responsible Official: Jason Henson Date: 5/7/15
Printed name of Responsible Official: Jason Henson
Official title of Responsible Official: President Telephone Number: 870-688-1318

NPDES Notice of Intent (NOI)
Concentrated Animal Feeding Operations(CAFO)
ARG590000

| I. GENERAL INFORMATION | | |
|---|---|---|
| A. TYPE OF BUSINESS | B. CONTACT INFORMATION | C. FACILITY OPERATION STATUS |
| Concentrated Animal Feeding Operation | Owner/or Operator Name <u>Jason Henson</u> Address (No-POBOX) <u>HC 72 Box 10</u> Telephone: <u>870-688-1318</u> Email: <u>jasonh_1995@yahoo.com</u> City <u>Mount Judea</u> State: <u>AR</u> Zip Code <u>72655</u> | <input checked="" type="checkbox"/> 1. Existing Facility <input type="checkbox"/> 2. Proposed Facility |
| D. FACILITY INFORMATION Name: <u>C & H Hog Farms</u> Telephone: <u>870-688-1318</u> Address: <u>HC 72 Box 10</u> City: <u>Mount Judea</u> State: <u>AR</u> Zip Code: <u>72655</u> County: <u>Newton</u> Latitude: <u>35.55' 13.6"</u> Longitude: <u>-93.4' 51.0"</u> If contract operation: Name of Integrator: _____ Address of Integrator: _____ | | |
| II CONCENTRATED ANIMAL FEEDING OPERATION CHARACTERISTICS | | |
| A. TYPE AND NUMBER OF ANIMALS | B. Manure, Litter, and/or Wastewater Production and Use | |
| | 1. How much manure, litter, and wastewater is generated annually by the facility?tons <u>2,090,081</u> gallons 2. If land applied how many acres of land under the control of the applicant are available for applying the CAFOs manure/litter/wastewater? <u>630.7</u> acres 3. How many tons of manure or litter, or gallons of wastewater produced by the CAFO will be transferred annually to other persons? <u>0</u> tons/gallons (circle one) | |
| | 2. ANIMALS | |
| 1. TYPE | NO. IN OPEN CONFINEMENT | NO. HOUSED UNDER ROOF |
| <input type="checkbox"/> Mature Dairy Cows | | |
| <input type="checkbox"/> Dairy Heifers | | |
| <input type="checkbox"/> Veal Calves | | |
| <input type="checkbox"/> Cattle (not dairy or veal calves) | | |
| <input checked="" type="checkbox"/> Swine (55 lbs. or over) | | 2,503 |
| <input checked="" type="checkbox"/> Swine (under 55 lbs.) | | 4,000 |
| <input type="checkbox"/> Horses | | |

| | | | |
|--|--|-------|--|
| <input type="checkbox"/> Sheep or Lambs | | | |
| <input type="checkbox"/> Turkeys | | | |
| <input type="checkbox"/> Chickens (Broilers) | | | |
| <input type="checkbox"/> Chickens (Layers) | | | |
| <input type="checkbox"/> Ducks | | | |
| <input type="checkbox"/> Other Specify..... | | | |
| 3. TOTAL ANIMALS | | 6,503 | |

C. TOPOGRAPHIC MAP

D. TYPE OF CONTAINMENT, STORAGE AND CAPACITY

| 1. Type of Containment | Total Capacity (in gallons) | |
|--|-----------------------------|--|
| <input type="checkbox"/> Lagoon | | |
| <input checked="" type="checkbox"/> Holding Pond | 2,735,922 | |
| <input type="checkbox"/> Evaporation Pond | | |
| <input checked="" type="checkbox"/> Other: Specify <u>Shallow Pits</u> | 759,542 | |

2. Report the total number of acres contributing drainage: 0 acres

| 3. Type of Storage | Total Number of Days | Total Capacity (gallons/tons) | |
|--|----------------------|-------------------------------|--|
| <input type="checkbox"/> Anaerobic Lagoon | | | |
| <input type="checkbox"/> Storage Lagoon | | | |
| <input type="checkbox"/> Evaporation Pond | | | |
| <input type="checkbox"/> Aboveground Storage Tanks | | | |
| <input type="checkbox"/> Belowground Storage Tanks | | | |
| <input type="checkbox"/> Roofed Storage Shed | | | |
| <input type="checkbox"/> Concrete Pad | | | |
| <input type="checkbox"/> Impervious Soil Pad | | | |
| <input type="checkbox"/> Other: Specify _____ | | | |

E. NUTRIENT MANAGEMENT PLAN

Note: A permit application is not complete until a nutrient management plan (NMP) is submitted with NOI.

1. Please indicate whether a nutrient management plan has been included with this permit application. Yes No (STOP)
2. Is a nutrient management plan being implemented for the facility? Yes No
3. The date of the last review or revision of the nutrient management plan. Date: May 7, 2015
4. If not land applying, describe alternative use(s) of manure, litter, and or wastewater:

F. LAND APPLICATION BEST MANAGEMENT PRACTICES

Please check any of the following best management practices that are being implemented at the facility to control runoff and protect water quality:

- Buffers Setbacks Conservation tillage Constructed wetlands Infiltration field Grass filter Terrace

III. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. Name and Official Title (*print or type*)
Jason Henson, President

B. Phone No. (870) 688-1318

C. Signature

Jason Henson

D. Date Signed 5/7/15

INSTRUCTIONS FOR DISCLOSURE STATEMENT

Arkansas Code Annotated Section 8-1-106 requires that all applicants for the issuance, or transfer of any permit, license, certification or operational authority issued by the Arkansas Department of Environmental Quality (ADEQ) file a disclosure statement with their applications. The filing of a disclosure statement is mandatory. No application can be considered complete without one.

Disclosure statement means a written statement by the applicant that contains:

- The full name and business address of the applicant and all affiliated persons;
- The full name and business address of any legal entity in which the applicant holds a debt or equity interest of at least five percent (5%) or that is a parent company or subsidiary of the applicant, and a description of the ongoing organizational relationships as they may impact operations within the state;
- A description of the experience and credentials of the applicant, including any past or present permits, licenses, certifications, or operational authorizations relating to environmental regulation;
- A listing and explanation of any civil or criminal legal actions by government agencies involving environmental protection laws or regulations against the applicant and affiliated persons in the ten (10) years immediately preceding the filing of the application, including administrative enforcement actions resulting in the imposition of sanctions, permit or license revocations or denials issued by any state or federal authority, actions that have resulted in a finding or a settlement of a violation, and actions that are pending;
- A listing of any federal environmental agency and any other environmental agency outside this state that has or has had regulatory responsibility over the applicant; and
- Any other information the Director of the Arkansas Department of Environmental Quality may require that relates to the competency, reliability, or responsibility of the applicant and affiliated persons.

Exemptions:

The following persons or entities are not required to file a disclosure statement:

- Governmental entities, consisting only of subdivisions or agencies of the federal government, agencies of the state government, counties, municipalities, or duly authorized regional solid waste authorities as defined by § 8-6-702. (This exemption shall not extend to improvement districts or any other subdivision of government which is not specifically instituted by an act of the General Assembly.)
- Applicants for a general permit to be issued by the department pursuant to its authority to implement the National Pollutant Discharge Elimination System for storm water discharge.
- If the applicant is a publicly held company required to file periodic reports under the Securities and Exchange Act of 1934 or a wholly owned subsidiary of a publicly held company, the applicant shall not be required to submit a disclosure statement, but shall submit the most recent annual and quarterly reports required by the Securities and Exchange Commission which provide information regarding legal proceedings in which the applicant has been involved. The applicant shall submit such other information as the director may require that relates to the competency, reliability, or responsibility of the applicant and affiliated persons.

Exemptions continued:

The following permits, licenses, certifications, and operational authorizations are also exempt from submitting a disclosure statement:

- **Hazardous Waste Treatment, Storage, and Disposal Permit Modifications (Class 1, 2, and 3), as defined in Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation 23;**
- **Phase 1 Consultants, as defined in APC&EC Regulation 32;**
- **Certifications for Operators of Commercial Hazardous Waste Facilities, as defined in APC&EC Regulation 23 § 264.16(f);**
- **Regulated Storage Tank Contractor or Individual License Renewals as defined in APC&EC Regulation 12;**
- **Certifications for Persons Operating and Maintaining Underground Storage Tank Systems which Contain Regulated Substances, as defined in APC&EC Regulation 12.701, *et. seq.*;**
- **Individual Homeowners seeking coverage under General Permit ARG5500000;**
- **Wastewater Operator Licenses, as defined in APC&EC Regulation 3;**
- **Water Permit Modifications for permits issued under the authority of the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. §8-4-101, *et. seq.*);**
- **Solid Waste Permit Modifications for permits issued under APC&EC Regulation 22;**
- **Solid Waste Landfill Operator License Renewals, as defined in Regulation No. 27;**
- **Air Permit Modifications for permits issued under APC&EC Regulations 18, 19, and 26; and**
- **Asbestos Certification Renewals, as defined in Regulation 21.**

Deliberate falsification or omission of relevant information from disclosure statements shall be grounds for civil or criminal enforcement action or administrative denial of a permit, license, certification, or operational authorization.

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY DISCLOSURE STATEMENT

Instructions for the Completion of this Document:

- A. Individuals, firms or other legal entities with no changes to an ADEQ Disclosure Statement, complete items 1 through 5 and 18.
- B. Individuals who never submitted an ADEQ Disclosure Statement, complete items 1 through 4, 6, 7, and 16 through 18.
- C. Firms or other legal entities who never submitted an ADEQ Disclosure Statement, complete 1 through 4, and 6 through 18.

If Not Submitting by ePortal, Mail Original to:

ADEQ

DISCLOSURE STATEMENT

[List Proper Division(s)]

5301 Northshore Drive

North Little Rock, AR 72118-5317

1. APPLICANT: (Full Name)

C & H Hog Farms, Inc.

2. MAILING ADDRESS (Number and Street, P.O.Box Or Rural Route) :

HC 72 Box 10

3. CITY, STATE, AND ZIPCODE:

Mount Judea, AR 72655

4a. Applicant Type:

Individual Corporate or Other Entity

4b. Reason for Submission:

Permit License Certification Operational Authority

New Application Modification Renewal Application (If no changes from previous disclosure statement, complete number 5 and 18.)

4c. Division:

Air Water Hazardous Waste Regulated Storage Tank Mining Solid Waste

5. Declaration of No Changes:

The violation history, experience and credentials, involvement in current or pending environmental lawsuits, civil and criminal, have not changed since the last Disclosure Statement that was filed with ADEQ on 6/5/12

6. Describe the experience and credentials of the Applicant, including the receipt of any past or present permits, licenses, certifications or operational authorization relating to environmental regulation. (Attach additional pages, if necessary.)

C & H Hog Farms, Inc has been in operation for over two years. Prior to that time, Richard and Philip Campbell jointly operated C & C Hog Barn for twelve (12) years.

C & H Hog Farms, Inc operates in full compliance with state and federal regulations and currently holds a Regulation 6 permit.

7. List and explain all civil or criminal legal actions by government agencies involving environmental protection laws or regulations against the Applicant * in the last ten (10) years including:

1. Administrative enforcement actions resulting in the imposition of sanctions;
2. Permit or license revocations or denials issued by any state or federal authority;
3. Actions that have resulted in a finding or a settlement of a violation; and
4. Pending actions.

(Attach additional pages, if necessary.)

To date, there have been no civil or criminal legal actions by government agencies involving environmental protection laws or regulations against the applicant and affiliated persons in the past ten (10) years immediately preceding the filing of this application, nor have there been any administrative enforcement actions resulting in the imposition of sanctions, permit or license revocations or denials issued by any state or federal authority against Jason Henson, Richard Campbell, or Philip Campbell.

*** Firms or other legal entities shall also include this information for all persons and legal entities identified in sections 8-16 of this Disclosure Statement.**

8. List all officers of the Applicant. (Add additional pages, if necessary.)

NAME: Jason Henson TITLE: President
STREET: HC 72 Box 10
CITY, STATE, ZIP: Mount Judea, AR 72655

NAME: Richard Campbell TITLE: Vice-President
STREET: P.O. Box 45
CITY, STATE, ZIP: Vendor, AR 72683

NAME: Philip Campbell TITLE: Secretary
STREET: P.O. Box 41
CITY, STATE, ZIP: Vendor, AR 72683

9. List all directors of the Applicant. (Add additional pages, if necessary.)

NAME: Jason Henson TITLE: President
STREET: HC 72 Box 10
CITY, STATE, ZIP: Mount Judea, AR 72655

NAME: Richard Campbell TITLE: Vice-President
STREET: P.O. Box 45
CITY, STATE, ZIP: Vendor, AR 72683

NAME: Philip Campbell TITLE: Secretary
STREET: P.O. Box 41
CITY, STATE, ZIP: Vendor, AR 72683

10. List all partners of the Applicant. (Add additional pages, if necessary.)

NAME: Jason Henson TITLE: President
STREET: HC 72 Box 10
CITY, STATE, ZIP: Mount Judea, AR 72655

NAME: Richard Campbell TITLE: Vice-President
STREET: P.O. Box 45
CITY, STATE, ZIP: Vendor, AR 72683

NAME: Philip Campbell TITLE: Secretary
STREET: P.O. Box 41
CITY, STATE, ZIP: Vendor, AR 72683

11. List all persons employed by the Applicant in a supervisory capacity or with authority over operations of the facility subject to this application.

NAME: Jason Henson TITLE: President
STREET: HC 72 Box 10
CITY, STATE, ZIP: Mount Judea, AR 72655

NAME: Richard Campbell TITLE: Vice-President
STREET: P.O. Box 45
CITY, STATE, ZIP: Vendor, AR 72683

NAME: Philip Campbell TITLE: Secretary
STREET: P.O. Box 41
CITY, STATE, ZIP: Vendor, AR 72683

12. List all persons or legal entities, who own or control more than five percent (5%) of the Applicant's debt or equity.

NAME: Jason Henson TITLE: President

STREET: HC 72 Box 10

CITY, STATE, ZIP: Mount Judea, AR 72655

NAME: Richard Campbell TITLE: Vice-President

STREET: P.O. Box 45

CITY, STATE, ZIP: Vendor, AR 72683

NAME: Philip Campbell TITLE: Secretary

STREET: P.O. Box 41

CITY, STATE, ZIP: Vendor, AR 72683

13. List all legal entities, in which the Applicant holds a debt or equity interest of more than five percent (5%).

NAME: TITLE:

STREET:

CITY, STATE, ZIP:

NAME: TITLE:

STREET:

CITY, STATE, ZIP:

NAME: TITLE:

STREET:

CITY, STATE, ZIP:

14. List any parent company of the Applicant. Describe the parent company's ongoing organizational relationship with the Applicant.

NAME:

STREET:

CITY, STATE, ZIP:

Organizational Relationship:

15. List any subsidiary of the Applicant. Describe the subsidiary's ongoing organizational relationship with the Applicant.

NAME:

STREET:

CITY, STATE, ZIP:

Organizational Relationship:

16. List any person who is not now in compliance or has a history of noncompliance with the environmental laws or regulations of this state or any other jurisdiction and who through relationship by blood or marriage or through any other relationship could be reasonably expected to significantly influence the Applicant in a manner which could adversely affect the environment.

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

17. List all federal environmental agencies and any other environmental agencies outside this state that have or have had regulatory responsibility over the Applicant.

18. VERIFICATION AND ACKNOWLEDGEMENT

The Applicant agrees to provide any other information the director of the Arkansas Department of Environmental Quality may require at any time to comply with the provisions of the Disclosure Law and any regulations promulgated thereto. The Applicant further agrees to provide the Arkansas Department of Environmental Quality with any changes, modifications, deletions, additions or amendments to any part of this Disclosure Statement as they occur by filing an amended Disclosure Statement.

DELIBERATE FALSIFICATION OR OMISSION OF RELEVANT INFORMATION FROM DISCLOSURE STATEMENTS SHALL BE GROUNDS FOR CIVIL OR CRIMINAL ENFORCEMENT ACTION OR ADMINISTRATIVE DENIAL OF A PERMIT, LICENSE, CERTIFICATION OR OPERATIONAL AUTHORIZATION.

COMPLETE THIS SECTION ONLY IF SUBMITTING OTHER THAN BY EPORTAL:

I, Jason Henson _____, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violation.

APPLICANT

SIGNATURE: Jason Henson

TITLE: President

DATE: 5/7/15

From: [C. H Hog Farms, Inc.](#)
To: [Water Permit Application](#)
Cc: [Bailey, John](#)
Subject: Major Modification Request - C & H Hog Farms Pond Liners & Cover
Date: Thursday, May 07, 2015 1:12:13 PM
Attachments: [Signed 5-7-15 Letter to ADEQ re Major Modification - Pond Liners and Cover.zip](#)
[Signed NOI 5-7-15.zip](#)
[Signed NPDES Permit Application Form 1 - C & H Hog Farms - Pond Liner.zip](#)
[Signed Disclosure Statement 5-7-15.zip](#)

Please see the attached letter outlining our request.

Thank you,
Jason Henson