

From: [Carol Bitting](#)
To: [Water Draft Permit Comments](#)
Subject: ARG590000 Permit Modification Request
Date: Friday, April 17, 2015 9:10:03 AM

I am resending as I was unable to view my comment and it is important that all comments be viewable.

Permit # ARG59000 Modification Comments Water Division ADEQ

Please deny modification. This permit has many already noted discrepancies. C & H did not have the equipment the permit listed to begin the operation of this CAFO. The permit should be withdrawn and the owners held responsible for signing a permit that is misleading.

Section B 6, 7 & 8 should be noted and changed due to close proximity to the school and the town of Mt. Judea. Check applications of the fields surrounding the school and to the SW where prevailing winds carry the feces to the students at play. Pond 1 and its health effects on the local public should be taken into consideration, not to mention if Pond 2 is also allowed to be applied by Vac tanker.

There have been a few changes made already that either required public notice or was done without notice such as listed below;

C & H original May 24th, 2012 permit Section J included the use of an In-vessel Composter called a BIOvator. It states that if the BIOvator isn't functioning then the mortalities will be picked up within 24 hours and rendered. An inspection to C & H dated 7/23/2013 states

. 2.) No means of managing farm mortality was observed onsite. The facility NMP calls for composting and rendering; however, no equipment or structures for managing this waste stream was observed onsite. Since the farm will soon be in full production and will be generating a steady waste stream of dead pigs and afterbirth, the composting and/or rendering equipment mentioned in the NMP must be onsite and capable of managing such waste.

Jan 23, 2014, Jason Bolenbaugh photographed the incinerators and by April 13, 2014 Section J was changed without public notification to include the use of incinerators. It is apparent that C & H did not have the equipment originally permitted.

On 2/19/2014 the public was again notified that C & H had a modification request for; *Allowing land application via Vac Tanker method on Fields 7-9.* Again it is noted that C & H did not have the sprinkler system the original permit specified.

Today we are back again with another modification. The public is again asked to comment.

The permit is full of discrepancies such as Field 5, 12 and 16 have owners that did not sign up to have their fields sprayed with hog waste, in fact the owners declined permission to Jason Henson but their fields were included in the permit anyway. I checked the NOI

submitted and it still shows the same field discrepancies and the incorrect owners.

The Big Creek Research Team refers to removing the top water from pond 2 and rinsing the barns, this water then returns to Pond 1, isn't this applying pond 2 to the fields even though it hasn't gone thru modification yet?

Do we really want to continue modifying a permit that has so many discrepancies and these are only a few? The National Park Service, Earth Justice and many other people have shown that this permit and the NMP are filled with discrepancies.

I still believe that on page 12 of the NOI this statement that says:

The nutrient management plan was developed based on compliance criteria described in the following documents: t81 Arkansas Pollution Control and Ecology Commission Regulation 5 dated March 28, 2008 t81 USDA, Natural Resources Conservation Service (NRCS) conservation practice standard Nutrient Management ("590") dated December 2004

and because this is a document included in the NOI that not only REG 6 must be followed but it must comply with the criteria described in REG 5 and NM 590.

Below are two pages from the NOI 2012 & 2014 signed by Jason Henson in which he states all attachments are true, accurate and complete. It is obvious that the reason for continually modifying the permit is that the documents were not true, accurate or complete.

There is a 3rd NOI, but I'm not going to list the all discrepancies such as landowners, maps, soil samples etc. also signed by Jason Henson as true, accurate and complete.

Sincerely,
Carol Bitting
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