



March 9, 2015

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**VIA FIRST CLASS MAIL
AND ELECTRONIC DELIVERY**

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Re: 2014 Annual Report for C&H Hog Farms, Inc. and Letter of
Incompleteness, NPDES Permit No. ARG590001, File AFIN 51-00164

Dear Director and Deputy Director:

This letter is in regards to recent documents submitted by C&H Hog Farms, Inc. in response to your Letter of Incompleteness, dated January 9, 2015, pertaining to their 2014 Annual Report. In particular, our comments refer to the 2014 Annual Report, the Revised Comprehensive Nutrient Management Plan, dated January 26, 2015, and the 2014 Annual Report Aggregate Phosphorus Index (PI) Spreadsheets.

2014 Annual Report

We note that Nutrient Management Plan (NMP) Revisions were prepared for Winter (dated 12/18/13), Spring (4/3/14), and Summer (undated). Between Spring and Summer the PI Ranges for some fields were revised upwards from Low to Medium, specifically fields 2, 3, 7, 9, 11,12, and 16. In our analysis of the increasing Phosphorus Index (PI) Ranges, we note several apparent deviations from the permit:

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- 1) The Revised Universal Soil Loss Equation (RUSLE) values, a measure of erosion rates, have been changed without explanation. They are much lower than in the original NMP and it appears that low values were used in place of high values without explanation. These are extremely important values for calculating the P index and are not values which should be changing rapidly over time. An explanation for this change should be required.
- 2) Field application areas have been significantly reduced to 335 acres with no explanation or mapping. There is no way to determine slopes, where soil samples were taken or where waste was applied.
- 3) Soil Test Phosphorus (STP) variations were significant with large declines on fields 1,7,10, and 17 and large increases on fields 3,8, and 12. Because there are no maps indicating soil sampling locations these unexplained variations raise serious questions about their accuracy. Missing data should be provided by C&H.
- 4) While the Winter Revision does not appear to show over application, we note that nearly the full annual allowed rate of Phosphorus (P) was applied on fields 3, 15 and 17 even though crops were dormant. This would appear to be a case of waste disposal rather than nutrient management and is exactly the type of disposal practice which should be prohibited in the Buffalo River Watershed.

2014 Annual Report Aggregate Phosphorus Index Spreadsheets

These spreadsheets, submitted in response to your request for seasonal, rather than annual, data, appear to be based on assumptions and data which are not supplied. They deviate significantly from the data provided in the Revised NMP and require further explanation.

- 1) The columns for "Field Area (ac)" and "Appl Area (ac)" deviate significantly from those in the Revised NMP and account for a total of only 60 acres without explanation.

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- 2) No data is provided on the amount of N (nitrogen) or P (phosphorus) applied to each field, which makes it difficult to assure that application rates have not been exceeded. This data should be provided in a Field Nutrient Application Planning spreadsheet, on a per acre and per field basis, as was provided in the NMP.
- 3) The RUSLE1 and RUSLE2 values now are identical and differ significantly from those contained in the NMP without explanation.
- 4) The Best Management Practices spreadsheets include data on fields 1-4, 12 and 13 only. No data on the remaining fields is provided. The data which is provided shows the P Index values for all fields as "low". This deviates significantly from the Revised NMP values and requires explanation.
- 5) The Aggregate Split Application Table shows only the gallons applied, not the gallons approved, and provides no data on the content of N and P per gallon, again making it difficult to determine if application rates have been exceeded.
- 6) The same table, when the figures are added, shows a Yearly Total gallons applied to all fields of 2,367,400 gallons. The 2014 Annual Report states 2,614,059 gallons of waste produced and the Revised NOI states 2,090,081 gallons. There is a significant deviation between these numbers. Which is correct?

We contend that the above noted issues, including modified RUSLE values, changing field dimensions without providing a map, apparently missing data, unexplained assumptions, and deviations from the Nutrient Management Plan, together constitute a substantial modification of the permit requiring that the full permit be reopened for public comment and review.

Sincerely,



Monica K. Reimer
Attorney

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On behalf of:



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Arkansas Canoe Club



Jack Stewart
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