

**VIA EMAIL ([Water-Draft-Permit-Comment@adeq.state.ar.us](mailto:Water-Draft-Permit-Comment@adeq.state.ar.us).)  
and as an oral comment on March 24, 2014 at Jasper public meeting**

March 23, 2014

Ms. Teresa Marks  
Water Division  
Arkansas Department of Environmental Quality  
5301 Northshore Drive  
North Little Rock, Arkansas 72118-5317

**Re: C & H Farms  
Modified Draft Permit ARG590001 AFIN 51-00164**

Dear Director Marks:

My comments below regard the modified portion of the permit as revised by C & H Hog Farm (hereinafter referred to as C & H) on February 17, 2014.

I respectfully request that you deny the request for a permit modification based on the following comments, taken in part or in whole.

1) I oppose ADEQ's decision to consider a modification of the C&H Hog Farms, Inc. CAFO permit without **reopening the permit in its entirety.**

It is common knowledge that this hog CAFO permit was granted without any public comment because of serious flaws in ADEQ's public notice process. As a result, ADEQ permitted a CAFO that is allowed to spread over 2 million gallons of odoriferous wastewater a year on lands directly abutting a major tributary of the Buffalo River and within hailing distance of a public school. It did so without any consideration of this area's well-known karst geology which has a serious potential for allowing rapid underground flow of the polluted water into the Buffalo River. ADEQ now has in its possession the underground studies performed by the University of Arkansas. Those studies demonstrate the existence of underground features that would **allow rapid** underground flow in the floodplain of Big Creek where C&H wants to spread its waste.

Allowing C&H operations to move forward without a thorough and complete review of the permit in its entirety is counter to the spirit and intent of Arkansas statutes and the federal Clean Water Act. The operations of this CAFO pose threats to the Buffalo River Watershed and to the health and livelihood of the people who live in the surrounding area.

I respectfully request that the modification be denied and ADEQ should immediately require a reopening of the C&H permit in its entirety.

2) **A comprehensive air quality monitoring station should be installed** at the Mt Judea school as a condition of the requested permit modification.

One of the requirements of the General Permit (ARG590000) is that the NMP be developed in accordance with the Arkansas NRCS Conservation Practice Standard Code 590 (Nutrient Management). Code 590 states that "To address air quality concerns caused by odor, nitrogen, sulfur and/or particulate emissions, the source, timing, amount, and placement of nutrients must be adjusted to minimize the negative impact of these emissions on the environment and human health.

- Field 7 is within 250 feet of the school grounds and within 1100 feet of the school buildings. The Mt Judea town center including a restaurant, church, convenience store and US post office (all public gathering places) are a short distance away.

-Field 7 is within 300-400 feet of at least two residences and a cemetery.

- Field 7 is west of all of these occupied buildings, the direction from which the prevailing wind comes.

Due to the close proximity of Field 7 to the Mt Judea school and, and due to the known health risks of chronic exposure to swine waste particularly among children and the elderly, ADEQ should require that a comprehensive air quality monitoring station be permanently installed at the Mt Judea school. This station should monitor for ammonia, hydrogen sulfide, airborne particulates and other components of swine waste known to be hazardous to human health. Results of air monitoring should be made regularly available to the public and the Mt Judea school principal and Mt Judea town officials should be notified in advance of any field applications so that appropriate measures can be taken to minimize exposure of students, staff and the public.

3) **An accurate and complete NOI should be required.**

The C & H request for permit modification included the submission of a revised NOI. With the exception of a couple of pages, the revised NOI is identical to the original NOI. Both the original and revised NOI contain information known to be inaccurate including misidentification of the spray fields and misinformation in the spray field leases. Prior to the submission of the revised NOI, C & H owners were made aware of these inaccuracies (see Inspection Reports 1 and 2) yet they knowingly submitted a substantially unchanged, and still inaccurate, revised NOI.

I respectfully request that ADEQ deny the requested permit modification until a correct and complete revised NOI has been submitted for public review and comment.

4) **Fields 7, 8 and 9 should be required to be included in the Big Creek Research Study** as a condition of the requested modification.

Field 7 is problematic in several regards, including the fact that it is adjacent to Big Creek and is "occasionally flooded", it is in close proximity to the Mt Judea K-12 school and town center, it is "above optimum" in soil test phosphorus levels and has no P-Index assigned, and it is high-use and representative. It should be included in the Big Creek Study. However, according to public records, certain fields, including Field 7, are "off-limits" to the research team. According to the Memorandum of Agreement ADEQ has the responsibility to "Assist the University with obtaining access to conduct the study...". Therefore ADEQ should facilitate the inclusion of Fields 7, 8 and 9 in the Big Creek study. Studies should include pre-application ground- penetrating-radar study, groundwater monitoring, surface water testing in adjacent Big Creek, and air quality monitoring at the Mt Judea school. If the landowners of these fields do not wish their property to be included in the study, those fields should be removed from the NOI and disallowed for C & H waste applications.

I respectfully request that ADEQ deny the requested permit modification until these conditions have been met.

Sincerely,

Gordon Watkins

Parthenon, Arkansas

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**From:** [Gordon Watkins](#)  
**To:** [Water Draft Permit Comments](#)  
**Subject:** C&H Hog Farms, Inc., Nutrient Management Plan Modification Comments  
**Date:** Sunday, March 23, 2014 3:58:37 PM  
**Attachments:** [CAFO - Personal comments on permit modification.docx](#)  
[ATT00001..htm](#)

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Please find attached and as text below my comments regarding C&H Hog Farms, Inc., Nutrient Management Plan Modification.

Thank you,

Gordon Watkins  
Parthenon, AR