



ARKANSAS
Department of Environmental Quality

August 21, 2015

Mr. Gordon Watkins, President
Buffalo River Watershed Alliance
P.O. Box 101
Jasper, AR 72641

Re: Complaint against C&H Hog Farms, Inc.

Dear Mr. Watkins:

Thank you for your correspondence regarding the Big Creek Research and Extension Team's ("BCRET") most recent quarterly report (April – June 2015). As you know, ADEQ has entered into a Memorandum of Agreement with the University of Arkansas-Division of Agriculture to undertake an independent five-year study of potential water quality impacts associated with the operation of the C&H Hog Farm, Inc.'s ("C&H") facility. The BCRET is conducting the study and provides quarterly reports. You have identified three areas of concern regarding the results in the last quarterly report and suggest that these results show that "C&H is mishandling the storage and application of its waste and is in violation of the terms of the permit and the NMP."

The Department has reviewed the data from the most recent BCRET quarterly report, including the E. coli levels in the well that services the barn ("House Well"), the ephemeral stream, and the culvert and interceptor trenches, as well as the downstream nitrate-N data. Based upon that review, the Department has determined the data does not show any violation of the Concentrated Animal Feeding Operations General Permit (ARG590000) or the Nutrient Management Plan regarding the improper storage and handling of swine waste. Also, the Department's review finds the current data does not show "persistent contamination" of the groundwater.

In addition to the requested review by the Buffalo River Watershed Alliance, the Department compared E. coli samples at the areas of concern identified in your letter with the water quality criteria in Arkansas Pollution Control and Ecology Commission ("APC&EC") Regulation No. 2.507 and found all analyses to be well below the criteria of 410 col/100mL for surface waters. In regard to nitrate-N, the Department does not have a water quality criterion; however, downstream data was evaluated against the National Primary Drinking Water Standards (Big Creek is not currently a drinking water source) and the data is found to be well below the maximum contaminant level of 10 mg/L.

We are continuing to work with the BCRET through the study. We have confidence that this study will provide a thorough investigation, and I commit that ADEQ will continue to evaluate this. The Department believes that data should continue to be collected through the study. If at any time it is determined that releases are occurring, then appropriate corrective actions would be

required. We also note, ADEQ has issued a draft decision to permit the installation of a 60 mil high density polyethylene liner in the ponds. Upon completion of the public involvement process, a final decision will be reached.

Sincerely,

A handwritten signature in black ink that reads "Becky Keogh". The signature is written in a cursive, flowing style.

Becky Keogh
Director