

ADEQ

ARKANSAS
Department of Environmental Quality

APR 07 2015

Monica K. Reimer
Earthjustice – Florida Office
111 South Martin Luther King Jr. Blvd.
Tallahassee, FL 32301
flooffice@earthjustice.org

RE: Response to Earthjustice's letter regarding C&H Hog Farms, Inc.
Permit Tracking No. ARG590001 AFIN 51-00164

Dear Ms. Reimer:

The Arkansas Department of Environmental Quality received your comments on March 9, 2015, regarding the modification request by C&H Hog Farms, Inc. The Department would like to offer the following responses.

In regard to the revision of maps for Field 5 and portions of Fields 12 and 16, to date the Department has not received any additional information clarifying the ownership of the fields in question. Land application to these fields will be prohibited until such time that the issue is resolved or a request is submitted for modification of the property in question.

In order to ensure that the research being performed is an independent review of the permitted facility, the Department does not have direct authority over the day-to-day activities of the University of Arkansas System, Division of Agriculture Big Creek Research Extension Team. The Department therefore asks that all questions regarding the study and interpretation of field numbers being used be directed to the University of Arkansas.

Please be aware in accordance with APC&EC Regulation 8.214, your comment was received prior to the March 18, 2015 comment period and cannot be considered part of the public record for the modification to the Nutrient Management Plan (NMP) under consideration. In addition, be advised that this is a modification of coverage under the NPDES General Confined Animal Feeding Operation Permit No. ARG590000 and in accordance with 40 C.F.R. Part 122.62 as incorporated by reference in Regulation 6, only the conditions which are the subject to the modification are reopened for comments.

Nonetheless, if you would like your comments to be included in the public record for the modification of the NMP, please resubmit them to the Department. The public comment period is open until 4:30 p.m., April 17, 2015.

Thank you for your attention to this matter. If there are any questions concerning this submittal, please contact John Bailey, Permits Branch Manager in the Water Division, at (501) 682-0629 or by email at bailey@adeq.state.ar.us.

Sincerely,



Becky W. Keogh
Director

BWK:kay/km

cc: Bob Allen, Arkansas Canoe Club (bob@ozarker.org)
Jack Stewart, Buffalo River Watershed Alliance (jampack1@mac.com)
Emily Jones, National Parks and Conservation Association (ejones@npca.org)
Robert Cross, Ozark Society (racross@uark.edu)
Carl E. Wills, EPA, Region 6 (Willis.carl@Epa.gov)
Willie Lane, EPA, Region 6 (Lane.willie@Epa.gov)