

From: [Teresa Turk](#)
To: [Water Draft Permit Comments](#)
Subject: C&H permit modification
Date: Friday, April 17, 2015 3:42:46 PM
Attachments: [ADEQ_4_2015.docx](#)

Dear ADEQ,

Please find attached my comments regarding the proposed modification of ARG590000.

Thank you,

Teresa Turk

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206.713.2265

Arkansas Department of Environmental Quality
Water Division Permits Branch
5301 Northshore Drive,
North Little Rock, Arkansas 72118-5317

April 17, 2015

Re: Revision to permit for C&H Hog Farm, Mt. Judea, AR

Dear Arkansas Department of Environmental Quality:

Thank you for providing an opportunity to comment on the C & H hog facility located close to Mt. Judea, AR. I am against any alterations to the current permit except termination.

The public comment and review process to change the manure dispersal type is a complete farce, distraction, and a waste of taxpayer funds. There are very serious questions regarding the permit that should be addressed immediately.

1. The ownership and the signatures granting access to acreage for manure application was fraudulent for many of the parcels and this situation has been called ADEQ's attention. In some cases, the person signing the access agreement did not own the land and was not authorized to sign such a document. ADEQ should have reviewed and checked with each land owner to ensure the manure application sites were legally agreed upon and the acreage was accurate.
2. C&H has not provided any revised maps for at least 3 fields and is prohibited from further manure application on those fields. ADEQ has requested revised maps but C&H has not provided them for over 1.5 years, yet ADEQ continues to allow C&H to operate without critical information being provided to the state agency. In addition, no one is monitoring the fields to determine if waste is being applied or not. People driving in the area have been harassed on multiple occasions which call into question what is C&H and their contractors hiding? Is illegal application of manure occurring? How would we know since no one monitoring and if a citizen wants to monitor the application, they are harassed and threatened.
3. The original Nutrient Management Plan did not contain P values for fields 5-7 and 9. Over the past 2 years, the P values have changed for most of the fields without any explanation or documentation. Suddenly the P values have dropped when they should be increasing due to manure application. This makes absolutely no sense but ADEQ has not rectified, nor provided any explanation for the situation.
4. The inputs (type of vegetation, time of year) used to estimate the P values were incorrect. The type of vegetation used in calculating the P index was from North Dakota. No one at ADEQ bothered to note this problem.

5. Using Regulation 6 for such an operation as C & H violates the intent of this permit type. A regulation 6 permit assumes uniformity in the environment, operation, and size. None of these features were true with regard to C & H. Unlike the geology of much of the rest of state, C & H is built upon highly porous karst. The environment surround C & H is special, Big Creek drains into the first national river. Finally C & H operation is the largest pork CAFO in the state. C & H should never have been permitted under Regulation 6 in the first place.

6. Under 40CFR 122.28(h)(3), the director of ADEQ can require an entity to be permitted under Regulation 5 and require additional monitoring. To date, neither the past nor the current director has exercised their authority under this provision.

In sum, ADEQ has mishandled the permit from day one. By not requiring C & H to come under a regulation 5 permit , by overlooking flawed information in the NOI and NMP, and by allowing C & H to continue to operate without providing requested documents, they have not served the citizens of Arkansas. ADEQ continues to resist opening up the entire permit for review despite significant revisions of key parameters (e.g., number of acres of land for manure application, P values, etc.). This is irresponsible and a dereliction of duty to Arkansas's environment and her citizens.

Finally, I advocate for ADEQ's authority to oversee and enforce the EPA's clean water act be rescinded immediately and revert back the Environment Protection Agency.

Sincerely,
Teresa A. Turk
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