

Gene Dunaway

June 29, 2014

Arkansas Pollution Control and Ecology Commission
BY EMAIL

RE: **APC&E Commission Docket #14-004-R**
Reg 6 changes regarding notification NOI for CAFO's

Dear Commissioners,

I support this notice modification but do have some recommendations.

I recommend that Reg.6.207(A) be modified to add a Subsection as proposed by the National Park Service.

Newspaper notification is helpful and should continue. Reg.6.207(E) should require *two* publications as one is not enough.

I further recommend that another provision be added as 6.207(A)(5) to provide *email* notice to anyone who joins a list server to request such notices. Perhaps this would be added as Section (B), moving other sections down, or as a new Section (F)

My rationale is as follows. Public participation in environmental decision-making is the hallmark of good regulatory procedures and practices. Alternations of air, water and land by human activity often have consequences beyond the property boundaries of a particular landowner. CAFO's are a prime example. Participation requires that citizens have an opportunity to *comment* on these agency decisions. In order to comment, citizens must have *notice* that a decision making process has been initiated whether it is a permit application or an NOI as in the current situation.

However, newspaper notice is not sufficient for the general public. It requires a citizen to *take* a specific newspaper and read all the legal notices to see if any apply to their land. For people who travel it means subscribing to newspapers on-line. It is also noted that many people "use" water for swimming, recreation, floating and transportation that they don't own. The Buffalo River is a prime example as are many streams in Arkansas where people have lawful access without ownership.

Furthermore, if the water in question is upstream but in another county a person would need to subscribe and scan newspapers in multiple counties.

We live in a time where many people use email as a form of communication. It would not be an undue burden on permit applicants to require them to send an email of the notice contemplated in this section to a list server. People could register with the list server and receive notice immediately at the same time as agencies and County Judges.

Thank you for the opportunity to comment.

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