

Teresa Turk-October 4, 2016

Comments on the Regulation 6 Revisions at ADEQ hearing, Springdale, AR

My name is Teresa Turk from Fayetteville, AR and I am a concerned Arkansan. Below are my comments and suggestion on the proposed changes to Regulation 6.

The C&H Hog Farm Inc. is currently operating under a NPDES Regulation 6 permit and will continue to do so until the drilling experiment is completed and a final outcome of their Regulation 5 permit is provided. Thus they will continue to operate for an indefinite period of time under this permit and have the authority to spread at least 3,000,000 gallons of raw, untreated pig manure on fields within the Buffalo National River watershed.

The proposed changes to Regulation 6 severely WEAKEN the regulations and allow greater damage to be done to our waterways by using a Fecal coliform standard instead of the EPA recommended standard of E. coli as the water quality indicator. Arkansas Regulation 2.507 clearly states that E. coli is considered to be a better indicator of bacterial impairment with regard to human health. ADEQ should use E. coli as the water quality indicator and not Fecal coliform.

Second, the proposed changes to Regulation 6 section 6.301(D)(4) do not follow EPA's 2012 recommendations for Recreational Water Quality Criteria. ADEQ's proposed regulations are significantly less protective than EPA's recommendations, allowing much higher levels of pollution into our streams, rivers and lakes. EPA recommends an E. coli Geometric mean of no greater than 126 colony forming units per 100 milliliters of water while ADEQ is requesting a GM of 200 colony forming units per 100 milliliters. Why is ADEQ not following the expert opinions of EPA? Why is ADEQ not acting in the best interests of Arkansans and providing a protective health approach, rather they are allowing more risk to Arkansans when enjoying the waters of the state. ADEQ should be following EPA's recommendation. The link to the information is located at this website. <https://www.epa.gov/sites/production/files/2015-10/documents/rec-factsheet-2012.pdf>

In addition, ADEQ is asking for a less protective regulation by changing F. coliform average reading to the geometric mean. The Geometric mean (GM) is used to smooth out or mask very high readings such as those that occur during storm events when the bacterial readings are very high and when kayakers and canoeists are on the water. By using a GM, the high readings will be significantly reduced when reviewing the GM for a waterbody. Also please note that the proposed regulations do not specify how many samples are to be taken or considered when performing this calculation. A minimum number of samples within a prescribed time period should be identified.

Last week, Governor Hutchinson announced that EPA will be providing a grant to develop a water management plan for the Buffalo National River Watershed. This is a good idea that is long overdue. However a few weeks ago, large algal blooms were encountered on the Buffalo National River for at least 20 river miles. These algal blooms kill fish, invertebrates, and turtles by reducing the oxygen in the water creating hypoxic conditions.

A limited number of samples were taken from this bloom in a very limited area of the river. Thus an accurate account of the types of algae, risks to the population and magnitude of the bloom are not available.

A full detailed investigation should be initiated immediately that collects samples at many different sites throughout the length of the river to determine the magnitude of the bloom, the source of the contamination, the various species of algae, and address the risk to human health and the Buffalo River ecosystem. To fund this much needed and immediate investigation, funds from the EPA grant could be reprogrammed to conduct this work.

In closing, ADEQ should always have the most protective and pre-cautionary approaches to the environment in Arkansas. ADEQ should protect Arkansans instead of reducing its standards that are in conflict and/or below EPA guidelines. Arkansans want our environment protected and not allow industry to continue to pollute our state.