



ARKANSAS  
Department of Environmental Quality

September 22, 2016

Richard H. Mays  
Richard Mays Law Firm, PLLC  
115 South Third St., Suite A-2  
Heber Springs, Arkansas 72543

Dear Mr. Mays:

Thank you for your letter dated September 6, 2016. Our goal, as always, is to be responsive and transparent. In your letter you raised several concerns that we wish to address.

I want to assure you that ADEQ has carefully considered all options in developing this study, particularly the appropriate number of borings. We based our plan on the recommendation from Dr. Todd Halihan regarding his Electrical Resistivity Imaging (ERI) study and described in email correspondence that the Buffalo River Watershed Alliance brought to the attention of the Department. Our study is limited in scope to ground-truthing the findings of the ERI study and providing additional data necessary to characterize the anomaly Dr. Halihan believed it identified. ADEQ has determined this additional data is necessary for us to proceed with review of the pending permit application for the facility. For this reason, we have worked with Dr. Halihan to locate the boring in the exact location identified by his ERI study.

We are aware of the 2014 report by the panel of experts on the review of the BCRET monitoring program at C&H Hog Farms, but we appreciate you sharing your concerns regarding this report with ADEQ. As you are aware, BCRET and its monitoring decisions are not associated with ADEQ, but we will consider this information as we move forward. We believe the drilling study will provide additional data responsive to the potential threats identified in that report.

As announced, the drilling was initiated this week. ADEQ will post pictures and update the separate link dedicated to the drilling study as soon as possible. Furthermore, to address your concerns, we will look into the review of documents that C&H is required to maintain and its relationship, if any, to the work plans. I look forward to further conversations. Feel free to reach out to ADEQ with any additional concerns.

Sincerely,

A handwritten signature in blue ink that reads "Becky W. Keogh". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Becky W. Keogh  
Director

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY**

5301 Northshore Drive  
North Little Rock, Arkansas 72118  
Phone: (501) 682-0959 Fax: (501) 682-0880

**FAX COVER SHEET**

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**Please Deliver to:** Richard H. Mays  
Richard Mays Law Firm, PLLC

**Fax:** 501-362-0059

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**From:** ADEQ Director Becky Keogh

TELEPHONE #: (501) 682-0959

FAX #: (501) 682-0880

DATE: September 22, 2016

Number of pages including the cover page: 2

Response letter dated September 22, 2016.

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