

Arkansas Freedom of Information Act: C&H Hog Farms, Inc., Files Newton County Circuit Court Action Alleging Arkansas Department of Environmental Quality Violation



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10/24/2018

C&H Hog Farms, Inc. ("C&H") filed a pleading on October 16th in Newton County, Arkansas, Circuit Court styled:

Complaint for Violation of the Arkansas Freedom of Information Act of 1967 ("Complaint")

The Complaint is alleged to have been filed to:

... enforce the rights of C&H Hog Farms, Inc., to obtain copies of public records pursuant to the Arkansas Freedom of Information Act of 1967 ("FOIA"), Ark. Code ann. §§ 25-19-101, *et seq.*

C&H operates a sow-farrowing facility in Newton County, Arkansas. C&H and the Arkansas Department of Environmental Quality ("ADEQ") are currently involved in both administrative and judicial litigation over certain permits for which the facility holds and/or has applied.

The C&H Complaint alleges that the company requested certain public records from ADEQ related to the agency's September 17, 2018, published public notice of intent to deny a C&H permit application. The company contends that ADEQ failed to provide such documents because the request was too voluminous and broad and not sufficiently specific, or that the documents were available somewhere on the agency's website of documents – and the vast majority of which are not relevant to the FOIA request.

The company argues that the FOIA request was sufficiently specific and drafted request documents relevant to the ADEQ draft permitting decision.

A copy of the Complaint can be found [here](#).