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Arkansas Department of Environmental Quality Decision to Deny Regulation 5 Permit: C & H Hog Farms, Inc. Files Newton County Circuit Court Motion for Order to Show Cause

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C & H Hog Farms, Inc., (“C & H”) filed a November 20th pleading in Newton County, Arkansas, Circuit Court against the Arkansas Department of Environmental Quality (“ADEQ”) styled:

Motion for Order to Show Cause (“Motion”)

C & H requests that ADEQ be held in contempt because of a recent action in which the agency issued a decision denying the company a Regulation 5 permit (as described [here](#)).

The C & H facility involves the operation of a swine facility in Newton County, Arkansas. Regulation No. 5 addresses “liquid animal waste management systems.” The company and ADEQ are currently involved in both administrative and judicial litigation over certain permits (including the Regulation 5 permit) for which the facility holds and/or has applied.

C & H states that a Circuit Court stay order had been issued. It argues that ADEQ did not have jurisdiction to issue the previously referenced Regulation No. 5 permit decision. Therefore, it contends the agency is in violation of the Court’s stay order regarding Minute Order No. 18-20.

A copy of the Motion without the exhibits can be found [here](#).