



INSTRUCTIONS FOR DISCLOSURE STATEMENT

Arkansas Code Annotated Section 8-1-106 requires that all applicants for the issuance, or transfer of any permit, license, certification, or operational authority issued by the Arkansas Department of Energy and Environment (E&E), Division of Environmental Quality (DEQ) file a disclosure statement with their applications. The filing of a disclosure statement is mandatory. No application can be considered complete without one.

Disclosure statement means a written statement by the applicant that contains:

- The full name and business address of the applicant and all affiliated persons;
- The full name and business address of any legal entity in which the applicant holds a debt or equity interest of at least five percent or that is a parent company or subsidiary of the applicant, and a description of the ongoing organizational relationships as they may impact operations within the state;
- A description of the experience and credentials of the applicant, including any past or present permits, licenses, certifications, or operational authorizations relating to environmental rule;
- A listing and explanation of any civil or criminal legal actions by government agencies involving environmental protection laws or rules against the applicant and affiliated persons in the ten years immediately preceding the filing of the application, including administrative enforcement actions resulting in the imposition of sanctions, permit or license revocations or denials issued by any state or federal authority, actions that have resulted in a finding or a settlement of a violation, and actions that are pending;
- A listing of any federal environmental agency and any other environmental agency outside this state that has or has had regulatory responsibility over the applicant; and
- Any other information the Chief Administrator of the Environment may require that relates to the competency, reliability, or responsibility of the applicant and affiliated persons.

EXEMPTIONS

The following persons or entities are not required to file a disclosure statement:

- Governmental entities, consisting only of subdivisions or agencies of the federal government, agencies of the state government, counties, municipalities, or duly authorized regional solid waste authorities as defined by § 8-6-702. (This exemption shall not extend to improvement districts or any other subdivision of government which is not specifically instituted by an act of the General Assembly.)
- Applicants for a general permit to be issued by DEQ pursuant to its authority to implement the National Pollutant Discharge Elimination System for storm water discharge.

- If the applicant is a publicly held company required to file periodic reports under the Securities and Exchange Act of 1934 or a wholly owned subsidiary of a publicly held company, the applicant shall not be required to submit a disclosure statement, but shall submit the most recent annual and quarterly reports required by the Securities and Exchange Commission which provide information regarding legal proceedings in which the applicant has been involved. The applicant shall submit such other information as the Chief Administrator may require that relates to the competency, reliability, or responsibility of the applicant and affiliated persons.

The following permits, licenses, certifications, and operational authorizations are also exempt from submitting a disclosure statement:

- Laboratory Accreditations, as defined in A.C.A. § 8-2-201 et. seq.
- Hazardous Waste Treatment, Storage, and Disposal Permit Modifications (Class 1, 2, and 3), as defined in Pollution Control and Ecology Commission (PC&EC) Rule 23;
- Phase 1 Consultants, as defined in PC&EC Rule 32;
- Certifications for Operators of Commercial Hazardous Waste Facilities, as defined in PC&EC Rule 23 § 264.16(f);
- Regulated Storage Tank Contractor or Individual License Renewals as defined in PC&EC Rule 12;
- Certifications for Persons Operating and Maintaining Underground Storage Tank Systems which Contain Regulated Substances, as defined in PC&EC Rule 12.701, et. seq.;
- Individual Homeowners seeking coverage under General Permit ARG5500000; Wastewater Operator Licenses, as defined in PC&EC Rule 3;
- Water Permit Modifications for permits issued under the authority of the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101, et. seq.);
- Solid Waste Permit Modifications for permits issued under PC&EC Rule 22; Solid Waste Landfill Operator License Renewals, as defined in Rule 27;
- Air Permit Modifications for permits issued under PC&EC Rules 18, 19, and 26; and Asbestos Certification Renewals, as defined in Rule 21.

Deliberate falsification or omission of relevant information from disclosure statements shall be grounds for civil or criminal enforcement action or administrative denial of a permit, license, certification, or operational authorization.



Instructions for the completion of this document:

- A. Individuals, firms, or other legal entities with no changes to a DEQ Disclosure Statement, complete items I through III and XVI.
- B. Individuals who never submitted a DEQ Disclosure Statement, complete items I through II, IV, V, and XIV through XVI.
- C. Firms or other legal entities who never submitted a DEQ Disclosure Statement, complete items I through III, and IV through XVI.

IF NOT SUBMITTING BY EPORTAL, MAIL ORIGINAL TO:

Arkansas Energy & Environment,
Division of Environmental Quality,

Disclosure Statement
5301 Northshore Drive,
North Little Rock, AR 72118-5317

I. APPLICANT INFORMATION

APPLICANT NAME: _____

STREET ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP CODE:** _____

II. APPLICANT CATEGORY

APPLICANT TYPE: INDIVIDUAL OTHER LEGAL ENTITY

REASON FOR SUBMISSION:

- | | | |
|--|--|--|
| <input type="checkbox"/> PERMIT | <input type="checkbox"/> CERTIFICATION | <input type="checkbox"/> OPERATIONAL AUTHORITY |
| <input type="checkbox"/> LICENSE | <input type="checkbox"/> MODIFICATION | <input type="checkbox"/> NEW APPLICATION |
| <input type="checkbox"/> RENEWAL APPLICATION | | |

(If no changes from previous disclosure statement, complete number III and XVI.)

PROGRAMS:

- | | | |
|--|--------------------------------------|---|
| <input type="checkbox"/> AIR | <input type="checkbox"/> MINING | <input type="checkbox"/> HAZARDOUS WASTE |
| <input type="checkbox"/> WATER | <input type="checkbox"/> SOLID WASTE | <input type="checkbox"/> REGULATED STORAGE TANK |
| <input type="checkbox"/> USED TIRE PROGRAM | | |

III. DECLARATION OF NO CHANGES

The violation history, experience and credentials, involvement in current or pending environmental lawsuits, civil, and criminal, have not changed since the last Disclosure Statement that was filed with DEQ on _____.

IV. Describe the experience and credentials of the Applicant, including the receipt of any past or present permits, licenses, certifications, or operational authorization relating to environmental regulation. (Attach additional pages, if necessary.)

V. List and explain all civil or criminal legal actions by government agencies involving environmental protection laws or regulations against the Applicant* in the last ten (10) years including:

- A. Administrative enforcement actions resulting in the imposition of sanctions
- B. Permit or license revocations or denials issued by any state or federal authority
- C. Actions that have resulted in a finding or a settlement of a violation
- D. Pending actions

(Attach additional pages, if necessary.)

*Firms or other legal entities shall also include this information for all persons and legal entities identified in sections VI through XIV of this Disclosure Statement.

VI. List all officers of the Applicant. (Add additional pages, if necessary.)

OFFICER NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____

OFFICER NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____

OFFICER NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____

VII. List all directors of the Applicant. (Add additional pages, if necessary.)

DIRECTOR NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____

DIRECTOR NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____

DIRECTOR NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____

VIII. List all partners of the Applicant. (Add additional pages, if necessary.)

PARTNER NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ STATE: _____ ZIP CODE: _____

PARTNER NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____

PARTNER NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____

IX. List all persons employed by the Applicant in a supervisory capacity or with authority over operations of the facility subject to this application. (Add additional pages, if necessary.)

EMPLOYEE NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____

EMPLOYEE NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____

EMPLOYEE NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____

X. List all persons or legal entities, who own or control more than five percent (5%) of the Applicant's debt or equity. (Add additional pages, if necessary.)

INDIVIDUAL/ENTITY NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____
ORGANIZATIONAL RELATIONSHIP:

INDIVIDUAL/ENTITY NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____
ORGANIZATIONAL RELATIONSHIP:

INDIVIDUAL/ENTITY NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____
ORGANIZATIONAL RELATIONSHIP:

XI. List all legal entities, in which the Applicant holds a debt or equity interest of more than five percent (5%). (Add additional pages, if necessary.)

ENTITY NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____
ORGANIZATIONAL RELATIONSHIP:

ENTITY NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____
ORGANIZATIONAL RELATIONSHIP:

ENTITY NAME: _____
JOB TITLE: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____
ORGANIZATIONAL RELATIONSHIP:

XII. List any parent company of the Applicant. Describe the parent company's ongoing organizational relationship with the Applicant. (Add additional pages, if necessary.)

COMPANY NAME: _____
STREET ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP CODE:** _____
ORGANIZATIONAL RELATIONSHIP:

XIII. List any subsidiary of the Applicant. Describe the subsidiary's ongoing organizational relationship with the Applicant. (Add additional pages, if necessary.)

COMPANY NAME: _____

STREET ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP CODE:** _____

ORGANIZATIONAL RELATIONSHIP:

XIV. List any person who is not now in compliance or has a history of noncompliance with the environmental law or rules of this state or any other jurisdiction and who through relationship by blood or marriage or through any other relationship could be reasonably expected to significantly influence the Applicant in a manner which could adversely affect the environment. (Add additional pages, if necessary.)

INDIVIDUAL NAME: _____

JOB TITLE: _____

STREET ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP CODE:** _____

INDIVIDUAL NAME: _____

JOB TITLE: _____

STREET ADDRESS: _____

CITY: _____ **STATE:** _____ **ZIP CODE:** _____

XV. List all federal environmental agencies and any other environmental agencies outside this state that have or have had regulatory responsibility over the Applicant. (Attach additional pages, if necessary.)

XVI. VERIFICATION AND ACKNOWLEDGMENT

The Applicant agrees to provide any other information the DEQ Chief Administrator may require at any time to comply with the provisions of the Disclosure Law and any rules promulgated thereto. The Applicant further agrees to provide the DEQ with any changes, modifications, deletions, additions or amendments to any part of this Disclosure Statement as they occur by filing an amended Disclosure Statement.

Deliberate falsification or omission of relevant information from disclosure statements shall be grounds for civil or criminal enforcement action or administrative denial of a permit, license, certification or operational authorization.

COMPLETE THIS SECTION ONLY IF SUBMITTING OTHER THAN BY EPORTAL:

I, _____, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violation.

APPLICANT SIGNATURE: _____

JOB TITLE: _____ **DATE:** _____