

Gage, Hannah

From: Josh Haar <jhaar@conversiontechnology.com>
Sent: Wednesday, November 25, 2015 8:46 AM
To: Water Permit Application
Cc: Phil Witter; PH Haroz; Hope.Duckworth@klgates.com; Franchina, Dave
Subject: RE: Anthony Forest Products, LLC

To Whom It May Concern,

I have updated the email below with the correct company name (Anthony Forest Products Company, LLC). Please update this in your records.

Sincerely,

Josh Haar, EIT
Engineering Manager
Conversion Technology, Inc.
Office: (770) 263-6330, ext. 113
Cell: (770) 500-5370

From: Josh Haar
Sent: Wednesday, November 25, 2015 8:50 AM
To: 'water.permit.application@adeq.state.ar.us' <water.permit.application@adeq.state.ar.us>
Cc: 'Phil Witter' <pwitter@scotchgulf.com>; PH Haroz <pharoz@conversiontechnology.com>; 'Hope.Duckworth@klgates.com' <Hope.Duckworth@klgates.com>
Subject: Anthony Forest Products, LLC

To Whom It May Concern,

We previously submitted an NPDES Wastewater Permit (Permit # AR00047384) and Individual Treatment Systems General Permit (Permit ARG550000, Permit Tracking No. ARG550398) Permit Transfer Forms for the Anthony Forest Products Company, LLC facility in Urbana, AR.

At the time of the submittals the new company had not yet received confirmation of registration with the secretary of state and therefore could not submit the Disclosure Statement as required by the Permit Transfer Forms. This email is to update those submittals with the attached disclosure form.

For your reference I have also attached scanned copies of the signed Permit Transfer Forms for both permits.

If you have any questions, please do not hesitate to call me at (770) 263-6330, x.113.

Sincerely,

Josh Haar, EIT
Engineering Manager
Conversion Technology, Inc.
Office: (770) 263-6330, ext. 113
Cell: (770) 500-5370

PERMIT TRANSFER FORM

Please select one of the following options:

A. Permittee (legal name) change

B. Facility name change

C. Responsible official name change

A

B

C

A & B

A & C

B & C

A & B & C

PERMIT NUMBER: AR00047384

AFIN NUMBER: 70-00473

I. CURRENT PERMITTEE INFORMATION

Permittee (legal name):

Anthony Forest Products Company

Facility Name:

Anthony Forest Products Company – Urbana Sawmill

Responsible Official Name (see Section IV below):

Stephen Murphy

Is the permittee identified above, the owner of the facility?

Yes No

If you mark No, please list the name of the owner:

See cover letter

II. NEW PERMITTEE INFORMATION

Permittee (legal name):

Anthony Forest Products Company, LLC

Facility Name (if different from Permittee Name):

Anthony Forest Products Company, LLC – Urbana Sawmill

Is the permittee identified above, the owner of the facility?

Yes No

If you mark No, please list the name of the owner:

See cover letter

Responsible Official Name (see Section IV below):

Stephen Murphy

Official Title of Responsible Officer:

General Manager

Owner Type:

Permittee Address:

1236 Urbana Rd.

STATE

PARTNERSHIP

Permittee City:

Urbana

FEDERAL

CORPORATION*

Permittee State:

AR

Zip: 71768

SOLE PROPRIETORSHIP

Permittee Telephone No.:

870-962-3206

Is the new permittee registered with the Arkansas Secretary of State?

Yes

No

If yes, please provide the full name of corporation if different than the legal permittee name listed above.

See cover letter for explanation

Facility Mailing Address:

P.O. Box 724

Facility City:

Strong

Facility State:

AR

Zip: 71765

Facility Contact Person Name:

Randy Evans

Contact Person Title:

Environmental Health and Safety manager

Telephone Number:

870-962-3206

Fax Number:

870-962-3320

E-mail:

revans@anthonyforest.com

Invoice Contact Person:

Randy Evans

City:

Strong

Invoice Mailing Address:

P.O. Box 724

State:

AR

Zip: 71765

Invoice Mailing Address:

Telephone:

870-962-3206

Cognizant Official Name:

Stephen Murphy

Cognizant Official Title:

General Manager

Telephone Number:

870-962-3291

Fax Number:

870-962-3320

E-mail:

smurphy@anthonyforest.com

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

5301 NORTHSHORE DRIVE / NORTH LITTLE ROCK / ARKANSAS 72118-5317 / TELEPHONE 501-682-0744 / FAX 501-682-0880

www.adeq.state.ar.us

Revision Date: 10/23/2008

PERMIT TRANSFER FORM

III. OWNERSHIP CHANGE AGREEMENT

Please note you must complete this Section (III.) only if the permit has a new owner or a new ownership.

Please specify the closing date for this transaction: 10/30/2015

Current Permittee (Seller): Anthony Family Products Holdings Inc., Seller of shares of Anthony Forest Products Company

Signature of Responsible Corporate Officer: *Anthony Anthony Jr*

Title of Responsible Corporate Officer: President of Anthony Family Holdings, Inc.

Printed Name of Responsible Corporate Officer: Anthony ANTHONY, JR

Date: NOVEMBER 2, 2015

Anthony Anthony Jr
President of Anthony Family Holdings, Inc.

Anthony ANTHONY, JR
NOVEMBER 2, 2015



New Permittee (Buyer): NSLC Darlington, Inc., Buyer of shares of Anthony Forest Products Company, LLC

Signature of Responsible Corporate Officer: *Frederick T Stimpson, III*

Title of Responsible Corporate Officer: President of Anthony Forest Products Company, LLC

Printed Name of Responsible Corporate Officer: Frederick T. Stimpson, III

Date: NOV. 2, 2015

Frederick T Stimpson, III
President of Anthony Forest Products Company, LLC

Frederick T. Stimpson, III

NOV. 2, 2015



Disclosure Statement:

Disclosure Statement must be submitted for new permittee. **Disclosure Statement is not required for Stormwater Permits.**

Is Disclosure Statement enclosed: Yes No (see cover letter for explanation)

Financial Assurance:

Please note that if Financial Assurance is required for the current permittee then the new permittee may have to provide new Financial Assurance before the permit maybe transferred.

Land Use Contract:

For **land application** permits you must submit a new land use contracts for all the sites permitted under the current permit for land application. The new land use contract must be signed by the new permittee and land owner.

IV. CERTIFICATION OF NEW PERMITTEE

"I certify that the cognizant official designated in this Permit Transfer Form (Section II) is qualified to act as a duly authorized representative under the provisions of 40 CFR Part 122.22(b). If no cognizant official has been designated, I understand that the Department will accept reports signed by the applicant. 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 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 fine and imprisonment for knowing violations."

In addition, I certify that there will be no operational changes that warrant a permit modification. (Please note that if there are changes that warrant a permit modification, then you must submit a complete application, updated plans, design calculations and specifications, and the permit modification fee along with this Ownership Change Form. The transfer may be made effective prior to permit modification.)

Typed or Printed Name: Frederick T. Stimpson, III

Title: President, Anthony Forest Products Company, LLC

Signature: *Frederick T Stimpson, III*

Date: 11.2.15




PERMIT TRANSFER FORM

III. OWNERSHIP CHANGE AGREEMENT

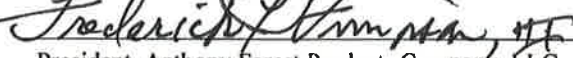
Please note you must complete this Section (III.) only if the permit has a new owner or a new ownership.

Please specify the closing date for this transaction: 10/30/2015

Current Permittee (Seller): Anthony Family Products Holdings Inc., Seller of shares of Anthony Forest Products Company

Signature of Responsible Corporate Officer: 
Title of Responsible Corporate Officer: President of Anthony Family Holdings, Inc/
Printed Name of Responsible Corporate Officer: Auben Anthony, Jr.
Date: NOVEMBER 2, 2015

New Permittee (Buyer): NSLC Darlington, Inc., Buyer of shares of Anthony Forest Products Company, LLC

Signature of Responsible Corporate Officer: 
Title of Responsible Corporate Officer: President, Anthony Forest Products Company, LLC
Printed Name of Responsible Corporate Officer: Frederick T. Stimpson, III
Date: Nov. 2, 2015

Disclosure Statement:

Disclosure Statement must be submitted for new permittee. **Disclosure Statement is not required for Stormwater Permits.**

Is Disclosure Statement enclosed: Yes No (see cover letter for explanation)

Financial Assurance:

Please note that if Financial Assurance is required for the current permittee then the new permittee may have to provide new Financial Assurance before the permit maybe transferred.

Land Use Contract:

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In addition, I certify that there will be no operational changes that warrant a permit modification. (Please note that if there are changes that warrant a permit modification, then you must submit a complete application, updated plans, design calculations and specifications, and the permit modification fee along with this Ownership Change Form. The transfer may be made effective prior to permit modification.)

Typed or Printed Name: Frederick T. Stimpson, III Title: President, Anthony Forest Products Company, LLC
Signature:  Date: Nov. 2, 2015

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 Environmental Quality (ADEQ) 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 (5%) 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 regulation;
- A listing and explanation of any civil or criminal legal actions by government agencies involving environmental protection laws or regulations against the applicant and affiliated persons in the ten (10) 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 Director of the Arkansas Department of Environmental Quality 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 the department 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 director may require that relates to the competency, reliability, or responsibility of the applicant and affiliated persons.

Exemptions continued:

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

- **Hazardous Waste Treatment, Storage, and Disposal Permit Modifications (Class 1, 2, and 3), as defined in Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation 23;**
- **Phase 1 Consultants, as defined in APC&EC Regulation 32;**
- **Certifications for Operators of Commercial Hazardous Waste Facilities, as defined in APC&EC Regulation 23 § 264.16(f);**
- **Regulated Storage Tank Contractor or Individual License Renewals as defined in APC&EC Regulation 12;**
- **Certifications for Persons Operating and Maintaining Underground Storage Tank Systems which Contain Regulated Substances, as defined in APC&EC Regulation 12.701, *et. seq.*;**
- **Individual Homeowners seeking coverage under General Permit ARG5500000;**
- **Wastewater Operator Licenses, as defined in APC&EC Regulation 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 APC&EC Regulation 22;**
- **Solid Waste Landfill Operator License Renewals, as defined in Regulation No. 27;**
- **Air Permit Modifications for permits issued under APC&EC Regulations 18, 19, and 26; and**
- **Asbestos Certification Renewals, as defined in Regulation 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.

ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY DISCLOSURE STATEMENT

Instructions for the Completion of this Document:

- A. Individuals, firms or other legal entities with no changes to an ADEQ Disclosure Statement, complete items 1 through 5 and 18.
- B. Individuals who never submitted an ADEQ Disclosure Statement, complete items 1 through 4, 6, 7, and 16 through 18.
- C. Firms or other legal entities who never submitted an ADEQ Disclosure Statement, complete 1 through 4, and 6 through 18.

If Not Submitting by ePortal, Mail Original to:

ADEQ

DISCLOSURE STATEMENT

[List Proper Division(s)]

5301 Northshore Drive

North Little Rock, AR 72118-5317

1. APPLICANT: (Full Name) Anthony Forest Products Company, LLC
2. MAILING ADDRESS (Number and Street, P.O.Box Or Rural Route) : P.O. Box 1663
3. CITY, STATE, AND ZIPCODE: Mobile, Alabama 36630

4a. Applicant Type: <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Corporate or Other Entity
4b. Reason for Submission: <input checked="" type="checkbox"/> Permit <input type="checkbox"/> License <input type="checkbox"/> Certification <input type="checkbox"/> Operational Authority <input type="checkbox"/> New Application <input type="checkbox"/> Modification <input type="checkbox"/> Renewal Application (If no changes from previous disclosure statement, complete number 5 and 18.)
4c. Division: <input checked="" type="checkbox"/> Air <input checked="" type="checkbox"/> Water <input type="checkbox"/> Hazardous Waste <input type="checkbox"/> Regulated Storage Tank <input type="checkbox"/> Mining <input type="checkbox"/> Solid Waste

5. 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 ADEQ on _____
--

6. 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.)

Current Arkansas Permits Held:

- Air permit 1681-AOP-R12
- Air permit 1675-AR-6
- Industrial Stormwater General Permit ARR00B474
- Industrial Stormwater General Permit ARR000977
- Individual Treatment Systems General Permit ARG550398
- NPDES Wastewater Permit AR0047384

Applicant also holds the following permits in other states:

- Georgia: air, stormwater, inactive RCRA Hazardous Waste Generator
- Texas: air quality permit by rule, stormwater
- Louisiana: air quality small source exemption; stormwater
- Ontario, Canada: environmental compliance approval

The owner of 100% of the Applicant's equity, NSLC Darlington, Inc., also holds environmental permits in South Carolina.

7. 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:

1. Administrative enforcement actions resulting in the imposition of sanctions;
2. Permit or license revocations or denials issued by any state or federal authority;
3. Actions that have resulted in a finding or a settlement of a violation; and
4. Pending actions.

(Attach additional pages, if necessary.)

3 failed stack tests and Consent Administrative Orders (CAO) were issued by ADEQ as follows:

(a) CAO of 3/31/2009 with a fine of \$1,556.25 for exceedance of PM₁₀ emission from boiler SN-16. The limit was 2.7 pounds per hour for PM₁₀ and the average tested emissions were 3.7 pounds per hour of PM₁₀.

(b) CAO of 11/6/2010 with a fine of \$1,666.25 for exceedance of PM₁₀ emission from boiler SN-16. The limit was 2.7 pounds per hour for PM₁₀ and the average tested emissions were 5.04 pounds per hour of PM₁₀.

(c) CAO of 9/18/2013 with a fine of \$600 for exceedance of Formaldehyde emissions from the Dual Path Kiln #2. The permitted emission was 0.5392 lb/hr of Formaldehyde and the average tested emission was 0.8161 lb/hr of Formaldehyde.

The owner of 100% of the Applicant's equity, NSLC Darlington, Inc., has been subject to Consent Orders dated 6/1/2009, 1/28/2013, and 6/18/2014 with SC DHEC regarding air quality matters. These consent orders have resulted in cumulative fines of \$14,000. There is also a pending action relating to air quality matters.

* Firms or other legal entities shall also include this information for all persons and legal entities identified in sections 8-16 of this Disclosure Statement.

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

NAME: Frederick T. Stimpson, III TITLE: President

STREET: P.O. Box 1663

CITY, STATE, ZIP: Mobile, Alabama 36630

NAME: See attached. TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

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

NAME: NSLC Darlington, Inc. TITLE: Sole Manager (equivalent of Director)

STREET: P.O. Box 1663

CITY, STATE, ZIP: Mobile, Alabama 36630

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

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

NAME: N/A TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

11. List all persons employed by the Applicant in a supervisory capacity or with authority over operations of the facility subject to this application.

NAME: Randy Evans TITLE: Environmental Health and Safety Mgr

STREET: P.O. Box 724

CITY, STATE, ZIP: Strong, Arkansas 71765

NAME: Stephen Murphy TITLE: General Manager

STREET: P.O. Box 724

CITY, STATE, ZIP: Strong, Arkansas 71765

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

12. List all persons or legal entities, who own or control more than five percent (5%) of the Applicant's debt or equity.

NAME: NSLC Darlington, Inc. TITLE: Owns 100% of the Applicant's equity

STREET: P.O. Box 1663

CITY, STATE, ZIP: Mobile, Alabama 36630

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

13. List all legal entities, in which the Applicant holds a debt or equity interest of more than five percent (5%).

NAME: N/A TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

14. List any parent company of the Applicant. Describe the parent company's ongoing organizational relationship with the Applicant.

NAME: NSLC Darlington, Inc.

STREET: P.O. Box 1663

CITY, STATE, ZIP: Mobile, Alabama 36630

Organizational Relationship:

NSLC Darlington, Inc. owns 100% of Applicant's equity.

15. List any subsidiary of the Applicant. Describe the subsidiary's ongoing organizational relationship with the Applicant.

NAME: N/A

STREET: _____

CITY, STATE, ZIP: _____

Organizational Relationship:

16. List any person who is not now in compliance or has a history of noncompliance with the environmental laws or regulations 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.

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

17. List all federal environmental agencies and any other environmental agencies outside this state that have or have had regulatory responsibility over the Applicant.

Louisiana Department of Environmental Quality
Georgia Environmental Protection Division
Texas Commission on Environmental Quality
Ontario, Canada Ministry of the Environment and Climate Change
US EPA

18. VERIFICATION AND ACKNOWLEDGEMENT

The Applicant agrees to provide any other information the director of the Arkansas Department of Environmental Quality may require at any time to comply with the provisions of the Disclosure Law and any regulations promulgated thereto. The Applicant further agrees to provide the Arkansas Department of Environmental Quality 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, Frederick T. Stimpson, III, 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: Frederick T. Stimpson III

TITLE: President

DATE: 11/18/15

Disclosure Statement Attachment
Anthony Forest Products Company, LLC
Question 8

Officers of the Applicant:

Frederick T. Stimpson, III	President
Robert M. Shackelford, III	Executive Vice President
Aubra H. Anthony, Jr.	Executive Vice President
Russ D. Anthony	Executive Vice President
Ronnie Clay	Vice President, Finance and Treasurer
Steve Barham	Vice President, Forest Management and Procurement
Kerlin Drake	Vice President, Marketing
David M. Calabrigo	Secretary
Chantle Selman	Controller and Assistant Treasurer