



ARKANSAS ENERGY & ENVIRONMENT

UST Contractor License Application Instructions

Underground storage tank licensing requirements for the State of Arkansas are found in Rule 12, Storage Tank Regulation, Chapters 5 and 6. Both contracting and testing companies, as well as individuals who supervise the work are required to be licensed.

An applicant for a Contractor License must submit to the Department the following information. Failure to do so could result in a delay in the issuance of the license.

- a. A fully completed "Application for License" form
- b. Companies requesting a Tester License should submit certification from the manufacturer that the testing method(s) used meets the federal performance standard as stated in 40 CFR 280.40(a)(3), 280.43.c and 280.44(b)
- c. A fully completed "Disclosure Statement"
- d. A \$25,000 Surety Bond, Irrevocable Letter of Credit for \$25,000, or Cash Bond for \$25,000

FEES

CONTRACTOR LICENSE (to install, repair, upgrade or close)	\$300.00
COMPANY LICENSE (to test)	\$300.00
CONTRACTOR AND COMPANY LICENSE	\$600.00

Questions concerning this license application should be directed to the RST Licensing Coordinator at 501-682-0993

Mail application packet and check for fees to:

Arkansas DEQ
Regulated Storage Tanks Division
5301 Northshore Drive
North Little Rock, Arkansas 72118-5317

**APPLICATION FOR LICENSE
ARKANSAS REGULATED STORAGE TANK PROGRAM
Contractor/Company Tester**

In order to process this application, applicant must submit a nonrefundable fee of three hundred dollars (\$300.00) - \$600 for both Installation Contractor and Testing Company - via check or money order made payable to the Arkansas Department of Environmental Quality. You may mail your check and application to 5301 Northshore Drive, North Little Rock, AR 72118-5317. If you should have any questions, please call the RST Licensing Coordinator at 501-682-0993.

Please PRINT or TYPE

Name of Contractor/Company: _____

Name of Responsible Person: _____

Name of Dual Role Individual (if any): _____

(If the company owner is acting as a site supervisor, he is **required** to meet all the individual licensing requirements except for the individual fee requirement.)

Date of Application: _____ Fax: _____

Mailing Address: _____ Phone: _____

City: _____ State: _____ Zip: _____

Secured Surety Bond, Letter of Credit or Cash Bond (circle one): Date issued _____

Type of License:

Install Repair Upgrade Close Test

FOR TESTER COMPANY ONLY:

The applicant **must submit** to the Arkansas Department of Environmental Quality **proof** of the following:

Certification by the manufacturer that the testing method used by the applicant meets the federal performance standard as stated in 40 CFR 280.40 (a)(3), 280.43c and 280.44(b) .

List all tank and line testing methods to be used by the manufacturer's name and product name:

Complete other side

If you have had a business or occupational license or certificate suspended or revoked, give the date and nature of the suspension/revocation. (License may not be issued if suspension or revocation was directly related to competency to install, repair, upgrade, close, or test Underground Storage Tank Systems.)

The undersigned certifies in affixing his/her signature to this application that statements made herein are true to the best of their knowledge and belief, and he/she is in good standing with all authorities by whom licensing is required, having secured a current Contractor's license as required by local, state, or federal laws.

I am familiar with and understand Arkansas Regulation 12 and certify that on any and all jobs involving installation, repair, upgrade, closure, or testing of an underground storage tank system a licensed individual will exercise responsible supervisory control over the work and will be physically present on the site at all critical junctures.

SIGNATURE

NAME (TYPE OR PRINT)

TELEPHONE NUMBER

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)

2. MAILING ADDRESS (Number and Street, P.O.Box Or Rural Route) :

3. CITY, STATE, AND ZIPCODE:

4a. Applicant Type:

Individual Corporate or Other Entity

4b. Reason for Submission:

Permit License Certification Operational Authority

New Application Modification Renewal Application (If no changes from previous disclosure statement, complete number 5 and 18.)

4c. Division:

Air Water Hazardous Waste Regulated Storage Tank Mining 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.)

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.)

*** 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: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

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

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

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: _____ 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: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

NAME: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

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: _____ TITLE: _____

STREET: _____

CITY, STATE, ZIP: _____

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: _____ 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: _____

STREET: _____

CITY, STATE, ZIP: _____

Organizational Relationship:

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

NAME: _____

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.

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, _____, 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:** _____

TITLE: _____

DATE: _____

STATE OF ARKANSAS
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

CONTRACTOR'S SURETY BOND

BOND NO.

Pursuant to
(The Regulated Substance Storage Tank Act) A.C.A. 8-7-805, amended through
Act 1186 of 1991, Act 1019 of 1993, and Act 601 of 1999

KNOW BY ALL THESE MEN PRESENT, That we of

as Principal and _____
as Surety, a company licensed to do business in the State of Arkansas, and executed by a resident Arkansas agent, are held and firmly bound unto the State of Arkansas, **Arkansas Department of Environmental Quality**, hereinafter called the **Obligee**, in the sum of **TWENTY-FIVE THOUSAND & NO/100 Dollars (\$25,000.00)**, said sum in the amount of at least Twenty-Five Thousand Dollars (\$25,000.00) lawful money of the United States of America to be paid to said **Obligee**, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, the purpose of this Bond is to insure the proper installation, repair, upgrade, closure or testing of underground storage tanks,

NOW THEREFORE, the condition of this obligation is such, that if the Principal shall faithfully perform all requirements of the Act and shall comply with all rules and regulations of the **Department** made in accordance with the provisions of the Act, and approved by the **Obligee**, pertaining to the License, then this Obligation shall be null and void, otherwise to remain in full force and effect.

The liability of the Surety shall at no time exceed in the aggregate the sum of twenty-five thousand (\$25,000.00) dollars, and shall not be construed as being annually cumulative.

The Surety may cancel this bond at any time by filing with the **Department** ninety (90) days written notice of its desire to be relieved of liability.

Dated this _____ day of _____, _____.

Principal

By: _____

Surety

By: _____

Licensed Arkansas Resident Agent

STATE OF ARKANSAS
ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY

IRREVOCABLE STANDBY LETTER OF CREDIT

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER

DATE OF ISSUE

BENEFICIARY

Arkansas Department of Environmental Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

ACCOUNT PARTY

(Contractor/Company)
(address)

DATE OF EXPIRY

PLACE OF EXPIRATION (Bank, Surety Company)

AMOUNT USD25,000.00 (U.S. DOLLARS TWENTY FIVE THOUSAND ONLY)

We hereby establish our Clean Irrevocable Standby Letter of Credit in your favor for the account of the above-mentioned account party which is available by payment against your drafts drawn at sight on _____ bearing the clause "Drawn under Irrevocable Standby Letter of Credit No. _____."
(Bank, Surety Company)

It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for an additional period of one year beyond the current or any future expiration date unless at least thirty (30) days prior to such expiration date we send you in writing by courier at the address shown above our notice that we do not elect to extend this Letter of Credit for any additional period.

The original Letter of Credit and any Amendment(s) must be presented for endorsement in all your drawings.

We engage with you that all draft(s) drawn under and in compliance with the terms of this Credit will be duly honored by us as specified if presented on or before the expiry date.

This Letter of Credit is subject to the International Standby Practice 1998, (ISBP) International Chamber of Commerce Publication No.590.

(Bank, Surety Company)

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE