

2520101200275

EBSA/PUBLIC DISCLOSURE February 24, 2010
2010 MAR -1 PM 3:15

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Top Hat Plan Exemption
Employee Benefits Security Administration
U.S. Department of Labor
200 Constitution Avenue, N.W., Room N-1513
Washington, D.C. 20210

Re: Apache Nitrogen Products, Inc. Deferred Compensation Plan

Dear Sir or Madam:

Enclosed for filing with the Secretary of Labor is a Statement satisfying the alternate form of compliance with the reporting and disclosure requirements of Part 1 of Title 1 of the Employee Retirement Income Security Act of 1974 ("ERISA"). This statement is intended to fulfill the requirements set forth in Department of Labor Regulation Section 2520.104-23 with respect to The Apache Nitrogen Products, Inc. Deferred Compensation Plan for the benefit of employees who are members of a "top-hat group."

Respectfully,

APACHE NITROGEN PRODUCTS, INC.

By:

Its:

Robert E. Cashdollar, Jr.
President & CEO

Enclosure

cc: Marvin S. Swift, Jr. (w/encl.)
Robert Cashdollar (w/encl.)

APACHE NITROGEN PRODUCTS, INC.
STATEMENT PURSUANT TO DEPARTMENT OF LABOR
REGULATIONS SECTION 2520.104-23

Apache Nitrogen Products, Inc. (the "Company") hereby submits the following information to the Secretary of Labor with respect to The Apache Nitrogen Products Inc. Deferred Compensation Plan for Andrew C. J. Hunter and Robert E. Cashdollar (the "Plans"). The Company adopted both Plans to provide deferred compensation to employees who are part of a select group of management or highly compensated employees.

1. Name and Address of Company:

Apache Nitrogen Products, Inc.
P.O. Box 700
1436 S. Apache Powder Rd.
Benson, AZ 85602

2. Employer identification number assigned by the Internal Revenue Service to the Company:

86-0001820

3. The Company has entered into the Plans primarily for the purpose of providing deferred compensation to an employee who is part of a select group of management or highly compensated employees.

4. At this time, the Company has one other plan that provide deferred compensation to a select group of management or highly compensated employees. That plan benefits a total of one employee. The Plans cover two employees.

Dated February 24, 2010.

APACHE NITROGEN PRODUCTS, INC.

By: _____

Its: _____

Robert E. Cashdollar, Jr.
President & CEO

February 24, 2010

2010 MAR -1 PM 3: 14

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Top Hat Plan Exemption
Employee Benefits Security Administration
U.S. Department of Labor
200 Constitution Avenue, N.W., Room N-1513
Washington, D.C. 20210

Re: Apache Nitrogen Products, Inc. Deferred Compensation Plan

Dear Sir or Madam:

Enclosed for filing with the Secretary of Labor is a Statement satisfying the alternate form of compliance with the reporting and disclosure requirements of Part 1 of Title 1 of the Employee Retirement Income Security Act of 1974 ("ERISA"). This statement is intended to fulfill the requirements set forth in Department of Labor Regulation Section 2520.104-23 with respect to The Apache Nitrogen Products, Inc. Deferred Compensation Plan adopted on January 1, 2010 for the benefit of an employee who is a member of a "top-hat group."

Respectfully,

APACHE NITROGEN PRODUCTS, INC.

By: 

Its: President & CEO

Enclosure

cc: Marvin S. Swift, Jr. (w/encl.)

APACHE NITROGEN PRODUCTS, INC.

**STATEMENT PURSUANT TO DEPARTMENT OF LABOR
REGULATIONS SECTION 2520.104-23**

Apache Nitrogen Products, Inc. (the "Company") hereby submits the following information to the Secretary of Labor with respect to The Apache Nitrogen Products Inc. Deferred Compensation Plan for Pamela Beilke, which was adopted by the Company on January 1, 2010, for an employee who is part of a select group of management or highly compensated employees.

1. Name and Address of Company:

Apache Nitrogen Products, Inc.
P.O. Box 700
1436 S. Apache Powder Rd.
Benson, AZ 85602

2. Employer identification number assigned by the Internal Revenue Service to the Company:

86-0001820

3. The Company has entered into the Plan primarily for the purpose of providing deferred compensation to an employee who is part of a select group of management or highly compensated employees.

4. At this time, the Company has two other plans that provide deferred compensation to a select group of management or highly compensated employees. Those plans benefit a total of two employees. The Apache Nitrogen Products, Inc. Deferred Compensation Plan for Pamela Beilke has one current participant.

Dated: February 24, 2010.

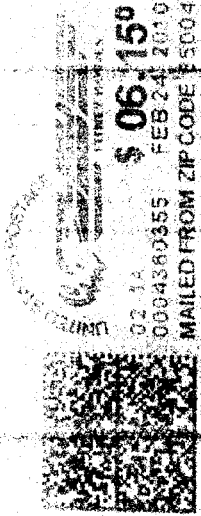
APACHE NITROGEN PRODUCTS, INC.

By: Robert L. Pashdollar Jr.

Its: President & CEO



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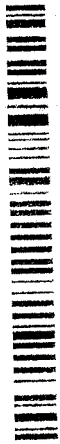
LAW OFFICES

Marvin S. Swift, Jr., Esq.
One Arizona Center, 400 E. Van Buren
Phoenix, Arizona 85004-2202

To:

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U.S. Department of Labor
200 Constitution Avenue, N.W., Room N-1513
Washington, D.C. 20210



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Snell & Wilmer

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LLP

Marvin S. Swift, Jr., Esq.
One Arizona Center, 400 E. Van Buren
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